

Date

July 23, 2009

Subject

Reducing administrative burdens in the European Union

Dear Sir or Madam,

The mandate of the European Commission is coming to an end. It is now the moment to start the discussion on the priorities of the new European Commission. *Regelrådet* (Swedish Better Regulation Council), *Nationaler Normenkontrollrat* (German National Regulatory Control Council) and *Actal* (Dutch Advisory Board on Administrative Burdens) intend to send a position paper with recommendations on how to achieve a sustainable reduction of administrative burdens in the European Union to the future President of the European Commission. All three of us are independent advisory boards on the national level with the mission to (help) reduce unnecessary administrative burdens.

The current economic crisis reinforces the need to strengthen the competitiveness of the EU by relieving businesses of unnecessary regulatory pressure. The reduction of administrative burdens can strengthen the European economy. On the European level efforts have been made to reduce unnecessary administrative burdens. However, to reach an effective and sustainable reduction of administrative burdens for businesses in the EU, we believe that a more ambitious approach is needed on the European level.

We would like to share our ideas with you as actor in this field on the European level in order to present recommendations to the new Commission that are broadly shared. We believe that it is of utmost importance that all stakeholders in the field of reducing unnecessary regulatory pressure cooperate in order to achieve significant and ambitious results.

From our own experiences on the national level, we are convinced that further perceivable reduction measures should be initiated by the Commission and adopted, fast track, by the Council and the European Parliament. The focus should not only be on large macro-economic proposals, but the reduction potential for smaller sectors should also be addressed.

A full baseline measurement and a net target are preconditions for a successful and durable approach on the reduction of administrative burdens. The current Commission has made a first step by measuring 42 legislative acts in 13 priority areas. Nevertheless, we believe that in the long run a full baseline measurement of administrative burdens must be carried out. The new Commission could start with mapping all information obligations for businesses. This will allow for an overview of all burdens, making quick action possible where the need is the highest.

A baseline measurement allows for the setting of a target. This should be a net target per Directorate General. Such a target will assure that the impact of simplification is not negated by

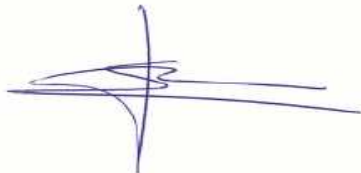
the flow of new regulation. For the first 42 legislative acts that have already been measured the Commission should confirm that the set 25 percent target is a net reduction.

Legislation has beneficial effects for society. Nevertheless, experience has shown that legislation can also entail *unnecessary* administrative burdens for businesses. Policymakers should therefore be stimulated to look for policy alternatives with lower administrative burdens. This can be ensured by providing that for every new initiative by the Commission an ex-ante measurement of administrative burdens is carried out. The new impact assessment guidelines have led to improvements, but there are still Commission initiatives that are not accompanied by impact assessments and ex-ante measurements.

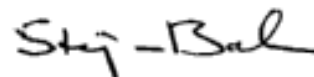
The quality of ex-ante measurements improves when an independent and external committee scrutinizes the assessments done by the Commission's services. Independent and external scrutiny adds credibility to the ex-ante measurements. It will help ensure that businesses and stakeholders are engaged and remain supportive to the programme. This fact is seen in a growing number of Member States. For example, Regelrådet started its work in February of this year. This fall the United Kingdom will establish a new committee. As it takes time to set up such a new committee, we believe that the Commission should analyse how the mandate of the High Level Group of Independent Stakeholders on Administrative Burdens can be strengthened in the short run to assure external scrutiny of new legislation.

We truly hope that you support our ideas and that we will combine our efforts to enable a more ambitious approach on reducing administrative burden in the European Union.

Sincerely yours,



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(Chairman of ACTAL)



Stig von Bahr
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Dr. Johannes Ludewig
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