



The EU Regulatory Fitness and Performance Programme (REFIT)

WTO Committee on Technical Barriers to Trade
Thematic Session on Good Regulatory Practice

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Outline

- Context : the EU Smart Regulation Agenda
- REFIT
 - *Why?*
 - *How it is implemented*
 - *First Results*
 - *Next steps*

A bit of history

- 2000 onwards: **Better Regulation Agenda**
 - Public stakeholder consultations
 - Impact assessment system
 - Simplification
 - Administrative burden reduction programme
- 2010: **From Better Regulation to Smart Regulation**
 - **Smart** = delivering results in the least burdensome way, supporting the objectives of a sustainable and inclusive growth
 - *Commission Communication on Smart Regulation in the European Union* (COM(2010)543 of 8.10.2010)

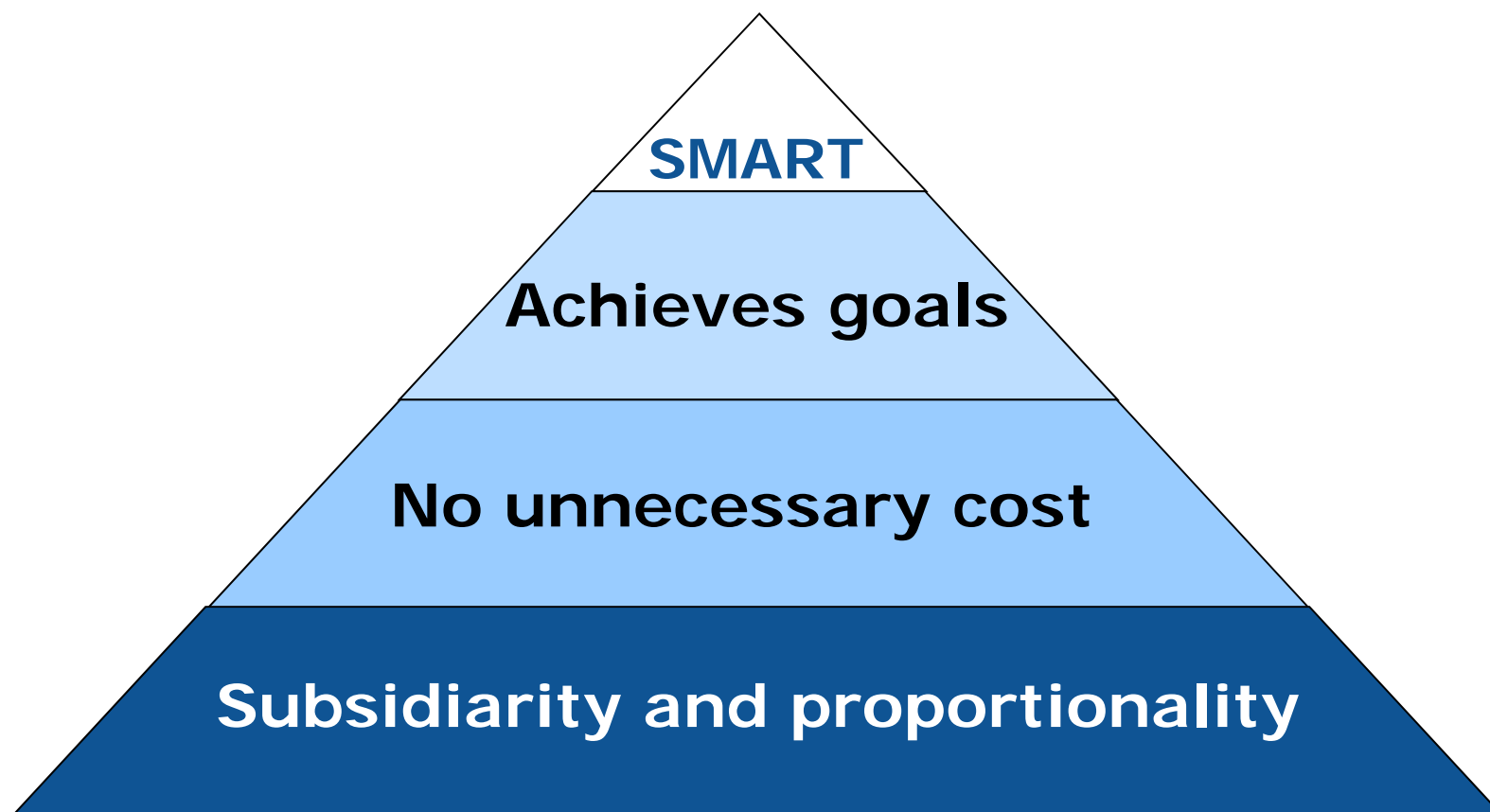


Context: Smart Regulation

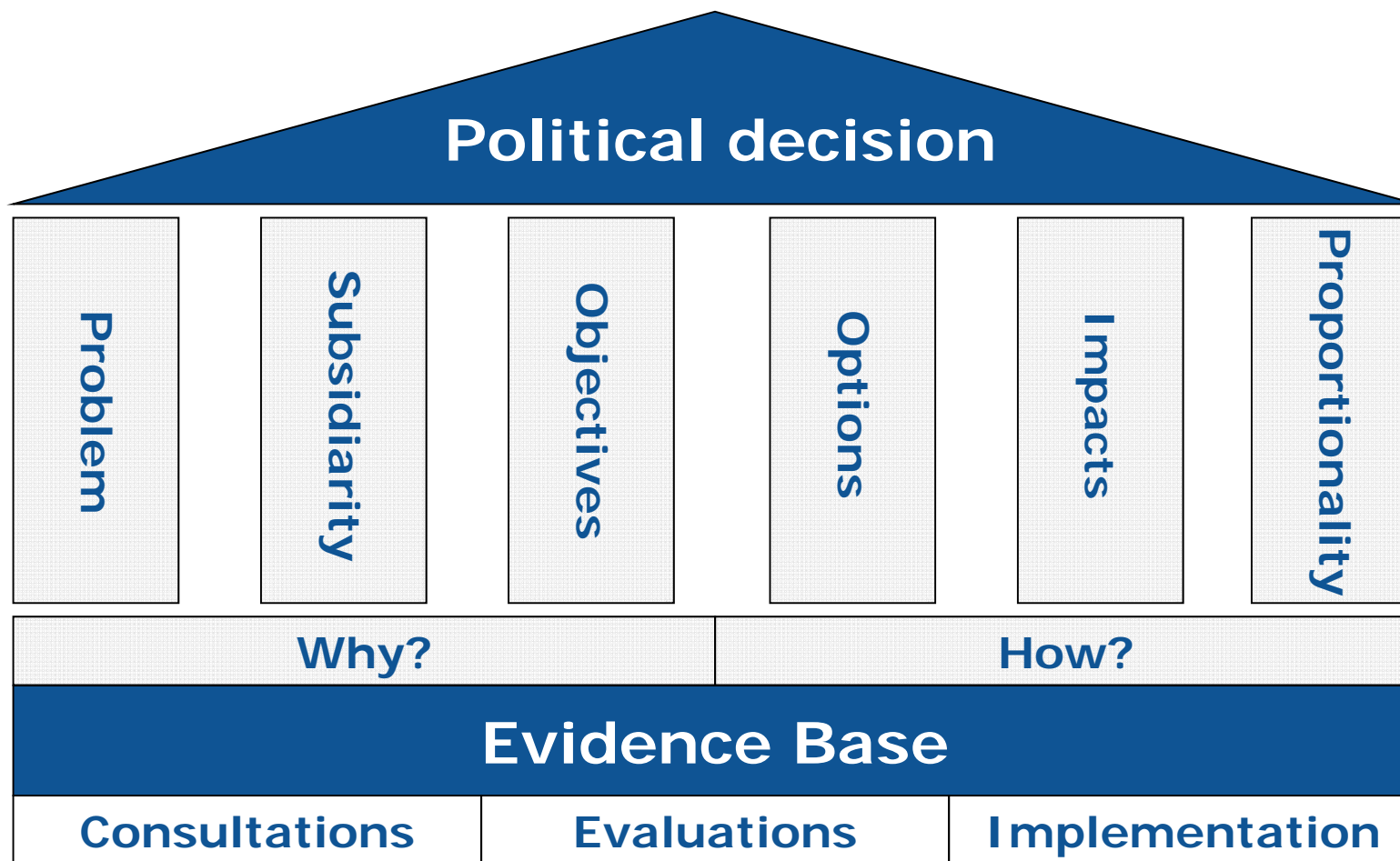
Objectives

- Simple, clear, stable and predictable regulatory framework
- Keep regulatory burden to the minimum necessary to achieve the legitimate policy objective

Context: Smart Regulation



Evidence-based policy-making



The Policy Cycle



REFIT - Why?

- 2012: **Launch of REFIT Programme**
 - *Commission Communication on EU Regulatory Fitness* (COM(2012) 746 final of 12.12.2012)

Comprehensive policy framework to assess the existing regulatory stock

Key concept: **fitness for purpose**

- Does the regulation achieves its legitimate objectives at least cost/burden to businesses and citizens?

REFIT - Why?

It is the existing stock of legislation that:

- Creates most benefits and costs
- Offers greatest lessons on what works and what doesn't and why

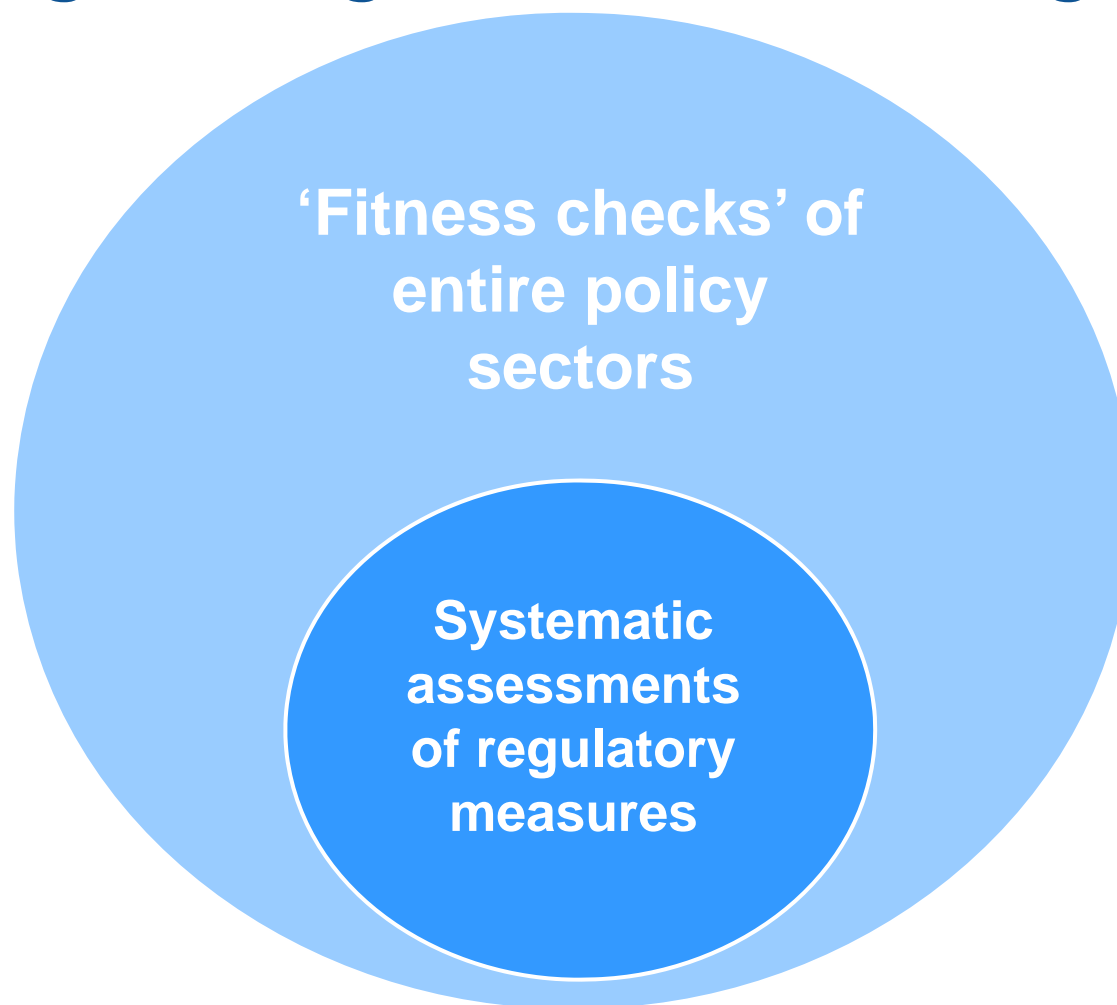
Hence the need to have appropriate tools to:

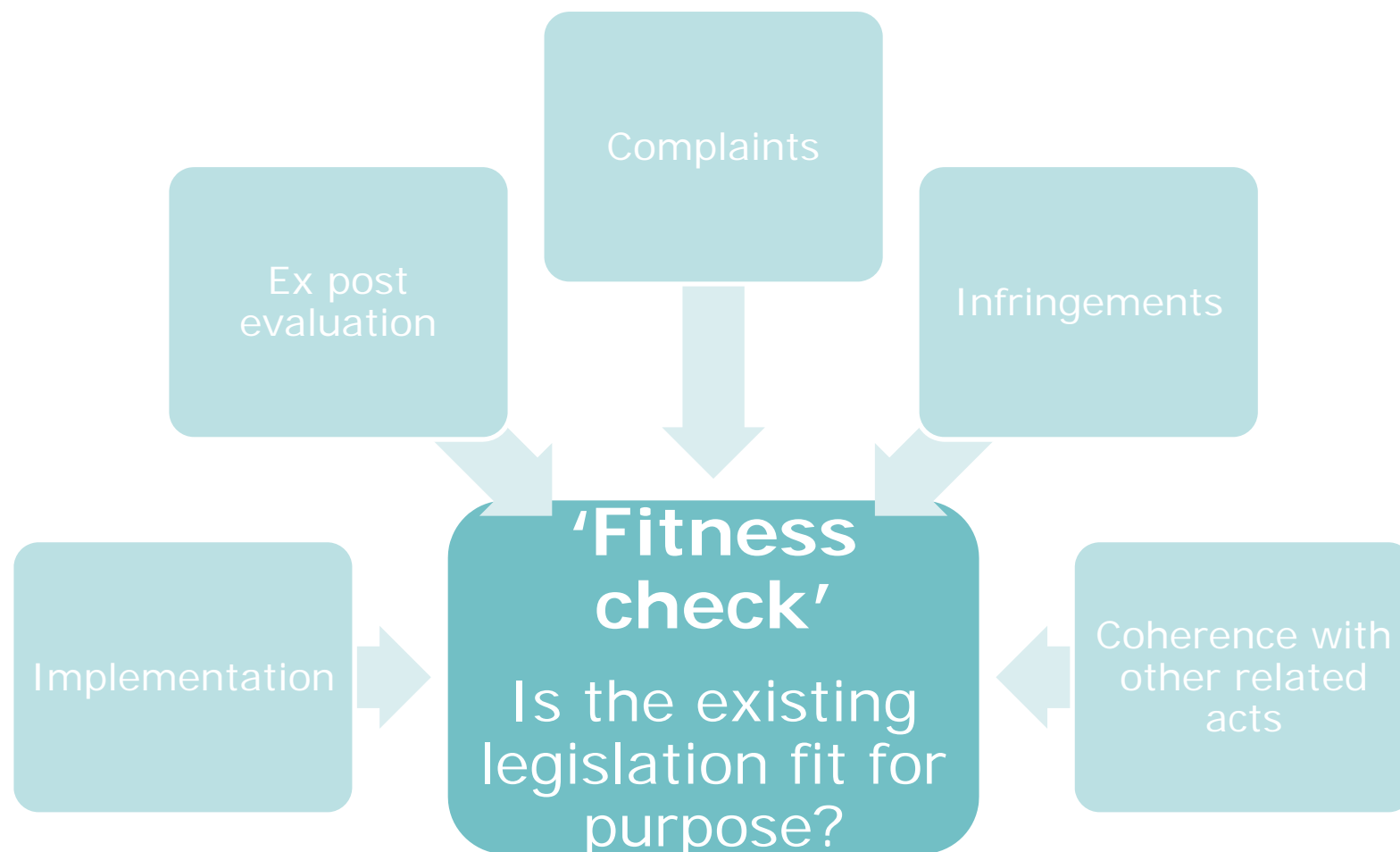
- Strengthen evaluation of legislation
- Identify and eliminate all unnecessary costs

REFIT – How is it implemented?

- **Screen the regulatory stock:** relevance for REFIT
 - *Identify burdens, inconsistencies, gaps and ineffective measures*
- **Consult:** full stakeholder involvement
- **Take action:** withdraw, repeal, simplify, improve
- **Assess:** evaluations and Fitness Checks
 - *Assess adequacy of regulatory framework for a policy sector*
 - *How different regulations interact with each other and what is their cumulative impact*
 - *Transparent planning of evaluations, priorities are established based on stakeholders' input*
- **Track Progress:** Scoreboard

Strengthening evaluation: filling the gaps





REFIT – First results

- 2012-2013: **Focus on burdens for SMEs arising from existing regulations**
 - *Consultation on Top Ten most burdensome regulations*
 - *Outcome: Commission Communication on Smart Regulation – Responding to the needs of SMEs (COM(2013) 122 final of 7.3.2013)*
- 2013: **REFIT: Results and Next Steps**
 - *Commission Communication on REFIT: Results and Next Steps (COM 2013) 685 final of 2.10.2013)*
 - *Initial results of mapping exercise in Commission Staff Working Document SWD(2013) 401 final of 1.8.2013*
 - *Commission Communication on Strengthening the foundations of Smart Regulation – improving evaluation (COM(2013) 686 final of 2.10.2013)*

REFIT – Examples of first results

- **Consolidation, simplification and repeal**
 - ✓ *Agricultural and forestry vehicles (repealing 24 Directives)*
 - ✓ *Light-motor vehicles (repealing 15 Directives)*
 - ✓ *Metrology (repealing 8 Directives)*
 - ✓ *etc.*
- **Pending Commission proposals awaiting adoption by the co-legislator**
 - ✓ *Animal health*
 - ✓ *Consumer product safety and market surveillance*
 - ✓ *Clinical trials with pharmaceuticals*
 - ✓ *Recording equipment in road transport (tachograph)*
 - ✓ *etc.*

REFIT – Examples of first results

- **New initiatives for simplification and codification**
- **Obsolete acts (repeal) or initiatives (Commission to withdraw proposal)**
 - ✓ *Clean and energy-efficient road transport vehicles (repeal)*
 - ✓ *Retrofitting of mirrors to heavy goods vehicles (repeal)*
 - ✓ *Classification, packaging and labelling of dangerous preparations (repeal)*
 - ✓ *etc.*

REFIT – Examples of first results

- **Legislation to be evaluated in terms of regulatory fitness**
 - ✓ *Chemicals not covered by REACH*
 - ✓ *Type-approval system for motor vehicles*
 - ✓ *General food law regulation*
 - ✓ *Renewable Energy Directive*
 - ✓ *Machinery Directive*
 - ✓ *Etc.*

REFIT – Next steps

- REFIT as a "**Rolling programme**"
- REFIT **scoreboard** to be published in June 2014
- **Mapping and screening** of regulatory stock
- **Public consultation** on scoreboard and initial outcome of mapping / screening exercise
- **Publication of 2014 results**
 - New Commission Communication on REFIT (with new actions) end 2014 / early 2015

Conclusions

- Regulatory frameworks must be kept fit for purpose
 - *Monitor, evaluate, take appropriate action*
- Identification of unnecessary costs and areas for performance improvement as integral part of the policy making and programming process

Useful links

- **Smart regulation** portal: http://ec.europa.eu/smart-regulation/index_en.htm
- **REFIT**: http://ec.europa.eu/smart-regulation/refit/index_en.htm