



COMMISSION OF THE EUROPEAN COMMUNITIES

**Brussels, 26.11.1997
COM(97) 626 final**

BETTER LAWMAKING 1997

COMMISSION REPORT TO THE EUROPEAN COUNCIL

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INTRODUCTION

The purpose of this annual report to the European Council¹ is to describe the action taken by the Commission to help the Community achieve "better lawmaking". It shows that the considerable effort made by the Commission since the Edinburgh European Council has borne fruit and confirms that it was right in its approach of doing less but doing it better, consulting interested parties more extensively, improving the drafting quality of its texts, simplifying and consolidating existing legislation, and seeking to provide easier access to Community law. The Commission is equipping itself to continue work in this direction through major internal reform initiatives such as MAP 2000² and SEM 2000.³

Better lawmaking is not only a matter for the Commission. It also concerns Parliament and the Council, the two institutions which share joint responsibility for adopting Community legislation. This implies that the objectives pursued should be consistent. Reality, however, does not always match the ideal. Experience shows that where unanimity is required in the Council – and sometimes in other cases too – the need to find a compromise acceptable to all frequently tends to make the original proposal more complex. The changes made to texts on the basis of amendments adopted by the European Parliament may not necessarily enhance their simplicity or readability. Proposals for simplification and formal consolidation also tend to get stuck at the proposal stage for a long time.

The Member States, for their part, must endeavour to implement Community law effectively. Today – five years after the 1992 deadline – nearly 25% of the measures relating to the single market have not yet been implemented by the Member States. The situation is much the same in the area of the environment, for instance. It is not just a matter of Member States taking steps to transpose Community legislation; the measures they adopt must comply with the Community requirements and they must be correctly applied.

In this context, the Commission also realises that better lawmaking means adopting texts at Community level that are easy to transpose and to apply at national level.

The Member States, too, have a heavy responsibility in terms of the quantity and quality of the legislation they adopt. Their legislative output remains substantial and

¹ This report is in response to the requests made by the Edinburgh European Council in December 1992 and subsequent European Councils, and to the Interinstitutional Agreement of 29 October 1993 on the application of the principle of subsidiarity (Bull. EC 10-1993, p. 128). After the first reports in 1993 (COM (93)545) and 1994 (COM (94) 533), the Commission took the view that the report's scope should be extended to cover all action aimed at improving the quality of legislation ("Better lawmaking"). This approach was approved by the European Council. As a result "Better lawmaking" reports were presented in 1995 (CSE (95)580) and 1996 (CSE (96) 7). "Better lawmaking 1997" continues along the same path.

² MAP 2000 - Modernisation of Administration and Personnel Policy for the year 2000.

³ SEM 2000 phase II (developing better internal financial management, SEC (95) 1301) and SEM 2000 phase III (better financial coordination between departments in the Commission and the Member States, SEC (97)1060, transmitted on 28 May 1997).

complex, with the risk of causing fragmentation of the market. The Member States therefore have to play an active part in the process of better lawmaking.

I. PREPARATION OF LEGISLATIVE PROPOSALS

1. Commission initiative on legislation: overview

Formal proposals

Since the beginning of the 1990s the number of proposals for new legislation has been in steep decline, even though the overall volume of proposals shows only a small reduction (Annex I). This trend has been reinforced by the present Commission's determination, ever since it took office in 1995, to do less but to do it better, in other words to concentrate on its political priorities. Closer European integration does not necessarily mean more legislation. The results achieved by the Commission show that it is possible.

This downward trend is due partly to observance of the principle of subsidiarity, but also to completion of the programme set out in the 1985 White Paper on the internal market and, more generally, to the diversification of the instruments used for integration (for example, new measures, including non-legislative instruments, on employment, the single currency or the new action plan for the single market). However, the Commission, as the institution with the right of initiative, must act where action is required (especially as, in such cases, Community-level action can sometimes save the need for a large number of piecemeal national measures). With the implementation of "Agenda 2000",⁴ it is not surprising that the programme for 1998 should involve some increase in the number of proposals for new legislation, especially as regards the Structural Funds and the common agricultural policy.

The table in Annex II shows the breakdown of formal proposals which, leaving aside new legislative initiatives, concern legislation on external relations, the revision of existing legislation, acts relating to the continuation of measures already under way and implementing measures. The Commission is under an obligation to take some of these measures, either as a direct consequence of international undertakings, under existing Community law or in response to legitimate requests by other institutions or the Member States. As regards implementing measures, many are due to the fact that the Community legislator sometimes reserves implementing powers to itself, usually as a result of disagreement over how these powers should be assigned to the Commission. Proposals of this type, which place a heavy workload on the Council and Parliament, could in future be usefully replaced by measures to be taken by the Commission with the assistance of committees.

⁴ COM (97)2000, transmitted on 16 July 1997.

As regards technical regulations, the Member States are the major producers and here there is a marked upward trend (see Annexes III and IV).

Lastly the Commission is constantly seeking to eliminate any proposal that is unnecessary or no longer relevant. Each year it withdraws proposals that are outdated: 61 in 1995, 48 in 1996, and about 30 in 1997.

Documents for discussion and consultation and reports

As is shown in Annex II, each year the Commission produces a great quantity of discussion papers and documents for discussion and consultation and reports. The purpose of discussion and consultation documents (Green or White Papers, certain communications) is to foster discussion with all interested parties so that the appropriate course of action can be decided (see 3 below). Reports, which constitute the bulk of such documents (50%) are generally a response to requests from Parliament and the Council contained in most cases in legislative provisions. There is a case for simplifying, or even rationalising these obligations.

2. Subsidiarity/proportionality

Subsidiarity and proportionality are the guiding principles for measures proposed by the Commission. It has always observed the guidelines for implementing these principles (defined by the Edinburgh European Council, largely on the Commission's initiative). These are now incorporated in a protocol to be annexed to the EC Treaty under the Treaty of Amsterdam.

Subsidiarity

In accordance with Article 3b EC, the Commission continues to concentrate on taking action where this is necessary and offers the most effective way of achieving objectives for which action at national level is not sufficient. Systematic individual evaluation is carried out whenever action is envisaged.

The Commission's efforts have borne fruit. Proposals for new legislation⁵ number just 7, of which 4⁶ are in areas of exclusive Community competence, where the principle of subsidiarity does not apply. There are therefore only 3⁷ proposals in areas of shared competence. In these cases, the Commission has set out the reasons for its choice in the explanatory memorandum.

⁵ New legislative initiatives are set out in the Commission's annual work programme.

⁶ Surveillance of national budgetary positions (COM(97) 305 and 306, transmitted on 10 June 1997; motor vehicle civil liability insurance (COM(97) 510, transmitted on 3 October 1997); legal protection of conditional access services (telecommunications) (COM(97) 356, transmitted on 2 October 1997); research and technological development (COM(97) 142, transmitted on 1 April 1997).

⁷ Voluntary service for young people (COM(96) 610, transmitted on 18 November 1997); air transport: crew training (COM(97) 382, transmitted on 22 July 1997); road transport: admission to occupation (COM(97) 25, transmitted on 27 January 1997).

The Commission has also chosen, in parallel, to recommend alternative solutions to legislation, such as agreements negotiated with industry in the field of the environment. The Council and Parliament have approved the Commission's approach in recent resolutions.⁸

In other cases accession to international agreements makes it possible to integrate these agreements themselves, or the decisions implementing them, in the Community legal order and, where appropriate, to make them directly applicable; in other words, the objectives of the action envisaged can sometimes be better achieved at international level rather than simply at Community or national level ("upwards" application of the principle of subsidiarity). This is the case with the proposal on technical standards for motor vehicles, currently under discussion in the Council.⁹

Proportionality

Examples show how the Commission goes about complying with the proportionality principle.

The Commission is very careful over its choice of instrument: it is making increasing use of directives which simply lay down general principles¹⁰ or directives confined to setting out essential common measures.¹¹ Of course, care is needed – in particular through dialogue with national institutions – to ensure that such directives do not open the way to disparities in national legislation. The Commission is nevertheless convinced that they are a useful instrument for ensuring that the principle of proportionality is observed. This is the approach confirmed by the protocol to be annexed to the EC Treaty under the Treaty of Amsterdam.

Assessing the impact of proposals can also help in checking to ensure that proportionality is properly taken into account. This is a delicate task, witness the contrasting findings arrived at by the Member States and the differences in methodology observed. However progress has been made on this front.

As regards the single market in particular, the action plan adopted by the Amsterdam European Council¹² includes plans to consult a European business panel (comprising small and medium-sized businesses) to assess the cost and administrative burden for businesses of proposed new legislation. The Commission will set up the panel and launch some pilot projects in the course of 1998.

⁸ Council resolution of 7.10.1997 (OJ C 321, 22.10.1997, p.6) and European Parliament resolution of 17.7.1997 (OJ C 286, 22.9.1997).

⁹ Proposal for a Decision with a view to accession by the European Community to the United Nations Economic Commission for Europe Agreement concerning the adoption of uniform technical requirements for the approval of motor vehicles (COM(95) 723, transmitted on 12 January 1996).

¹⁰ Such proposals for directives were adopted in the areas of water policy (COM(97) 49), VAT applied to telecommunications services (COM(97) 4) and the transport of dangerous goods by waterway (COM(97) 367).

¹¹ As in the field of energy product taxation (COM(97) 30) or airport taxes (COM(97) 154).

¹² CSE (97) 1, transmitted on 9 June 1997.

3. Consultation

Consultation, which the Commission makes wide use of when drawing up proposals, is intended to provide greater openness and participation. Consultation – as wide-ranging as possible – enables it to exercise its choice having regard to the Community interest and in the full knowledge of the views of the operators concerned, without shirking its responsibilities.

The Commission undertook last year to make its Green and White Papers more homogenous and better targeted. The list¹³ for this year shows that it has achieved its objective. Their publication on the Internet has also made them more accessible.

These two types of document have proved their value. One example worth quoting is the Green Paper on copyright.¹⁴ By the end of the year, the Commission will adopt a proposal taking account of a very large number of observations received following the its publication. The Commission hopes that other documents of this kind, such as the Green Paper on the general principles of food law,¹⁵ will have the same impact.

Besides bringing out Green or White Papers, the Commission seeks consultation through communications, as in the area of competition, where it plans to introduce the decentralised application of Articles 85 and 86 EC, which will allow tasks to be divided better between the Member States and the Community.¹⁶

A widespread network of advisory committees of professionals in the fields concerned and expert groups contributes towards effective consultation. These include around ten scientific committees made up of independent experts which have recently been reorganised. Their opinions are now published on the Internet.

The Commission also keeps up a constant dialogue with interest groups, which participate constructively in its work, especially in the drafting of technical rules. The directory which the Commission published in January 1997 covers some 600 organisations. The Commission pursues a policy of granting these interest groups equal treatment.

Lastly, this year saw further progress in the application of the procedure set out in the agreement on social policy, which is concerned with the legislative implementation of the results of consultation with the social partners.¹⁷

¹³ Green Papers on: competition policy and vertical restrictions, partnership for a new organisation of work, supplementary retirement pension in the single market, the Community patent, and food legislation. White Paper on sectors and activities outside the scope of the working time Directive.

¹⁴ COM (95) 382, transmitted on 27 July 1995.

¹⁵ COM (97) 176, transmitted on 13 May 1997.

¹⁶ Commission notice on cooperation between national competition authorities and the Commission in handling cases falling within the scope of Articles 85 and 86 of the EC Treaty (C 3019 of 10.10.1997).

¹⁷ The framework agreement on part-time working was embodied in a Commission proposal (COM(97) 392, transmitted on 14 July 1997). Similarly, the social partners have been consulted on the prevention of sexual harassment and on informing and consulting workers in the national framework.

4. Drafting quality of Community legislation

Community legislation needs to be worded clearly, consistently and unambiguously, following uniform principles of presentation and legal drafting. All the institutions have taken steps in this direction in recent years. The Council, for instance, adopted a Resolution on the quality of drafting of Community legislation.¹⁸

The Commission devotes a large part of the "General guidelines for legislative policy"¹⁹ which it adopted in 1996 to the quality of drafting. This year, the Legislative Drafting manual has been updated to guide Commission departments when drafting legislative proposals and other legal instruments. It has also started on improving the layout and processing of legislative documents to make it easier to publish them electronically (SEI-LEG project).

Even if all the institutions follow this lead, it still has to be done in a consistent manner. For this reason a declaration was annexed to the final act of the Treaty of Amsterdam asking the European Parliament, the Council and the Commission to adopt, by common agreement, guidelines to improve the drafting quality of legislation. The legal services of the three institutions are already working in consultation with one another. The Commission thus hopes to produce a set of common rules on the quality of legislation.

II. REVISION OF EXISTING LEGISLATION

1. Simplification

The Commission has continued, consistently and without neglecting any sector, the simplification work begun following the Edinburgh (1992) and Brussels (1993) European Councils. This year it presented 10 proposals in the areas of agriculture, competition, energy, the environment, taxation, industrial products, recognition of diplomas, statistics and telecommunications. It also took 1 decision on simplification in the field of statistics.

Some examples will illustrate the simplification approach followed by the Commission. In the very complex field of water, it proposed a framework directive²⁰ which will ensure greater consistency and repealed 6 legislative acts. In the field of scientific research, the Commission presented a draft decision to harmonise and simplify access and implementation of all the research programmes under the 5th framework programme.²¹

¹⁸ Resolution of 8 June 1993 (OJ C 166, 17.6.1993).

¹⁹ Bull.1/2 1996, point 1.10.11.

²⁰ COM (94) 49, transmitted on 15 April 1997.

²¹ Proposal on rules for participation in Community R&TD and for dissemination of research results (Article 130j EC).

A table giving an overview of all the simplification work undertaken by the Commission since the Brussels European Council and summarising the state of play of work in the Council and Parliament is contained in Annex V.

The Amsterdam European Council in June 1997 reinforced this approach by giving an impetus allowing the Commission to launch two large-scale initiatives:

- the *action plan for the single market* proposes a rolling simplification programme, incorporating in particular the innovative method begun in 1996 with SLIM (simplifying legislation relating to the internal market), and other existing methods of simplification. Simplification thus forms an essential pillar of the single market, allowing better application and transposition of Community law. This year a second phase of SLIM was launched in relation to VAT, the combined nomenclature for external trade, banking services and fertilisers. A third phase is due to be launched in January 1998 and a fourth in May, in line with the action plan for the single market. It is important for Parliament and the Council to adopt the Commission's proposals in this area quickly, so as not to hamper the smooth running of the single market. The action plan also encourages the Member States to match this exercise with initiatives for simplification at national level. They reported on this issue to the Council (Internal market) on 27 November.

- the Commission set up the "*Business Environment Simplification Task Force*" (BEST),²² which was given the task of identifying the factors acting as a legislative or administrative brake on small businesses. The Task Force, comprising independent experts from the Member States, will help to better define the conditions in which such firms can prosper and develop. These indications will be useful both for the Community and for the Member States. BEST, which started work in October, presented an interim report which the Commission sent to the European Council on employment held on 21 and 22 November. A final report will be submitted to the Commission in May 1998, on the basis of which it will formulate comments for the Cardiff European Council.

2. Formal consolidation, informal consolidation and recasting

Formal consolidation is a major task from the technical point of view, bearing in mind the number of amendments that have been made to many legislative instruments and the constraints of multilingualism. Account also has to be taken of the fact that the legislation to be consolidated is constantly changing, which complicates the process.

The Commission is continuing its efforts (see state of progress in Annex VI). By the end of 1997, new proposals for formal consolidation will have been presented to

²² SEC (97) 1697.

Parliament and the Council²³ involving the repeal of some 61 pieces of legislation. The Commission has already identified the sectors where a special effort is needed between 1998 and 2000: labelling of foodstuffs, pharmaceuticals, safety at work, customs, indirect taxation and agriculture.

In parallel with the complex task of formal consolidation, the Commission is undertaking **informal consolidation** for information purposes in order to meet the wishes of operators. This has no legal effect but is very useful for all the "consumers" of Community law. From 1995 to October 1997 more than 310 basic pieces of legislation have been consolidated, which involved processing some 2500 different texts, each in 9 or 11 language versions. Since 1 July 1997 these texts are gradually being loaded on to the interinstitutional server "Europa", where they are accessible free of charge via the Internet (see III below).

The technique of **recasting** is used where amendments are made to a piece of basic legislation. It involves adopting a new act and repealing the old basic act. This is the best solution to ensure constant clarity of legislation and could offer an alternative to formal consolidation. The Commission would point out that more systematic use of recasting is conditional on the signature of an interinstitutional agreement with the European Parliament and the Council. Preparatory technical discussions have begun between the legal services of the institutions. The Commission hopes that the European Council will call on the institutions to speed up the work under way.

III. ACCESS TO INFORMATION ON COMMUNITY LAW

Access to information on Community law is essential for businesses and individuals who wish to benefit fully from the opportunities offered by the single market and Community policies. The Commission intends to take every opportunity offered by new information technology, especially the Internet, to achieve this goal. This is a genuine revolution as regards the means of accessing Community law.

The interinstitutional server Europa on the Internet is intended to serve as a support for many initiatives in this direction, in particular:

- the "Citizens First" priority action, the aim of which is to inform people of their rights.²⁴ The second phase of this operation will be launched in December 1997.
- a project to facilitate access to Community law. It is already possible to consult recent judgments by the Court of Justice and legislation that has been

²³ In particular the proposals on fishing in the Baltic, the financing of the common agricultural policy, harmful organisms, the Community's own resources and collective dismissals (amended proposal for formal consolidation).

²⁴ Working in another country of the European Union; residing in another country of the European Union; studying, training and carrying out research in another country of the European Union; buying goods and services inside the single market; travelling to another country of the European Union; equal rights and opportunities for men and women in the European Union.

consolidated. From January 1998 this will also gradually become possible for Community legislation in force and the Official L and C series of the Official Journal as issues appear;

- a scheme for an "information shop", planned for July 1998 under the action plan for the internal market, to offer information on all Community regulations that have an impact on businesses.

With the same aim of improving information, the Commission has published a number of practical guides²⁵ spelling out the conditions attaching to the application of Community legislation.

CONCLUSIONS

The conclusions of this report are as follows:

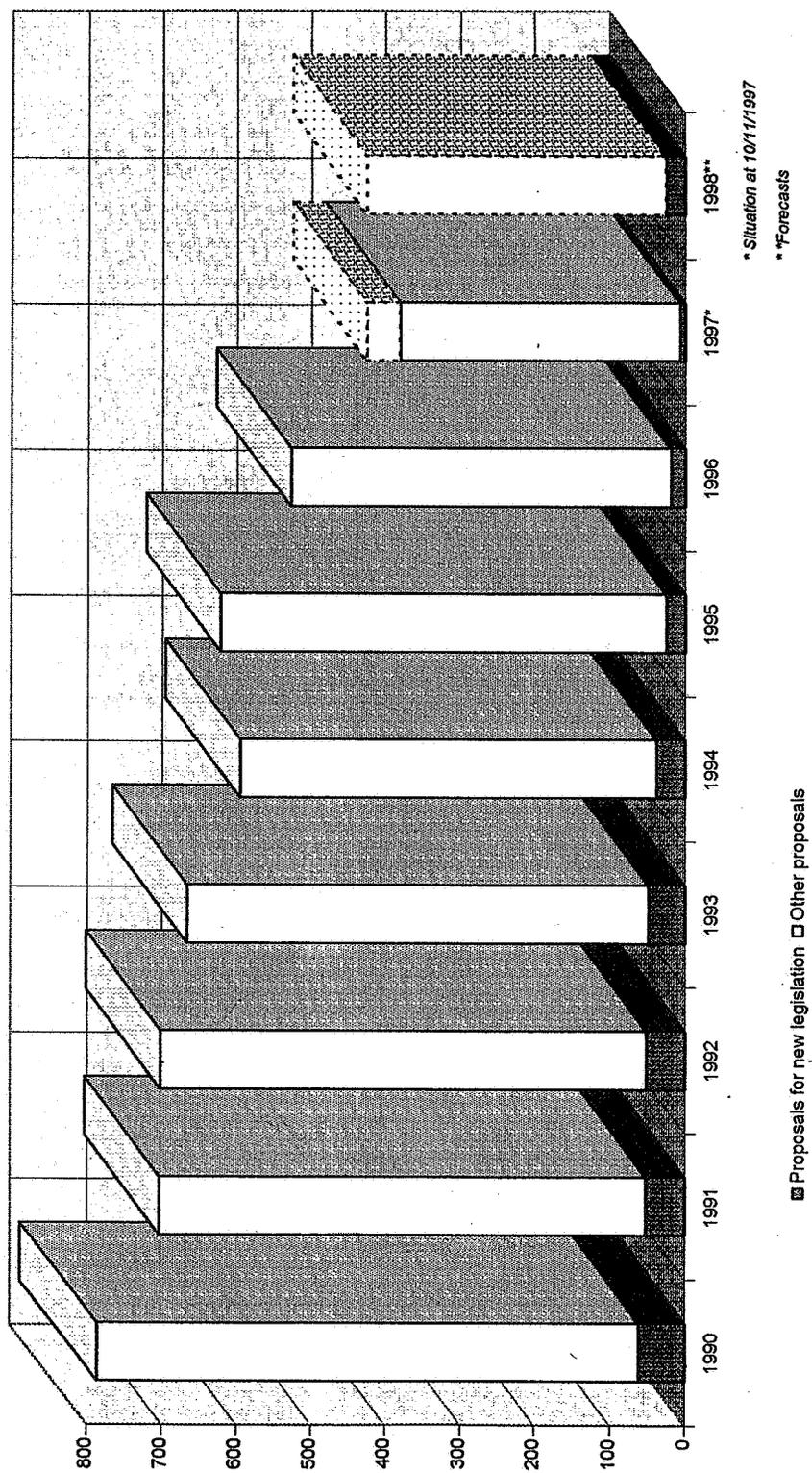
- in the space of a few years the Commission has taken a substantial number of initiatives to improve the quality of Community lawmaking, simplify and consolidate existing legislation, and improve access to information on Community law. The process is well under way and a new legislative culture has been established;
- this action is steadily intensifying and major developments are in store in the future, as shown, for instance, by the action plan for the internal market and BEST. Tried and tested methods have been put in place. The Commission hopes that the conference which the UK Presidency plans to hold in March 1998 will enable further follow-up action;
- these initiatives will not, however, have the desired effect unless the other institutions give stronger support; the responsibility rests with them, for example, to adopt the large number of pending proposals for simplification or formal consolidation;
- the Member States have a major role to play in this area. As the main authors of legislation, it is for them at national level to match the effort being made at Community level;
- when the Member States ask the Commission to present proposals, they should carry out a prior assessment in the light of the principles of "better lawmaking".

Improving the quality of legislation, as the European Council underlined in Amsterdam, must continue to be a political priority for the European Union and its Member States. It is important not to underestimate the value of "better lawmaking"

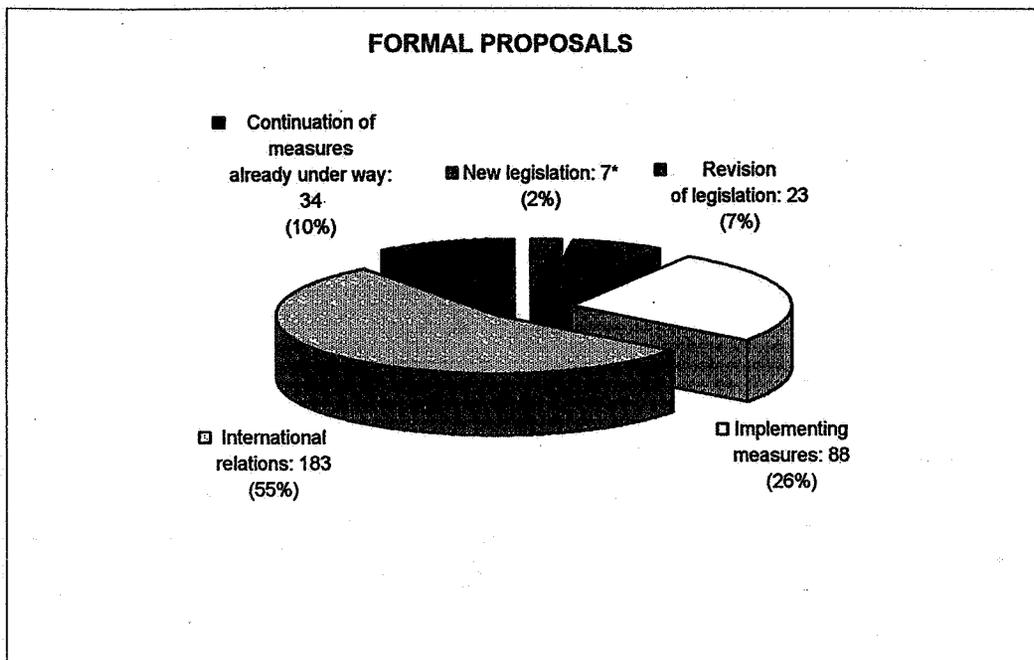
²⁵ See, for example, the guides already published or in the course of publication on technical regulations, low-voltage electrical current, electromagnetic compatibility, the health and safety of pregnant women at work and the rules on the production, marketing and import of products of animal origin for human consumption.

for enhancing people's perception of Europe, boosting the competitiveness of business and industry, and smoothing the path to enlargement.

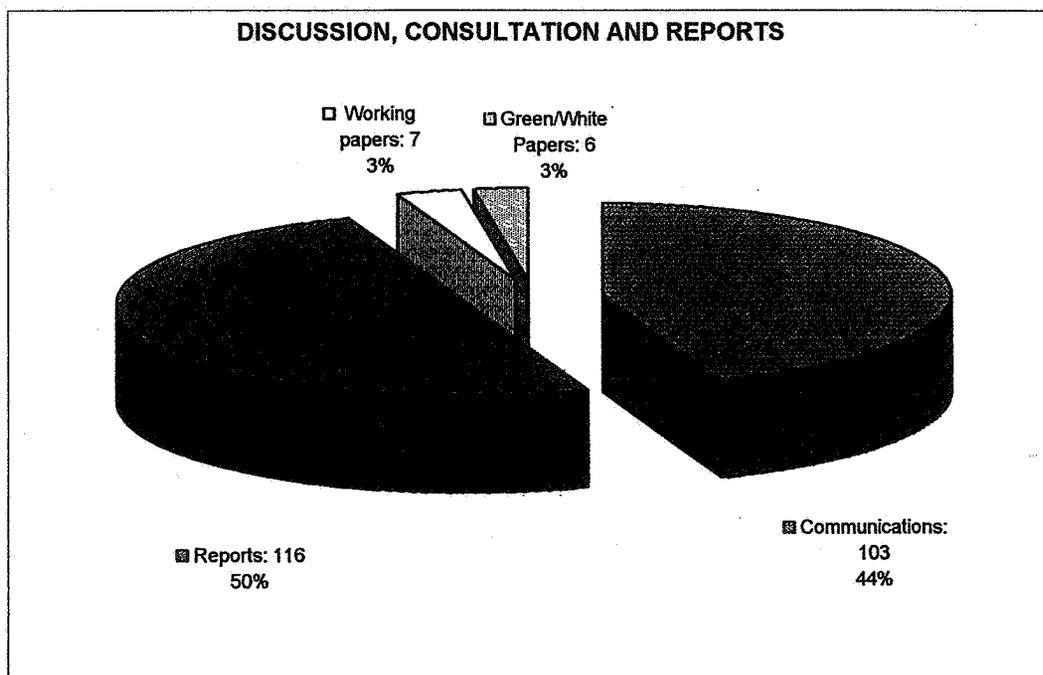
PROPOSALS FOR NEW LEGISLATION AS A PROPORTION OF ALL COMMISSION PROPOSALS SINCE 1990



COMMISSION INITIATIVES IN 1997**



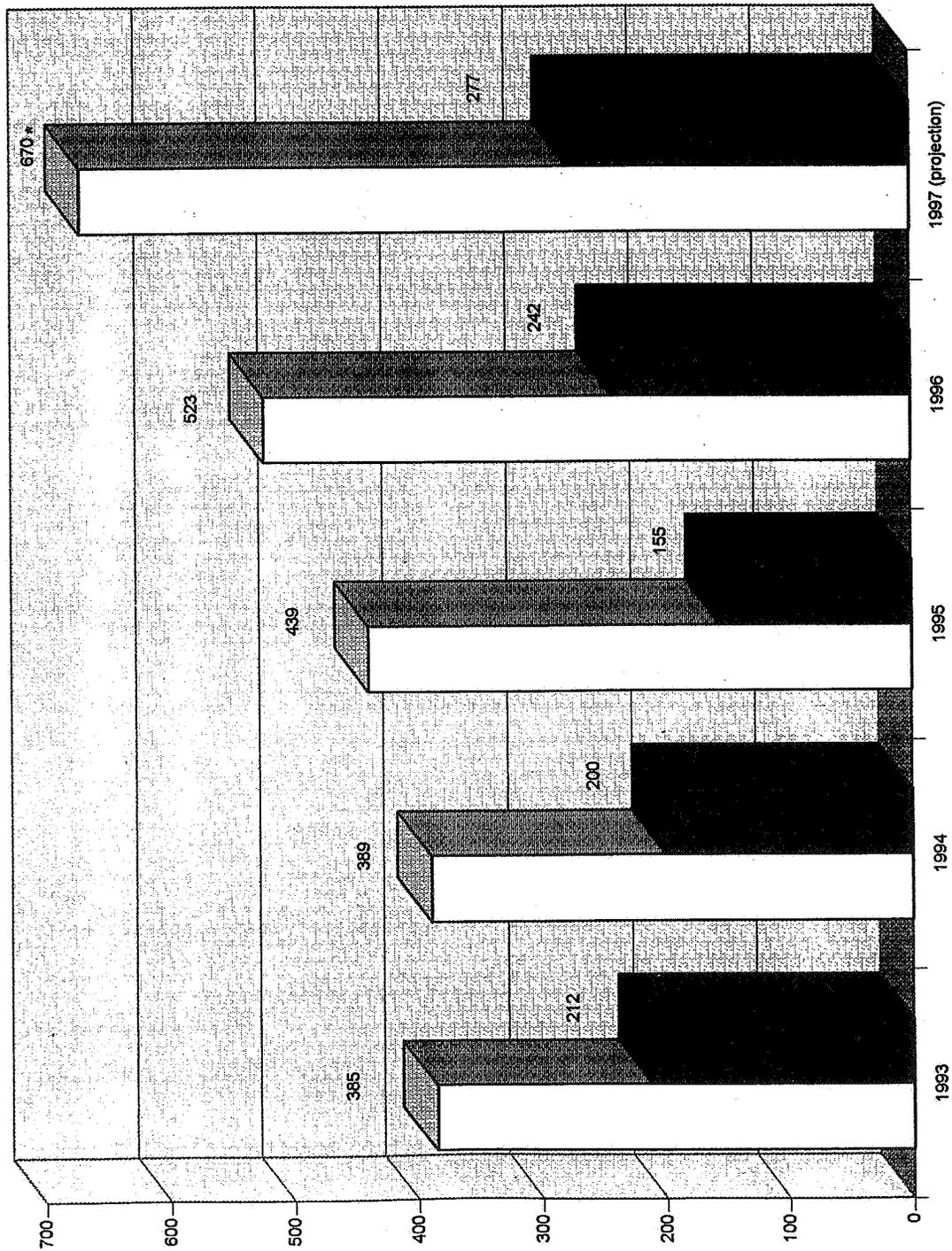
* Proposals for new legislation are set out in the Commission's annual programme



** Situation at 10/11/1997

Source: APC database, which covers all Commission proposals and indicates the different procedural stages

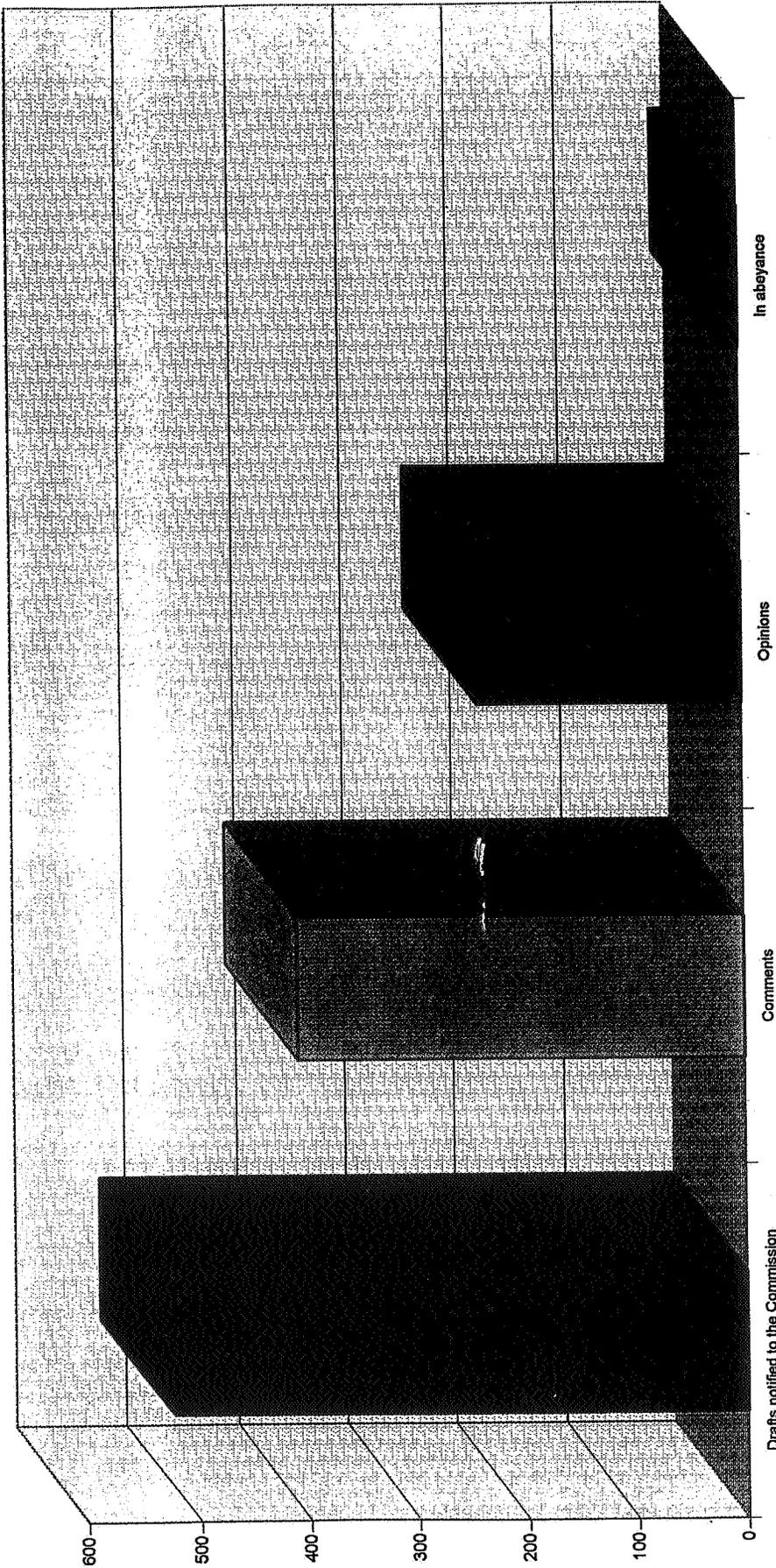
Total number of draft technical regulations notified by the Member States
(Drafts of technical specifications for products notified under Directive 83/189/EEC)



□ Notifications (not including transposal measures notified)
 ■ Opinions on drafts which could be in breach of Community law

* These figures do not include the 230 notifications - made in 1997 - of rules adopted in recent years by the Netherlands in breach of Community law (see judgment of the Court of Justice in CIA Security International SA - Case C 194/94)

Commission reactions to draft technical regulations notified in 1996
(Drafts of technical specifications for products, notified under Directive 83/189/EEC)



Comments are suggestions intended to prevent the creation of barriers to the working of the single market.
Opinions amount to formal notice that the draft contravenes Community law.
Drafts are in abeyance where the Commission is preparing a proposal on the subject or where the Council has adopted a common position on a proposal.

STATE OF PLAY ON SIMPLIFICATION

| SIMPLIFICATION MEASURES PROPOSED BY THE COMMISSION AND STATE OF PLAY | | |
|---|---|--|
| SECTOR | COMMISSION SIMPLIFICATION INITIATIVE | ACTION TAKEN |
| FOODSTUFFS | | |
| Foodstuffs intended for particular nutritional uses (approximation of laws) | Proposal for a European Parliament and Council Directive transmitted on 28 March 1994, COM(94) 97. | <i>Council adopted common position on 22 July 1997. Parliament second reading scheduled for 15 December 1997. The common position does not fully achieve the simplification originally sought. This is an example of the Council failing to follow a Commission proposal for simplification.</i> |
| Mineral waters (approximation of laws) | Proposal for a European Parliament and Council Directive transmitted on 17 October 1994, COM(94) 423.. | European Parliament and Council Directive 96/70/EC (OJ L 299, 23.11.1996). |
| Vertical directives on chocolate, fruit juices, jams, honey, coffee, milk | Seven proposals for European Parliament and Council Directives transmitted on 30 May 1996, COM(95) 722. | <i>Parliament delivered opinion on "coffee" and "chocolate" proposals in October 1997. Council agreement on "coffee" proposal expected at Internal Market meeting on 27 November 1997.</i> |
| Foodstuffs (general) | <i>Green Paper on the general principles of food law on 30 April 1997, COM(97) 176. This document provides for various simplification options in this area. Reactions of interested parties now being analysed.</i> | |
| Fertilisers | <i>Directive 76/116/EEC (OJ L 24, 30.1.1976) is being assessed with a view to simplification under the second phase of SLIM.</i> | |

| INDUSTRIAL PRODUCTS | | |
|---------------------------------|--|---|
| Construction products | <i>Directive 89/106/EEC (OJ L 40, 11.2.1989) is being assessed with a view to simplification under the second phase of SLIM.</i> | |
| Measuring instruments | <i>Proposed simplification directive is being prepared. This will replace 15 detailed directives now outdated as a result of technical developments.</i> | |
| COMPETITION | | |
| Merger control | Proposal for Regulation transmitted on 16 September 1996 (COM(96) 313). Simplification of procedures, more effective control. | Council Regulation (EC) No 1310/97 of 30.6.1997 (OJ L 180, 9.7.1997) |
| Horizontal State aid | Proposal for a Council Regulation transmitted on 22 July 1997, COM(97) 396, to simplify procedures in this sector. | <i>Council reached political agreement on proposal at Industry meeting on 13 November 1997, subject to European Parliament opinion.</i> |
| Vertical restrictions | <i>Green Paper on vertical restrictions COM(96) 721, transmitted on 24 January 1997, envisaging simplification of procedures.</i> | |
| SOCIAL POLICY | | |
| Exposure to chemical agents | Amended proposal for a Council Directive transmitted on 9 June 1994, COM(94) 230. | <i>Council common position adopted on 7 October 1997.</i> |
| Exposure to carcinogens at work | Proposed amendment of basic directive (90/394) transmitted on 14 September 1995, COM(95) 425. | Council Directive 97/42/EC (OJ L 179, 8.7.1997). |

| AGRICULTURAL POLICY | | |
|---|---|--|
| Rice | Proposal for Regulation transmitted on 24 August 1995, COM(95) 31). | Council Regulation (EC) No 3072/95 (OJ L 329, 30.12.1995). |
| Agricultural structures | Proposal for Regulations transmitted on 27 February 1996, COM(96)58). | Council Regulations (EC) 950/97, 951/97 and 952/97 (OJ L 142, 2.6.1997). |
| Milk intended for human consumption | Proposal for Council Regulation transmitted on 16 July 1997, COM(97) 133. | European Parliament opinion delivered on 22 October 1997. |
| Butter | <i>Simplification proposal in preparation.</i> | |
| Ornamental plants (SLIM) | <i>Simplification proposal in preparation under SLIM.</i> | |
| TRANSPORT | | |
| Weight and dimensions of road vehicles | Proposal for Directive transmitted on 15 December 1993, COM(93) 679, amended by proposal COM(95) 193. | Council Directive 96/53/EC (OJ L 235, 17.9.1996). |
| Roadworthiness tests for motor vehicles | Proposal for Directive transmitted on 8 September 1995, COM(95) 415. | Council Directive 96/96/EC (OJ L 46, 17.2.1997). |
| ENVIRONMENT | | |
| Air quality | Proposal for Directive transmitted on 4 July 1994, COM(94) 109. | Council Directive 96/62/EC (OJ L 296, 21.11.1996). |
| Drinking water | Proposal for Directive transmitted on 28 April 1995, COM(94) 612. | Council adopted common position on 16 October 1997. |
| Bathing water | Proposal for Directive transmitted on 29 March 1994, COM(94) 36. | European Parliament delivered opinion on 12 December 1996. |
| Water (general framework) | Proposal for framework Directive transmitted on 15 April 1997, COM(97) 49. | |
| Noise | <i>Proposal for simplification Directive under consideration.</i> | |

| TELECOMMUNICATIONS | | |
|---|--|--|
| Telecommunications equipment | Proposal for European Parliament and Council Directive transmitted on 4 June 1997, COM(97) 257. | |
| FISHERIES | | |
| Structural aspects of fisheries policy | Proposals for Regulations transmitted on 8 October 1993, COM(93) 481. | Council Regulation (EEC) No 2080/93 setting up the FIGF (financial instrument for fisheries guidance). Council Regulation (EC) No 3699/93 laying down criteria and arrangements for FIGF assistance. |
| INTERNAL MARKET | | |
| Free movement of doctors and mutual recognition of their diplomas | Proposal for a European Parliament and Council Directive transmitted on 19 December 1994, COM(94) 626. | European Parliament and Council Directive 97/50 (OJ L 291, 24.10.1997). |
| System for recognition of diplomas | <i>Proposal for Directive in the process of being adopted under the SLIM procedure.</i> | |
| Mechanism for the recognition of qualifications for professional activities (craft, trade and certain services) | Proposal for a European Parliament and Council Directive transmitted on 9.2.1996, COM(96) 22. Amended proposal transmitted on 16 July 1997, COM(97) 363. | <i>European Parliament opinion delivered on 20 February 1997 (first reading).</i> |
| Notification of investment projects of interest to the Community in the gas and electricity sectors | Proposal for Regulation transmitted on 1 August 1995, COM(95) 118. | Council Regulation No 736/96 (OJ L 102, 25.4.1996). |
| CUSTOMS | | |
| Combined nomenclature for external trade | <i>Proposal for Directive under consideration in SLIM procedure.</i> | |

| AUTONOMOUS SIMPLIFICATION INSTRUMENTS ADOPTED BY THE COMMISSION | |
|--|---|
| SECTOR | COMMISSION INITIATIVE |
| COMPETITION | |
| Technology transfer agreements (exemptions for certain categories of patent and know-how licensing agreements) | Commission Regulation (EC) No 240/96 (OJ L 31, 9.2.1996) Simplification of procedures by merging two existing regulations. |
| Application of Community rules on aid (restructuring and rescuing firms in difficulty) | Notice published in OJ C 368, 23.12.1994. Revision of the rules in 1998. |
| Aid to the synthetic fibres industry | New framework (OJ C 94, 30.3.1996). |
| "De minimis" rule for State aid | Commission communication (OJ C 68, 6.3.1996). Classification and simplification of the rules. |
| State aids for SMEs | New framework (OJ C 213, 23.7.1996). |
| AGRICULTURAL POLICY | |
| Arable crops | Commission Regulation (EC) No 658/96 (OJ L 91, 12.4.1996). |
| SMALL BUSINESSES | |
| Business start-ups | Commission recommendation of 22 April 1997 (OJ L 145, 5.6.1997). |
| Participation of European Economic Interest Groupings (EEIG) in public contracts | Commission communication transmitted on 9 September 1997 (COM (97) 434). |
| Transfer of small and medium-sized enterprises | Recommendation of 7 December 1994 (OJ L 385, 31.12.1994). |
| STATISTICS | |
| Reporting the value of goods for statistical purposes | Commission Regulation (EC) No 860/97 (OJ L 123, 15.5.1997) under the SLIM procedure. |
| "Net mass" (statistics) | Commission Regulation (EC) No 2383/96 (OJ L 326, 17.12.1996) under the SLIM procedure. |

PROGRESS ON CONSOLIDATION SINCE THE 1992 EDINBURGH EUROPEAN COUNCIL

Situation at 20/11/97

