



## HEADLINE

### EU/Regulatory Burden: Timmermans Presents Better Regulation Agenda

On 19 May 2015, the European Commission's First Vice-President Mr. Frans Timmermans presented his Better Regulation Agenda. ESBA welcomes the Agenda drafted by First FVP Timmermans and his team. ESBA has been pushing for Better Regulation to be taken more seriously for years. Though some of the items are not as strong as we had hoped, the Vice-President's recent efforts show commitment by the Commission to push the agenda forward.

## ESBA OPINION

### On the Regulatory Scrutiny Board:

We welcome the fact that there will be three external experts, though we would prefer a fully independent RSB. We are disappointed about the fact that the RSB will not review legislation on its contents but merely assess the quality of the Impact Assessments.

### On secondary legislation:

ESBA welcomes the idea of a four-week window to comment on published delegated and implementing acts. The opaque nature of both acts has been a thorn in ESBA's eye. 4 weeks is not a lot of time to respond and it will be very difficult to consult members within this short time frame but making the contents of the acts public is a first step forward.

### On the REFIT platform:

ESBA welcomes further development of the REFIT initiative in the form of a new 'REFIT platform'. We do however urge the Commission to ensure that *all* major EU business organisations are involved in the process.

### On social partners:

ESBA urges the Commission to ensure that the social dialogue is subject to the same type of regulatory scrutiny and transparency as those emanating from the Commission itself. A recent letter by the Social Partners attempting to dissuade the European Commission from doing so caught ESBA by surprise. The signatories are front runners in requesting thorough Impact Assessments to be carried out on other EU institutions, yet do not wish to be submitted to them. ESBA strongly believes that any proposals for legislation affecting small businesses and workers alike must be open, transparent and susceptible to scrutiny by stakeholders.

To learn more about the Commission's Better Regulation efforts, please click [here](#).

To read the letter by the European Social Partners, please click [here](#).

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### IN BRIEF

#### **EU/Better Regulation: Cameron: ‘Better Regulation’ is progress towards EU reforms**

On 21 May 2015, the UK’s Prime Minister, David Cameron, wrote that the EU’s Better Regulation Agenda was a step in the right direction to a more competitive, leaner, and less bureaucratic European Union. According to the Prime Minister, the European Union has listened to the United Kingdom prior to presenting its plans for “Better Regulation”. This can be demonstrated from the fact that the UK’s own better regulation principles, such as better consultations, improved impact assessments, and lighter regimes for small businesses, form part of the Commission’s Better Regulation Agenda. The Prime Minister also warned that these proposals by the Commission, in the Better Regulation Agenda, need to be turned into action and therefore the UK will continue to keep pressure on the EU institutions to ensure those businesses that create jobs and help the economy grow are not overburdened by unnecessary regulation.

To read more about the Better Regulation Agenda, please click [here](#).

#### **EU/ Digital Single Market: Protection and Digital Single Market**

On 21 May 2015, the European Commission showed its continued commitment to growth and jobs in the European economy with its recent publication of the Digital Single Market Strategy. In this strategy, the Internet industry will become a key driver of innovation and industrial productivity in Europe’s future economic prosperity. However in order to foster this innovation and achieve economic prosperity, the Commission will have to create the necessary conditions for the EU’s technology sector to thrive, as well as provide a balanced framework to combat illegality, by ensuring that hosting providers act expeditiously to remove content once they have been notified of its illegality by the competent authorities. Yet, despite these proposals, there are some stakeholders that are using and misinterpreting the Digital Single Market strategy discussions to lobby for a weakening of this crucial legislative basis.

To read more about the Digital Single Market strategy, please click [here](#).

#### **EU/ Better Regulation: European Commission First Vice-President Frans Timmermans’s press conference announcement on “Better Regulation”**

On 19 May 2015, the European Commission published a document that specifically denied claims that the Commission’s plans to introduce expert panels to scrutinize changes to legislation are an attempted power grab. In return for the European Parliament and Council’s support for Better Regulation, the European Commission First Vice-President, Frans Timmermans, announced in a press conference a new inter-institutional agreement on the Better Regulation strategy, which came as a surprise after a series of leaks. The First Vice-President also disclosed that the College of Commissioners has adopted the final strategy, which calls for increased transparency in the EU’s decision-making process, more thorough impact assessments, better quality laws, and a strengthened Regulatory Scrutiny Board to oversee new Commission proposals, as well as existing legislation. The First Vice-President also silenced those critics of the Better Regulation Agenda, who claimed that it was simply a deregulation program, by stating that it would not drive down EU social and environmental standards, let alone fundamental rights.

To read more about the Better Regulation Agenda, please click [here](#).

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### **EU/Better Regulation: NGOs fear lower environmental standards as a result of better regulation**

On 12 May 2015, the European Commission opened a public consultation on the EU's Nature Legislation as part of the Regulatory Fitness and Performance Programme (REFIT). More than one hundred environmental NGOs used this consultation to express their concerns about the impact of better regulation on nature protection laws and environmental standards. The organisations believe that environmental legislation will suffer under the Commission's ambition to be more business friendly. However, Commissioner Karmenu Vella insisted that REFIT is not intended to affect social and environmental standards. Instead, the Better Regulation Agenda calls for more economic, social and environmental impact assessments.

To read more about the Better Regulation Agenda, please click [here](#).

### **EU/Economy: ECOFIN Council discusses the implications of Europe's ageing population**

On 12 May 2015, the Economic and Financial Affairs Council discussed age-related expenditure projections for 2013-2060. The Ministers emphasised the need for Member States to diminish the negative impact of an ageing population on economic growth and public finances. To tackle these expenditure developments related to an ageing population, the Council suggested continued policy action and reforms of long-term care, pension and health systems. Secondly, the Council pressed for a strong commitment to structural reforms in order to tackle economic imbalances. Lastly, the Ministers discussed the negotiations with the European Parliament on the European Fund for Strategic Investments, which they hope to conclude by the end of May 2015.

To read more about Europe's ageing population, please click [here](#).

### **EU/Better Regulation: The double strategy of the European Commission to get Better Regulation proposal**

On 12 May 2015, a leaked document showing the Commission's intention to give additional power to both the Council and Parliament over the drafting of new EU proposals was published online. In particular, the Commission announced its willingness to take into consideration any request from the other EU institutions to legislate, along with a requirement that it would explain why any proposal had been withdrawn. However, the unique condition, contained in the leaked document, is the commitment of the Council and the Parliament to not block the Commission's initiative for Better Regulation. On 18 May 2015, an internal document affirming the Commission's attempt to exercise more control over the Council and the Parliament was released. This document showed the Commission's intention to establish a new partly-independent Regulatory Scrutiny Board with the power to examine existing regulations and new Commission proposals. Additionally, the Commission is aiming to create another new legislative body focused on the REFIT initiative, which will be presided by the Commission First-Vice President, Frans Timmermans.

To read more about the double strategy of the Commission in relation with Better Regulation, please click [here](#).

### **EU/Digital Single Market: Council's inability to reach a consensus on digital reforms lets him to die out**

On 12 May 2015, the Digital Single Market Commissioner, Andrus Ansip, joined MEPs in blaming the Council for not delivering on its promise to reach a consensus on digital reforms. Whilst

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Commissioner Ansip remained confident that the Digital Single Market Agreement would be concluded, most MEPs felt differently. MEPs of European People's Party, Socialists & Democrats, Alliance of Liberals and Democrats for Europe, and Group of the Greens/European Free Alliance stated that given the Council's failure to implement the Telecoms Single Market strategy, they were no longer confident of the success of the Digital Single Market. For now, the main problem is the "absence" of the Council, because as the MEPs and the Digital Single Market Commissioner acknowledged, Europe risks being left behind.

To read more about the Council's position on Digital Single Market, please click [here](#).

### **EU/Trade: "Good things come to those who wait", yet another setback for TTIP**

On 12 May 2015, the US senate failed to pass the Trade Promotion Authority Bill, which, if passed, would have given away the US Congress' power to amend international trade deals for the next 5 years, as well as limit the legislature's influence to a simple yes/no vote. Obama's support, surprisingly, came mostly from the Republicans, and only one Democrat, Tom Carper voted in favour of the Bill. The vote means the US Congress keeps its power to amend or delay any trade deals the US President agrees on. This is a severe setback for those hoping for a swift conclusion to the US-EU trade deal, the Transatlantic Trade and Investment Partnership (TTIP). However 'good things come to those who wait' and once the TTIP agreement with its proposal for regulatory cooperation between the EU and US is finally concluded, this will give Brussels that much needed 'foot in the door' in Washington. This will not only give Brussels the unique opportunity to enhance Europe's influence, but also inject an element of multilateralism into the world's sole superpower.

To read more about the Transatlantic Trade and Investment Partnership, please click [here](#).

### **EU/Trade: US rejects EU proposal for investment court, back to the drawing board?**

On 11 May 2015, a senior US official rejected an EU proposal to create an international investment court that was aimed at resolving one of the disputes holding up the Transatlantic Trade and Investment Partnership (TTIP). Cecilia Malmström, the EU commissioner for trade, proposed to create an international investment court to allay concerns amongst Europeans that an arbitration panel foreseen in the deal would effectively allow companies to bypass national courts if they feel their investments are under threat. However, the US Undersecretary for International Trade at the Commerce Department, Stefan Selig, defended the existing mechanisms for resolving investor-state disputes stating "the criticisms they (the existing mechanisms) undermine governments' right to regulate, are just misguided". Instead he noted how so-called investor-state dispute settlement mechanisms already exist in international trade agreements and had not resulted in a loss of sovereignty for countries.

To read more about the Transatlantic Trade and Investment Partnership, please click [here](#).

## **PUBLICATIONS**

### **CEPS: The Services Dimension of TTIP**

On 8 May 2015, the Centre for European Policy Studies (CEPS) published a report on services in the Transatlantic Trade and Investment Partnership (TTIP). It argues that potentially large economic gains can be made in services, if regulatory issues are thoroughly discussed. It will require a new

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approach based on mutual recognition and equivalence of services, and will pressure both the US and the EU to review the quality of their own regulations.

To access this publication, please click [here](#).

### **CEPS: Britain's Political Earthquake: What aftershocks for Europe and the UK?**

On 11 May 2015, the Centre for European Policy Studies (CEPS) published a commentary on the implications of the UK election results for the UK and the EU. The commentary speculates about David Cameron's possible package to reform the EU. Furthermore, it urges Cameron to realise a leading role for the UK in a more effective European foreign, security and defence policy.

To access this publication, please click [here](#).

### **Friends of Europe: The EU needs to send an important signal to the world at the COP21 in Paris**

On 13 May 2015, Friends of Europe published a report on the introduction of the Market Stability Reserve (MSR). After the official approval of the MSR, it will come into effect in 2019. The MSR aims to address the decreasing carbon price, to rebalance the EU Emission Trading System and to avoid the risk of renationalisation of carbon policies.

To access this publication, please click [here](#).

## CONSULTATIONS

### **Public consultation on a Review of customs legislation on controls of cash entering or leaving the EU**

DEADLINE: 01/06/2015

The objective of this consultation is to gain stakeholder and public input regarding a review of Regulation 1889/2005 "on controls of cash entering or leaving the Community". In order to judge the desirability of potential actions and policy options and to obtain new insights, the Commission Services would like to receive the views of stakeholders on the possible action to be taken to address the identified gaps.

To access this consultation, please click [here](#).

### **Public consultation on remedies in the field of public procurement**

DEADLINE: 20/07/2015

The aim of this consultation is evaluating the effectiveness of the Directive 2007/66/EC on remedies in the field of public procurement. The latter puts in place provisions improving the quality and reducing the time needed for reviews of decisions taken by contracting authorities or contracting entities, in particular when these have infringed EU public procurement law.

To access this consultation, please click [here](#).

### **Public consultation on cross-border parcel delivery**

DEADLINE: 29/07/2015

The aim of this consultation is to consult all interested parties on the main issues and possible areas of improvement for cross-border delivery services when sending packets and parcels across the EU.

To access this consultation, please click [here](#).

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## COMING-UP

### EU Institutions: important dates

26 May 2015: European Parliament Committee Meetings  
26 May 2015: Foreign Affairs Council  
26 May 2015: Council Working Parties Meetings  
27 May 2015: European Parliament plenary session  
27 May 2015: Commission proposes 2016 EU Budget  
27 May 2015: Council Working Parties Meetings  
27 May 2015: Coreper I Meeting  
27 May 2015: Coreper II Meeting  
28 May 2015: Council Working Parties Meetings  
28 May 2015: The Commission adopts its monthly infringements package  
28-29 May 2015: Competitiveness Council  
28 May 2015: European Parliament Committee Meetings  
29 May 2015: Council Working Parties Meetings  
01 June 2015: European Parliament Committee Meetings  
01 June 2015: Council Working Parties Meetings  
02 June 2015: Council Working Parties Meetings  
03 June 2015: Coreper I Meeting  
03 June 2015: Coreper II Meeting  
04 June 2015: European Parliament Committee Meetings  
04 June 2015: Council Working Parties Meetings  
04 June 2015: Coreper II Meeting

### Other SME-related events

#### **Growing a Sustainable EU Economy through SMEs: Boosting jobs, growth and entrepreneurship**

**27/05/2015**

##### **Brussels**

The conference, organized by CEPS, is aimed to examine the SMEs impact in the sustainable EU economy discussing indeed important topics such as the SMEs contribution to increasing green jobs as well as the growth and job opportunities arising from employing resources more efficiently.

To find out more about this event, please click [here](#).

#### **Future Energy and Climate Change Policies under the New State Aid Guidelines**

**28-29/05/2015**

##### **Maastricht, Netherlands**

EIPA hosts a two-day seminar intended to present the different conditions and procedures under which can be provided State benefits for sustainable energy measures. Furthermore, it investigates the purposes and developments of the European Union's policy in this field by discussing specific issues such as renewable energy, capacity mechanism, resource adequacy, demand-side management and energy efficiency.

To find out more about this event, please click [here](#).

#### **Can TTIP be a tool to foster the internationalisation of European SMEs?**

**29/05/2015**

##### **Brussels**

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EESC organizes a Public Hearing with the purpose to investigate the relation between TTIP and SMEs and in particular its impact on the small companies. According to this, it will be discussed the SMEs difficulties in exporting and investing in the US market, the factors that can enable the SME's participation in transatlantic trade and also the way in which SMEs can take advantage from TTIP.

To find out more about this event, please click [here](#).

### **Cross-border Regulation of Financial Markets**

**02/06/2015**

**Brussels**

QED organizes a conference aimed to better understand the consequences of the economic and financial crisis in Europe and in particular the different regulatory changes made across the world concerning above all the regulatory framework, objectives and standards.

To find out more about this event, please click [here](#).