

# BETTER REGULATION AT THE EUROPEAN PARLIAMENT

## SUSTAINING THE COMMITMENT

**Better regulation is about improving the quality of policy and law-making and ensuring that EU-rules are evidence-based. It is also about ensuring that decisions are made transparently, and stakeholders are involved throughout the decision-making process. When properly applied, better regulation greatly contributes to the legitimacy and accountability of EU governance. However, it is important that better regulation principles are applied by all actors throughout the whole legislative cycle. This leaflet gives a short overview of the available tools and services in the European Parliament.**

### A SHARED RESPONSIBILITY

The **Better Regulation Agenda** is the EU's framework for ensuring good governance and the highest possible quality of EU policy and law without creating unnecessary burdens for citizens, business and administrations or undermining established rules and standards.

The core elements of this framework are the [Better Regulation Guidelines and Toolbox](#). It **covers the entire life cycle of a policy**, from political agenda-setting and consultation of stakeholders to impact assessments (IA), regulatory oversight and ex-post evaluations.

Given the role of the European Parliament and Council as co-legislators, ensuring good governance throughout the entire legislative process is a **shared responsibility** between all EU institutions. In the 2016 [Interinstitutional Agreement on Better Law-Making](#) (IIA), Parliament and Council have committed to do their share to guarantee EU policy and law-making is transparent, inclusive and legitimate. Concretely, Parliament and Council have agreed to:

- **Ensure evidence-based decisions:** European Parliament and Council have committed themselves to conducting **impact assessments** on their **substantial amendments** to Commission proposals (IIA point 15). Impact assessments analyse possible economic, ecological and societal impacts. Use of impact assessments supports well-informed and fact-based debates both in the Committees and in trilogue negotiations. In this context, it is particularly important to apply the [SME-Test](#) through the **“think small first” principle** to capture the potential impacts on SMEs.
- **Improve legitimacy and engagement:** European Parliament and Council have committed themselves to ensuring the highest possible level of transparency in the legislative process (IIA point 32-40). This is to ensure accountability, allow traceability of the various steps of decision-making - including the work carried out in trilogues (IIA point 38) - and allow a democratic participation of stakeholders in the political debates.
- **Evaluate first:** The legislators have agreed to systematically consider evaluating existing EU legislation before initiating new measures (IIA point 20). This is called the **“evaluate first” principle**. Evaluations assess efficiency, coherence, relevance and

EU-added value of existing legislation. They inform policymakers how existing legislation performs and whether new or different type of interventions are necessary.

- **Work towards better implementation:** Member States should be transparent when transposing EU law into national law and implement EU legislation timely and correctly (IIA point 41-45). This is important because the many costs and burdens for business, especially SMEs, and citizens are created at national level, e.g. through so-called **gold-plating**<sup>1</sup>. Parliament can play an important **oversight and scrutiny role** and should use the instruments at its disposal to ensure that Member States transpose transparently and correctly (e.g. those provided by EVAL – see below).

## EUROPEAN PARLIAMENT TOOLS FOR BETTER LAW-MAKING

The European Parliament has its own in-house capacities to ensure good governance and fact-based regulation. The [European Parliament Research Service \(EPRS\)](#) provides comprehensive research and analytical support to MEPs and parliamentary committees.

- **The Ex-ante Impact Assessment Unit (IMPA):** upon request of committees, this unit provides:
  - evaluations of the quality and independence of Commission impact assessments;
  - impact assessments on aspects of legislative proposals that are not dealt with adequately (or at all) by the Commission impact assessment;
  - impact assessments of substantial amendments to the Commission proposal.
- **The Ex-post Evaluation Unit (EVAL):** upon request of committees, this unit draws up background studies in support of Parliament's implementation reports as well as other ex-post evaluations.
- **The European Added Value Unit (EAVA):** Provides 'Cost of Non-Europe' Reports and European Added Value Assessments, for example to support Parliament's legislative initiative reports, analysing policy areas where action at EU level could bring greater efficiency and public good for European citizens.

## SUSTAINING THE COMMITMENT

Better Regulation supports policy-makers in designing EU policies and legislation that meet the highest standards while keeping the burden for companies, citizens and governments as low as possible. BusinessEurope **strongly encourages** MEPs to sustain the European Parliament's commitments in the Interinstitutional Agreement on Better Law-Making and make use of the above-mentioned tools. Only if all EU institutions systematically apply the principles and tools of better regulation will the EU deliver legislation that is fit-for-purpose, effective and of highest quality.

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<sup>1</sup> Gold plating refers to Member States' practice of adding elements to the national transposition measure that are not required by the EU-Directive.