EUROOPA ÜHENDUSTE KOMISJON

Brüssel 14.11.2006
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KOMISJONI TÖÖDOKUMENT

Õiguskeskkonna lihtsustamise strateegiat käsitlev esimene eduaruanne

{KOM(2006) 689 lõplik}
{KOM(2006) 691 lõplik}

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Kommenteeritud kokkuvõte

Käesolev komisjoni töödokument on otsene jätk komisjoni 2005. aasta oktoobrikuu teatisele KOM(2005) 535: Ühenduse Lissaboni kava rakendamine: õiguskeskkonna lihtsustamise strateegia. Lisaks täiendab see teatist „Euroopa Liidu parema õigusliku reguleerimise strateegiline läbivaatamine".

ELi seadusandluse lihtsustamise abil aidatakse oluliselt kaasa õiguskeskkonna parandamisele, eeskirjade ajakohastamisele ning halduskoormuse vähendamisele, mis mõjub soodsalt Euroopa majandusseisundile, võttes arvesse tehnoloogia ja turgude arengut ning rahvusvahelist keskkonda. Seetõttu peab komisjon lihtsustamist parema õigusliku reguleerimise kava poliitiliseks prioriteediks.

Nimetatud suundumusega kooskõlas hinnatakse käesolevas komisjoni töödokumendis 2005. aasta oktoobri lihtsustamisdokumendi kohaldamisel saavutatud edu, käsitletakse jätkuvat ja ettevalmistamisel olevat tööd ning esitatakse uusi algatusi, mille abil täiustatakse 2006.–2009. aasta töökava. Üks peamistest saavutustest lihtsustamise vallas on kõigi EÜ reguleerimisalade järkjärguline katmine. Komisjoni töödokument kajastab ka kodifitseerimisalast hetkeolukorda.

Samas käsitleb esimene eduaruanne ka tegureid, mis soodustavad lihtsustamise eesmärkide saavutamist, eeskätt usaldusväärset metoodikat, tõhustatud institutsioonidevahelist koostööd Euroopa Parlamendi ja nõukogu vahel töö lõppjärku viimiseks, ise- ja kaasregulatsiooni kasutamise suurendamist ning ka lihtsustamist liikmesriikide tasandil, tagamaks et ELi lihtsustamisprotsessist tulenevate eeliste mõju ei kao uute siseriiklike eeskirjade või tehniliste tõkete tõttu.

SISSEJUHATUS

Kooskõlas oma 2005. aasta märtsis kehtestatud parema õigusliku reguleerimise poliitika prioriteetidega võttis komisjon 2005. aasta oktoobris vastu uue õiguskeskkonna lihtsustamise strateegia.[1] Selle strateegia üldine eesmärk on parandada ühenduse õigustiku kvaliteeti ja tõhusust ning vähendada ettevõtjate tarbetut koormust, toetades sellega eesmärki suurendada Euroopa majanduse konkurentsivõimet.

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[1] Teatis KOM(2005) 535 Ühenduse Lissaboni kava rakendamine: õiguskeskkonna lihtsustamise strateegia. Lihtsustamine hõlmab mitmeid erinevaid vahendeid, sealhulgas regulatiivse lähenemisviisi kehtetuks tunnistamine, kodifitseerimine, uuesti sõnastamine või muutmine. Kodifitseerimise määratlus esitatakse käesoleva dokumendi punktis 1.2 Hetkeolukord – kodifitseerimine. Uuesti sõnastamine on protsess, mille puhul koondatakse uude õiguslikult siduvasse akti, millega tunnistatakse kehtetuks uue aktiga asendatavad õigusaktid, nii õigusaktide sisulised muudatused kui ka õigusaktide muutumatuks jääv kodifitseeritud tekst.

Euroopa Parlament[2] pidas komisjoni ühenduse õigustiku lihtsustamise kava üldjoontes tervitatavaks, samas kui Euroopa Ülemkogu[3] kutsus komisjoni üles seadma lihtsustuskava edendamise õigussüsteemi kaudu prioriteetsele kohale. Lihtsustamisettepanekute edastamise seisukohast on koostöö kaasseadusandjatega äärmiselt oluline.

Käesolev komisjoni töödokument täiendab dokumenti "Euroopa Liidu parema õigusliku reguleerimise strateegiline läbivaatamine"[4], andes esmakordselt pärast strateegia käivitamist 2005. aasta oktoobris ülevaate saavutustest ning tutvustades lihtsustamisstrateegia elluviimise käigus ilmnenud uusi arengusuundi. Eeskätt käsitletakse järgmist:

- hetkeolukord lihtsustamisstrateegia rakendamisel ning kodifitseerimisprotsess, kusjuures tähelepanu keskmes on:

  (1) jätkuva töökava raames lõpetatud toimingud,

  (2) pooleliolevad toimingud, mis nõuavad edasist tööd ning

  (3) komisjoni poolt kindlaks määratud uued toimingud.

- edu võtmetegurid, mis soodustavad täielikult lihtsustatud õiguskeskkonna saavutamist, eeskätt usaldusväärne metoodika, tihe koostöö ELi institutsioonide vahel, suurem ise- ja kaasregulatsiooni kasutamine ning lihtsustamine ka liikmesriikide tasandil.

Ajakohastatud töökava, mis hõlmab vahemikku 2006–2009, lõimib lihtsustamisalgatused, mis on esitatud komisjoni 2007. aasta õigusloome- ja töökavas ning annab ülevaate komisjoni jõupingutustest lihtsustada kehtivat regulatiivset keskkonda mitme aasta perspektiivis. Tõik, et komisjoni 2007. aasta õigusloome- ja töökava sisaldab esmakordselt lihtsustamisalgatusi, näitab selgelt, et lihtsustamisstrateegia on üks poliitilistest prioriteetidest.

Õigusliku reguleerimise kultuur muutub. Komisjon on tõepoolest esmakordselt kohandanud oma töömeetodid, prioriteedid ning vahendid lihtsustamise eesmärkidega. Üks olulisemaid saavutusi on see, et järk-järgult kaetakse kõik poliitikavaldkonnad.

Tulevikus kandub pidev töö halduskoormuse vähendamise nimel ka lihtsustamistegevusse, mis omakorda toetab 2012. aastaks seatud eesmärki vähendada ELi ja liikmesriikide õigusest tulenevat halduskoormust kokku 25% võrra, nagu on sätestatud dokumendis "Parema õigusliku reguleerimise strateegiline läbivaatamine".

Sellega kooskõlas aitavad ulatuslikud konsultatsioonid sidusrühmadega ja mõjuhinnangud parandada komisjoni uute ettepanekute kvaliteeti ning võimaldavad seadusandjatel paremini luua regulatiivset keskkonda, mis vastab täielikult subsidiaarsuse põhimõttele ning mõjub soodsamalt rohkem konkurentsivõimele, uuendustele ja kasvule. Tõenäoliselt vähendab see tulevikus lihtsustamisalast töökoormust.

Eduaruannet hakatakse koostama korrapäraselt.

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2 Euroopa Parlamendi otsus õiguskeskkonna lihtsustamise strateegia kohta [raportöör: Euroopa Parlamendi liige Giuseppe Gargani ref:A6-0080/2006 – PA_TA-PROV (2006) 0205].

3 Euroopa Ülemkogu (15. ja 16.12.2005): eesistujariigi lõppjäreldused.

4 KOM(2006) 689 lõplik.

1. HETKESEIS

1.1. Lihtsustamise töökava hetkeseis

2005. aasta oktoobri lihtsustamisstrateegias, mis hõlmab hulka lihtsustamismeetodeid ning milles määratleti 3-aastane programm, loetleti algselt ligikaudu 100 algatust, mida komisjon kavatseb kasutada 220 põhiõigusakti lihtsustamiseks ajavahemikul 2005–2008. Lihtsustamisele eelnevad põhjalikud konsultatsioonid liikmesriikide, ettevõtete ja kodanikega.

Arvestades ühenduse õigustiku jätkuva läbivaatamise tähtsust, on komisjon määratlenud 43 täiendavat algatust, mille abil lihtsustamist 2006.–2009. aastal jätkata. Need on lisatud ajakohastatud programmi, mida kirjeldatakse 1. lisas. Programmis leiab kinnitust komisjoni kindel otsus vähendada õiguskeskkonnast tulenevat halduskoormust ning ajakohastada eeskirju, võttes arvesse tehnoloogia ja turgude arengut ning rahvusvahelist keskkonda.

1.1.1. Komisjoni edusammud

2005. aastaks kavandatud 14st algatusest on lõpule viidud 12.[5] 2005. aasta oktoobri teatises kavandati 2006. aastaks 54 algatust, neile lisandus 3 uut algatust, üks kandus üle 2005. aastast ning ühe 2008. aastaks kavandatud algatusega alustati tööd samuti 2006. aastal. Nendest on tänaseks vastu võetud 15 algatust.[6] 2006. aasta lõpuks võetakse vastu veel 24 lihtsustamisettepanekut, mis on esitatud 1. lisas. 15 algatust lükatakse edasi 2007./2008. aastasse. Põhjaliku läbivaatamise ja huvirühmadega peetud konsultatsioonide tulemusel on 5 algatust tühistatud.

2005.–2006. aastaks kavandatud 71 algatusest on komisjon tänaseks vastu võtnud 27, ning 2006. aasta lõpuks võetakse vastu enam kui pool programmi algatustest. Sõltuvalt valdkonna keerukusest on lihtsustamisprogrammi täitmise kiirus 2006. aastal olnud erinev ning nii mõnelgi juhul on see üldiselt ajakavast maha jäänud, isegi kui mõned algatused on kavandatust varem vastu võetud. Peaaegu kõikide hilinenud algatuste puhul on kinnitatud nende vastuvõtmist 2007. aastal.

Siinkohal tuleb rõhutada, et kõnealune programm on kõige ambitsioonikam seni komisjoni poolt algatatud lihtsustamistest. Lihtsustamine on osutunud keerukaks juhtudel, kui tuleb leida tasakaal ettevõtete ja kodanike saadava kasu ning uue õiguskeskkonnaga kohanemiseks vajalike pingutuste ja kulude vahel. Mõnes tegevusvaldkonnas võib lihtsustamisega tõepoolest kaasneda vajadus viia läbi õigusreform. Et ületada vastuseisu muutustele, mille reform endaga kaasa toob, on sageli vaja rohkem aega, et aidata mõista kavandatud muutustest tulenevat üldist makromajanduslikku puhaskasu.

Mõjuhindamine võib esile tuua uusi elemente, mis on poliitikakujundajate jaoks olulised kõige sobivama strateegia valikul.[7] Lihtsustamisprogrammi rakendamisel võetakse arvesse nimetatud mõjuhindamiste tulemusi.

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[5] Ülejäänud kaks, mis käsitlesid põllumajandustoodete kaitset radioaktiivse kiirguse eest ning lennundussektori arvutipõhiseid ettetellimissüsteeme, on edasi lükatud vastavalt 2006. ja 2007. aastasse.

[6] Seisuga 27. oktoober 2006.

[7] Näited lihtsustamisalgatuste hilinemise põhjuste kohta: a) Esialgset ettepanekut lennundussektori arvutipõhiseid ettetellimissüsteeme käsitlevate õigusaktide kehtetuks tunnistamise kohta vaadatakse läbi ning kogu tegevus on edasi lükatud, kuna nii sidusrühmade kui ka Euroopa Parlamendi reaktsioon

Peaaegu kõik komisjoni esitatud lihtsustamisettepanekud ootavad hetkel nõukogu ja Euroopa Parlamendi otsust. Kõnealused ettepanekud on esitatud 3. lisas.

Allpool esitatakse mõned näited senistest edusammudest, mis näitavad, et ettevõtete ja kodanike jaoks kõige tähtsamaid valdkondi on komisjoni lihtsustamisprogrammis juba käsitletud.

Näited komisjoni vastuvõetud ettepanekute kohta:

- **Ajakohastatud tolliseadustik ja e-toll:**[8] ühenduse tollialaste õigusaktide uuesti sõnastamine ning üleeuroopaliste elektrooniliste andmevahetussüsteemide loomine riigiasutuste ja ettevõtete vahel. Rahvusvaheline kaubandus muutub lihtsamaks tänu sujuvamatele ja lihtsustatud tolliprotseduuridele ja -eeskirjadele, automatiseeritud ja omavahel seotud tollisüsteemidele ning tihedale koostööle nende asutuste ja teenistuste vahel, kes on seotud kaupade liikumisega üle ühenduse piiri.

- **Keskkond:**[9] jäätmete raamdirektiivi ajakohastamine:

  – Jäätmealaste õigusaktide lihtsustamine mõistete selgitamise, sätete ühtlustamise ning ohtlikke jäätmeid ja õlijäätmeid käsitlevate direktiivide ühendamise abil;

  – Ringlussevõtuturu parandamine keskkonnastandardite kehtestamise kaudu, milles täpsustatakse, millistel tingimustel ei peeta teatavaid ringlussevõetud jäätmeid enam jäätmeteks.

- **Tööjõu vaba liikumine:**[10]

  – Riiklike sotsiaalkindlustussüsteemide koordineerimist käsitlevate kehtivate sätete ajakohastamine;

  – Menetluse lihtsustamine kindlustatud isikute jaoks ning selle aja vähendamine, mis sotsiaalkindlustuse mitmete valdkondade (haigus, tööõnnetused, kutsehaigused, invaliidsus, pension, töötus, perehüvitised) asutustel kulub piirüleste juhtumite lahendamisele ja menetlemisele.

- **Toidu lisaained ning maitse- ja lõhnaained:**[11]

  – Toidu lisaaineid käsitlevate õigusaktide lihtsustamine, koostades selleks põhimõtteid, menetlusi ja heakskiitmist hõlmava üheainsa õigusakti;

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näitas, et on vaja täiendavat analüüsi. Kooskõlas parema õigusloome põhimõtetega otsustas komisjon viia läbi põhjaliku mõjuhindamise, et uurida täiendavaid võimalusi, sh kehtivate õigusaktide kehtetuks tunnistamist või osalist liberaliseerimist, ning konsulteerida veelkord sidusrühmadega. b) Hiljutised rahvusvahelised arengud energiasektoris ning sellele järgnenud arutelu energiavarustuse kindluse üle on sundinud komisjoni edasi lükkama (tõenäoliselt kuni aastani 2008) naftavarusid käsitlevate õigusaktide kavandatud läbivaatamist. Komisjoni tulevane poliitika selles vallas sõltub olulisel määral märtsis 2006 esitatud energiapoliitikat käsitleva rohelise raamatu üle peetavate konsultatsioonide tulemustest.

8 KOM(2005) 608.

9 KOM(2005) 667.

10 KOM(2006) 16.

11 KOM(2006) 428.

– Menetluse parandamine toidus lubatud lisaaineid käsitleva ühenduse loetelu ajakohastamiseks.

- **Väikese ja keskmise suurusega farmaatsiatööstusettevõtted:**[12] Lihtsustatud õigusraamistiku loomine mikro-, väikeste ja keskmise suurusega ettevõtete jaoks, sh väiksemad tasud, makseaja edasilükkamine ning õigusabi osutamine taotluste esitamiseks Euroopa Ravimiametile.

- **Makseteenused:**[13] Lihtsustatud regulatiivse raamistiku loomine tarbijatele ja ettevõtetele suunatud makseteenuste jaoks. Ettepanekus on sätestatud õigusaktide lihtsustamine (kolm direktiivi ja kolm soovitust asendatakse ühe ühtse eeskirjade koguga) ning ametiasutuste (ELi või riigisiseste) ja eraõiguslike isikute haldusmenetluste lihtsustamine. Ettepanekuga nähakse ette suurem läbipaistvus ning selgem ja konkreetsem teave makseteenuste kasutajate ja tarbijate jaoks.

- **Raamatupidamiseeskirjad:**[14] Kehtivate raamatupidamiseeskirjade muutmine, andes liikmesriikidele rohkem võimalusi vabastada ettevõtteid teatavatest avalikustamiskohustustest (tõstes künnist). Selle tulemusena lihtsustuvad haldusnõuded väiksemate ettevõtete suhtes.

- **Struktuuriline ettevõtlusstatistika:**[15] Ettepanekuga lihtsustatakse struktuurilise ettevõtlusstatistika andmete esitamist, kustutades 15 kohustuslikku muutujat (uurimis- ja arendustegevuse, tööhõive, energia ja kapitalirendi kohta), kogudes teisi muutujaid iga aasta asemel üle mitme aasta ja jättes välja vabatahtlikud muutujad. Peale selle töötab Eurostat välja programmi ettevõtlusstatistika ümberkorraldamiseks, millega antakse liikmesriikidele uued meetodid andmeesitajate koormuse vähendamiseks eelkõige haldusandmete tõhusama kasutamise ja ettevõtte raamatupidamisaruande automaatse elektroonilise edastamise kaudu.

- **Õhutransporditurg:**[16] Õhutranspordi liberaliseerimist käsitleva nn kolmanda paketi läbivaatamine peaks muutma õigusaktid loetavamaks, kuna kolm kehtivat määrust ühendatakse üheks õigusaktiks. Sellega ajakohastatakse ja lihtsustatakse õigusraamistikku, tagatakse ühtne kohaldamine kõikides liikmesriikides ja pööratakse tähelepanu võimalikele konkurentsimoonutustele ja -piirangutele mõnes turusektoris. Seega peaks suurenema tarbijatele pakutav valik, langema hinnad ja kasvama konkurents.

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12 Komisjoni määrus (EÜ) nr 2049/2005.
13 KOM(2005) 603.
14 Direktiiv 2006/46, 14.6.2006.
15 KOM(2006) 66.
16 KOM(2006) 396.

1.1.2. Käimasolev töö

Allpool on esitatud mitmed 2006./2007./2008. aastaks kinnitatud konkurentsvõimega seotud olulised lihtsustamisalgatused:

- **Põllumajandus**: 21 ühise turukorralduse koondamine ühtsesse süsteemi, et kehtestada ühtlustatud horisontaalne õigusraamistik, mis sätestaks turupoliitika mitmetes valdkondades (sekkumine, eraladustustegevus, impordi tariifikvoodid, eksporditoetused, kaitsemeetmed, põllumajandustooted, riigiabi käsitlevad eeskirjad, teabevahetus ja andmeedastus) ühe ühtlustatud eeskirjade kogumi.

- **Keskkond:** Saastuse kompleksse vältimise ja kontrolli direktiivi ning muude sellega seonduvate tööstusheitmeid käsitlevate õigusaktide läbivaatamine, et suurendada eelkõige aruandluse selgust ja järjepidevust ning ühtlustada nõudeid.

- **Ehitus:** Ehitustooteid käsitleva direktiivi läbivaatamise eesmärk muuta seda selgemaks ning vähendada eelkõige väikeste ja keskmise suurusega ettevõtete halduskoormust tehniliste nõuete paindlikuma sõnastamise ja kasutamise ning lihtsamate sertifitseerimise eeskirjade abil, ning kõrvaldada selle rakendamise teelt asjaolud, mis seni on takistanud ehitustoodete siseturu loomist.

- **Statistika:** Ettevõtjate, eelkõige väikeste ja keskmise suurusega ettevõtete statistilise aruandluse lihtsustamine, võttes arvesse jätkuvat tööd ELi statistika haldamise parandamiseks ning halduskoormuse mõõtmist ja vähendamist käsitlevate pilootprojektide tulemusi.

- **Toiduainete ja loomatoidu märgistus:** Õigusaktide ajakohastamine aitab selgitada märgistamise eeskirju, et abistada tarbijaid teadlike, turvaliste, tervislike ja säästvate valikute tegemisel ning toetab konkurentsi soodustava turukeskkonna arengut, kus ettevõtted saavad märgistamist oma toodete müügil tõhusalt kasutada.

- **Tarbijakaitse:** Kõikide tarbijakaitsealaste õigusaktide ratsionaliseerimine ja lihtsustamine eesmärgiga vabaneda võimalikest vastuoludest, kattumistest, siseturutõketest ja konkurentsimoonutustest.

- **Kosmeetika:** Kosmeetikatoodete direktiiv võeti vastu 30 aastat tagasi ning seda on muudetud rohkem kui 40 korda. Järjepidevuse ja selguse huvides on vaja tekst uuesti sõnastada. See aitab vähendada direktiivi rakendamisega seotud halduskulusid, jättes samas muutmata kehtiva loomkatsete järkjärgulise keelustamise režiimi.

- **Raamatupidamise ja finantsaruandluse standardid:** ELi ettevõtetele koostatakse ajakohastatud finantsaruandluse standardite kogum, koondades kehtivad määrused,[17] mida on kokku rohkem kui 2 000 lehekülge, üheks ühtseks kasutajasõbralikuks määruseks.

- **Mootorsõidukitööstuse regulatiivne raamistik:** Kui praegu menetluses olev mootorsõidukite tüübikinnitust käsitleva raamdirektiivi läbivaatamise ettepanek vastu võetakse, võimaldab see:

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[17] Komisjoni määrused rahvusvaheliste finantsaruandluse standardite (IFRS), rahvusvaheliste raamatupidamisstandardite (IAS) ja nende tõlgenduste kohta.

– asendada EÜ direktiivid ÜRO Euroopa Majandusnõukogu määrustega. Kõnealune lihtsustamine ühtlustab eeskirjad ja tühistab üleliigsed nõuded. See aitab kogu tootmisharul kaotada mittetariifseid kaubandustõkkeid, säilitades ELi juhtpositsiooni rahvusvaheliste standardite väljatöötajana ning võimaldades tootmisharul kohaneda tehniliste arengutega rahvusvahelisel tasandil;

– lisada 25 EÜ direktiivi ja UN/ECE määrusesse vajalikud tehnilised sätted tootjapoolsete ja virtuaalsete katsete kohta. See annab võimaluse lihtsustada tüübikinnitusmenetlust ning kohandada regulatiivset keskkonda tehnoloogiliste uuendustega. Virtuaalsed ja tootjapoolsed katsed kiirendavad tootearendust ja vähendavad nii tootmisharu kui ka tarbijate kulusid Peale selle on komisjon teinud ettepaneku lisada mootorsõidukite tüübikinnitust käsitlevasse direktiivi üldsäte, mille kohaselt valmistaja võiks toimida katselaborina tingimusel, et tüübikinnitusasutus on asjakohast pädevust tunnustanud.

- **Juurdepääs maanteeveoturule ja selle valdkonna ametitele:** Nelja määruse ja ühe direktiivi uuesti sõnastamine, et muuta selgemaks, lihtsamaks ja paremini jõustatavaks eeskirjad, mis käsitlevad ametialale ja turule juurdepääsu, sh maanteevedude kabotaaži ja reisijate vedu. Uuesti sõnastamine peaks andma võimaluse eeskirju ühtselt kohaldada ja kulutasuvalt jõustada, sh ka riikidevahelises kontekstis, piirates seega konkurentsimoonutusi, kaitstes asutamisõigust ning parandades teenuste kvaliteeti ja vedude turvalisust.

- Tehnikaalast **uut lähenemisviisi**[18] käsitlevate määruste/direktiivide konsolideerimine, et toodete turuleviimine toimuks ühtsete määratluste, lihtsustatud sertifitseerimismenetluse ja ühtlustatud halduskoostöö alusel, mille eesmärk on hõlbustada toodete kaubanduslikku pakkumist, kaitstes samal ajal tootjaid nõuetele mittevastavate toodete eest.

1.1.3. Lihtsustamisprogrammi toetavad uued algatused

Võttes aluseks eelmisel aastal käivitatud programmi, lisab komisjon ajavahemikuks 2006–2009 lihtsustamiskavale 43 uut algatust,[19] mille eesmärk on:

- stimuleerida uuendustegevust ja vähendada õigusnormidest tulenevat halduskoormust;

- vähendada ühenduse õigustiku kogumahtu ja toetada üleminekut paindlikumale regulatiivsele lähenemisviisile.

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18 Uue lähenemisviisi direktiivides on sätestatud ainult kõige olulisemad üldiseid huve käsitlevad nõuded, millele tooted peavad vastama ning ei ole esitatud üksikasjalikke tootepõhiseid nõudeid. Tootjad võivad valida erinevate tehniliste lahenduste vahel ning neil on paindlikud võimalused näitamaks nende lahenduste nõuetele vastavust (nt standardimise abil).

19 43 uut algatust jagunevad järgmiselt: 2006. aastal 3 uut algatust, 2007. aastal 28, 2008 . aastal 11 ja 2009. aastal 1.

Allpool on esitatud näited uutest algatustest:

- Ravimites pärast litsentsi andmist tehtavaid muudatusi käsitlevate eeskirjade **lihtsustamine** (muudatusi käsitlevad määrused). Hetkel kulub kõnealuste eeskirjade haldusmenetlusele 60% ettevõtete juriidiliste osakondade inimressursist ja finantsvahenditest. Mitmelgi juhul võib selline koormus pidurdada uuendustegevust, takistades patsientidele ja ühiskonnale kasulike muudatuste kasutuselevõttu. Menetlusi tõhustatakse, muutes muudatusi käsitlevad määrused lihtsamaks, selgemaks ning paindlikumaks, seadmata sealjuures ohtu inimeste ja loomade tervist.

- Selliste kaupade **vastastikune tunnustamine**,[20] mida ühenduse ühtlustatud eeskirjad ei hõlma. Hetkel valmistab komisjon ette uut seaduseelnõu, mis käsitleb tehniliste tõkete kõrvaldamist kaupade vabalt liikumiselt ELi piires (nn vastastikuse tunnustamise ettepanek). Õigusaktis määratletakse ühelt poolt riiklike ametiasutuste ning teiselt poolt nende ettevõtete õigused ja kohustused, kes soovivad ühes liikmesriigis müüa tooteid, mis on valmistatud või mida juba legaalselt turustatakse teises liikmesriigis.

- **Uute toiduainete** määratluse ja ohutushinnangu kohaldamisala selgitamine ning lubade andmise menetluse ühtlustamine.

- Haldusmenetluse lihtsustamine **põllumajanduse** valdkonnas mitmete tehniliste lihtsustuste rakendamise teel. Koostatud on tegevuskava, mille abil muuta õigusnorme, millel on otsene mõju põllumajandustootjatele, muudele ettevõtjatele ja riiklikele ametiasutustele. Muudatused on seotud näiteks põllumajandustootjate kohustusega tagada juurdepääs dokumentidele, liikmesriikide kontrollikohustusega, toetuse saamise tingimustega jne.

- **Ühise kalanduspoliitika** lihtsustamine ja parandamine õigusliku ja haldusalase lihtsustamise kaudu vastavalt komisjoni 2005. aastal vastuvõetud 2006.–2008. aasta tegevuskavale.[21] Tegevuskava hõlmab teatavaid kalanduse haldamist ja kontrolli reguleerivaid sätteid, millega parandatakse õigusraamistiku arusaadavust ja vähendatakse kalurite ja asjaomaste ametiasutuste halduskoormust.

- **Elektrooniliste sidevõrkude ja -teenuste** regulatiivse raamistiku läbivaatamine vähendab eelneva reguleerimise vajadust ning lisab paindlikkust ja uuendusi, millest saavad kasu nii tootmisharu kui ka kodanikud.

- **Tekstiilitooteid** käsitlevate direktiivide asendamine ühe määrusega, et muuta lihtsamaks uute kiunimetuste heakskiitmise menetlus. Kiusisalduse mõõtmise kvantitatiivmeetod muudetakse standardimismenetluse osaks.

- **Mänguasju** käsitlevate kehtivate õigusaktide lihtsustamine selgitades põhilisi ohutusnõudeid ja luues paremad eeldused selleks, et riiklikud turujärelevalve asutused kohaldaksid ühist lähenemisviisi.

- **Metroloogiat ja väetisi** käsitlevates õigusaktides piirdutakse uue lähenemisviisi kohaste peamiste nõuetega. Üksikasjalikud tehnilised kirjeldused asendatakse standarditega.

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[20] Kuigi seda ei ole lisatud lihtsustamisprogrammi, toetab see algatus lihtsustamisstrateegiat.

[21] KOM(2005) 647.

- Ühenduse **ökomärgise andmise süsteemi** läbivaatamine eesmärgiga:

  (a) luua ettevõtjasõbralikum süsteem kaasates sidusrühmad otsustusprotsessi ning võttes arvesse VKEde vajadusi;

  (b) anda märgise andmise tingimuste väljatöötamise üle eriotstarbelisele asutusele ning siduda ökomärgis tihedalt keskkonnasäästlike riigihangetega.

- Puuviljade tootmiseks ettenähtud **viljapuude paljundusmaterjali** ja viljapuude turustamist käsitleva direktiivi uuesti sõnastamine.

- Tööst tingitud **skeleti-lihassüsteemi haiguste** käsitlemine ühes õigusaktis, kuhu koondatakse mitmed kehtivad tervisekaitse ja ohutuse miinimumnõuded, näiteks raskuste käsitsi teisaldamist ja kuvariga töökohti käsitlevad nõuded.

Kõik komisjoni talitused lõpetavad 2009. aastaks oma valdkonna õigustiku läbivaatamise, mille käigus kontrollitakse õigusaktide asjakohasust, reguleerimistava valikut ning võimalust kohaldada oktoobris 2005 esitatud lihtsustamisstrateegias sätestatud meetmeid. Läbivaatamise tulemusel määratletakse vajadusel uued lihtsustamisalgatused ning ajakohastatakse käimasolevat programmi.

1.2. Kodifitseerimise hetkeseis

Kodifitseerimisel on keskne osa Euroopa Komisjoni algatatud parema õigusliku reguleerimise protsessis. Kodifitseerimise käigus koondatakse kehtiva õigusakti sätted ja kõik nende hilisemad muudatused ühte õigusakti, vähendades seega ELi õigustiku mahtu ning muutes selle läbipaistvamaks, arusaadavamaks ja õiguslikult selgemaks.

Kodifitseerimisprogramm (lisas 2) hõlmab umbes 500 õigusakti. 52 õigusakti on kodifitseerimisprotsessi edukalt läbinud[22] ning vastu võetud ja Euroopa Liidu Teatajas avaldatud (38 komisjoni ning 14 Euroopa Parlamendi ja nõukogu õigusakti). 33 õigusakti on hetkel seadusandja menetluses ning 8 kirjalikus menetluses. Kokku on Euroopa Komisjon lõpule viinud 85 õigusakti ettevalmistamise.

Selleks et viia kodifitseerimisprogrammi täitmine lõpule 2008. aasta keskpaigaks, on võetud meetmed kiirendamaks originaaldokumentide tõlkimist ELi uutesse keeltesse. Senine mahajäämus on tekkinud seetõttu, et kodifitseeritud tekstide tõlked nimetatud keeltesse on hilinenud.

Lisaks tuleb võtta vajalikud meetmed, et suurendada kättesaadavate kodifitseeritud tekstide arvu bulgaaria, rumeenia, iiri ja malta keeles, kodifitseerides eelisjärjekorras need tekstid, mille tõlkimine on lõpule viidud.

Peale selle on ette valmistatud programm ülejäänud kodifitseeritavate õigusaktide vastuvõtmiseks. Eesmärk on tagada protsessi läbipaistvus ning eelkõige toetada võimalikult väheste muudatuste tegemist kodifitseeritavatesse õigusaktidesse, hoides seega asjaomaseid õigusakte tasakaalus ning vähendades viivitusi. Nimetatud programm on siiski üksnes soovituslik, kuna kodifitseerimisprojekt sõltub sellest, kas kodifitseeritavad õigusaktid on tõlgitud kõikidesse keeltesse. Eelkõige puudutab see bulgaaria ja rumeenia keelt.

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[22] Seisuga 27. oktoober 2006

Kodifitseerimine tuleb edasi lükata, kui õigusaktidesse kavandatakse uusi muudatusi. Nimetatud kahe asjaolu tõttu muutub õigusaktide käsitlemise järjekord programmis.

Peale selle tuleb märkida, et kodifitseeritud õigusakte vastu võttes peab seadusandja järgima õigusaktide ametliku kodifitseerimise kiirendatud töömeetodit käsitlevas institutsioonidevahelise kokkuleppes (sõlmitud 20. detsembril 1994) sätestatud eeskirju.

2. EDUKUST MÕJUTAVAD TEGURID

Euroopa ettevõtteid ja kodanikke ümbritsev regulatiivne keskkond koosneb mitmest tihti omavahel põimunud seaduste ja eeskirjade kihist, mis on koostatud mitmel eri tasandil (rahvusvahelisel,[23] ühenduse, riiklikul, piirkondlikul või kohalikul). Ükski nimetatud seadusandjatest ei suuda üksi otsustaval määral parandada õigussüsteemi kvaliteeti. Kogu regulatiivse raamistiku kvaliteedi tõstmise eelduseks on otsustav, järjepidev ning koordineeritud tegutsemine kõikidel seadusandlikel tasanditel.

2.1. Usaldusväärsel metoodikal põhinev lihtsustamine

2.1.1. Konsulteerimine kõikide osapooltega

Nii esialgne kui ka ajakohastatud 2006.–2009. aasta lihtsustamisprogramm on koostatud sidusrühmade ja liikmesriikide kaastöö alusel. Põhjendatud lihtsustamisprogrammi koostamisel on nende kogemus asendamatu. Põhjalikud konsultatsioonid sidusrühmadega, kogu poliitikavaldkonna läbivaatamine, õigusaktide järelhindamine ning ekspertide esitatud arvamused aitavad poliitikakujundajatel paremini määratleda valdkonna tegelikke probleeme. Nimetatud protsessi abil on sidusrühmadel hiljem hõlpsam kavandatud meetmeid omaks võtta.

2005. aasta oktoobris avaldatud lihtsustamist käsitlevas teatises[24] esitati hulk konkreetseid algatusi:

- Ühise põllumajanduspoliitika lihtsustamist ja paremat õigusloomet käsitleva komisjoni teatise kohaselt koostati tegevuskava, mida esitleti 2006. aasta oktoobris toimunud konverentsil „Lihtne ühine põllumajanduspoliitika Euroopa jaoks – väljakutse meile kõigile“. Tegevuskavas on esitatud 20 konkreetset projekti tehniliste lihtsustuste tegemiseks (halduskoormuse vähendamiseks ilma poliitikat muutmata), mis peaksid olema rakendatud 2007. aastaks. Tegevuskavaga pannakse alus järjepidevale lihtsustamisprotsessile. Sidusrühmi ja liikmesriike kutsutakse üles esitama täiendavaid lihtsustamisettepanekuid.

- 2005. aastal võttis komisjon vastu 2006.–2008. aasta tegevuskava ühise kalanduspoliitika lihtsustamiseks ja täiustamiseks, mida toetasid täielikult nii Euroopa institutsioonid kui ka sidusrühmad.

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[23] Näiteks raamatupidamise, auditeerimise, riigihangete ja intellektuaalomandi õiguste valdkonnas on eeskirjad ja standardid tihti kokku lepitud või vastu võetud rahvusvahelisel tasandil.

[24] Teatis KOM(2005) 535. Ühenduse Lissaboni kava rakendamine: õiguskeskkonna lihtsustamise strateegia.

- Kavandamisel on teatis andmeesitajate koormuse vähendamise, lihtsustamise ja prioriteetide seadmise kohta ühenduse statistika valdkonnas. Teatises esitatakse strateegiline lähenemisviis ettevõtete statistiliste andmete esitamise koormuse jätkuvaks vähendamiseks kahe elemendi ühendamise kaudu: lihtsustades valitud prioriteetsetes valdkondades statistikale esitatavaid nõudeid ja levitades selliseid statistilisi vahendeid ja meetodeid, mis muudavad statistikaalaste kohustuste täitmise lihtsamaks. Komisjon teeb ettepaneku võtta Intrastati statistika puhul kasutusele ühesuunalise voo süsteem, koostada ettevõtlusstatistika ümberkorraldamise kava ning aktiivselt jätkata Euroopa põllumajandusstatistika süsteemi lihtsustamist.

Asutamislepingu artikli 138 kohaselt tuleb sotsiaalpoliitikat käsitlevate komisjoni algatuste puhul pidada konsultatsioone Euroopa sotsiaalpartneritega.[25]

Mõnel juhul on komisjoni talitused konsultatsioonide tulemusel otsustanud oma esialgseid kavatsusi muuta. Näiteks äriühinguõigust ja autoriõigust reguleeriva raamistiku läbivaatamise tulemusel koostati järgmised uued algatused:

- Komisjonil on enne selle aasta lõppu kavas käivitada laiaulatuslik algatus, et teha kindlaks äriühinguõiguse direktiivide täitmisega kaasnevad halduskulud ning leida koos liikmesriikide ja sidusrühmadega võimalusi nende kulude vähendamiseks. Selle algatuse tulemused esitatakse teatises 2007. aasta teisel poolel.

- Autoriõigust käsitleva läbivaatamise tulemusena alustati muude tegevuste seas 2001. aasta autorõiguse direktiivi hindamist, mille käigus on muu hulgas võimalik määrata erandid direktiivi kohaldamise suhtes. Selle algatuse tulemused avaldatakse tõenäoliselt 2007. aasta suvel.

2.1.2. Valdkonnapõhine analüüs

Varasemas teatises osutas komisjon vajadusele läheneda lihtsustamisele valdkonnapõhiselt, et paremini hinnata regulatiivse raamistiku mõju valdkonna konkurentsivõimele.

Näiteks ehitustoodete valdkonnas on selline töö juba alanud. See hõlmab ehitussektori sidusrühmade konkurentsivõimet mõjutavate tegurite üldist analüüsi ning konkreetseid meetmeid ehitustooteid käsitleva direktiivi lihtsustamiseks (direktiiv 89/106/EMÜ). Käimas on konsultatsioonid sidusrühmadega ning komisjon vaatab läbi esitatud arvamusi.

Mootorsõidukite valdkonnas on kõrgetasemeline töörühm CARS 21 analüüsinud Euroopa autotööstuse konkurentsivõimet mõjutavaid olulisemaid poliitikavaldkondi ning esitanud mitmeid soovitusi.

Parema õigusliku reguleerimise põhimõtteid vaadatakse praegu läbi ka tööstuspoliitikat käsitleva teatise[26] tulemusena loodud uue foorumi kontekstis. Valdkonnapõhiste õigusaktide läbivaatamist on alustatud info- ja sidetehnoloogia konkurentsivõimet käsitlevas eritöörühmas ning masinatööstust käsitleva poliitilise dialoogi raames.

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[25] Hiljutiseks näiteks on 2005. aasta konsultatsioonid sotsiaalpartneritega, mis käsitlesid töötervishoiu ja tööohutuse direktiivide lihtsustamist aruandluse ja praktilise rakendamise osas.

[26] Komisjoni teatis - Ühenduse Lissaboni programmi rakendamine - raampoliitika ELi tootmise tugevdamiseks - süvendada integreeritumat lähenemisviisi tööstuspoliitikale. KOM(2005) 474 lõplik, 5.10.2005.

2.1.3. Halduskoormuse vähendamiseks tehtav töö

Vastuseks 2006. aasta juuni Euroopa Ülemkogu järeldustele käivitab komisjon 2007. aasta alguses taaskäivitatud Lissaboni tegevuskava konkurentsivõime programmi raames laiaulatusliku kava, mille eesmärk on määratleda ja vähendada kehtivast ELi õigustikust tulenevat halduskoormust. Kava aluseks on nelja liikmesriigi (Ühendkuningriik, Madalmaad, Taani ja Tšehhi Vabariik) kogemus, kes on pärast ulatusliku alusanalüüsi lõpuleviimist halduskoormuse vähendamise eesmärgid juba püstitanud. Komisjoni talituste töödokumendis „Halduskulude analüüs ja halduskoormuse vähendamine Euroopa Liidus"[27] esitatakse 2006. aastal läbi viidud halduskoormust käsitleva pilootprojekti tulemused. Projektis vaadeldi ja võeti arvesse vastavat varasemat kogemust. Keskpikas perspektiivis peaks see protsess andma ELi seadusandjatele ja liikmesriikidele võimaluse koguseliselt väljatoodud andmete alusel määratleda eelisvaldkonnad, kus lihtsustamine on vajalik.

Sellega seoses tuleb märkida, et põllumajanduse valdkonnas on praegu teoksil uurimus põllumajandustöötajate halduskoormuse kohta. Uurimus käsitleb ühise põllumajanduspoliitika 2003. aasta reformikava ning selle hilisemate muudatuste rakendamist. Esimesed tulemused avaldatakse 2007. aastal.

2.2. Tihe koostöö ELi institutsioonide vahel

Kui komisjon peab esitama kõrgekvaliteedilisi õigusloomealaseid ettepanekuid, siis parlamendi ja nõukogu ülesanne on viia kõnealused lihtsustamistoimingud lõppjärku.

Nõukogus ja Euroopa Parlamendis on menetlemisel kokku 22 komisjoni poolt vastuvõetud lihtsustamisettepanekut (3. lisa). Neist 7 lihtsustamisalgatust pärinevad juba eelmistest, 2003. aasta lihtsustamisprogrammidest[28] ja on ikka veel seadusandja menetluses. Menetluses olevate ettepanekute loetelu on esitatud 3. lisas ja sealt võib leida selliseid ettevõtluse jaoks üliolulisi tekste nagu näiteks kuuenda käibemaksudirektiivi läbivaatamine, tolliseadustiku ajakohastamine, jäätmealaste õigusaktide muutmine, mootorsõidukite tüübikinnituse lihtsustamine, struktuurilise ettevõtlusstatistika ühtlustamine ja müügipakendeid käsitlevate nõuete tühistamine. VKEde tegevust soodustavaid erandeid sisaldava raamatupidamisdirektiivi vastuvõtmine[29] ja müügipakendeid käsitleva ühisseisukoha hiljutine heakskiitmine nõukogus näitab kujukalt, et institutsioonid on regulatiivse raamistiku lihtsustamise vajalikkuse suhtes ühisel seisukohal.

Komisjon pöördus Euroopa Parlamendi poole palvega, et viimane avaldaks arvamust 2005. aasta oktoobris esitatud lihtsustamisstrateegia kohta ja parlament vastas sellele 2006. aasta aprillis. Parlamendikomisjonide seisukohad mitmeaastase lihtsustamisprogrammi suhtes langevad suuresti kokku sellega, mis komisjoni arvates esmajärjekorras lihtsustamist vajab.

2006. aasta mais võttis Euroopa Parlament vastu terve rea aruandeid, milles käsitletakse õigusliku reguleerimise parandamise mitmesuguseid aspekte, sealhulgas lihtsustamist.[30]

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27 KOM(2006) 691 lõplik.

28 Raammeede ühenduse *acquis*' ajakohastamiseks ja lihtsustamiseks, [KOM(2003) 71, veebruar 2003].

29 Direktiiv 2006/46, vastu võetud 14. juunil 2006.

30 Euroopa Parlamendi resolutsioon õiguskeskkonna lihtsustamise strateegia kohta [Raportöör: Euroopa Parlamendi liige Giuseppe Gargani ref. A6-0080/2006 – PA_TA-PROV (2006) 0205]. Samaaegselt resolutsiooniga käsitles Euroopa Parlament esimeeste konverentsil tehtud tööd, milles võeti kokku komisjonide seisukohad jätkuva lihtsustamisprogrammi suhtes ja käsitleti ka lihtsustamise institutsioonidevahelist mõõdet.

Euroopa Parlament tegi muu hulgas ettepaneku võtta lisaks kodifitseerimisele ja uuesti sõnastamisele[31] kasutusele uus vahend teatavat konkreetset liiki lihtsustusettepanekute jaoks, mille puhul oleks kasulik rakendada kohandatud töömeetodeid ja kiirendatud vastuvõtmist.

2003. aastal jõustunud paremat õiguslikku reguleerimist käsitleva institutsioonidevahelise kokkuleppega[32] loodi platvorm kolme institutsiooni vahelise koostöö arendamiseks. Institutsioonidevahelise kokkuleppe täitmise üle järelevalvet teostav kõrgetasemeline töörühm on korrapäraselt täheldanud edusamme sellistes valdkondades nagu õigusloome kooskõlastamine ja kavandamine, õigusaktide kvaliteet (eelkõige mõju hindamine), ühenduse õigusaktide ülevõtmine ja kohaldamine ning lihtsustamine. Kaasseadusandjatel on osutunud raskeks valida koos konkreetseid meetmeid, kuidas seada lihtsustamist prioriteetsele kohale ja kiirendada õigusloome protsessi.

2005. aasta detsembris sõlmitud institutsioonidevaheline kokkulepe, milles käsitletakse ühist lähenemisviisi mõju hindamisele,[33] tõestab, et poliitilise tahte olemasolu korral võib paremat õiguslikku reguleerimist käsitleva institutsioonidevahelise kokkuleppega saavutada konkreetseid tulemusi paremate reguleerimispõhimõtete rakendamisel institutsioonidevahelises tegevuses. Kui ühist lähenemisviisi 2008. aastal läbi vaatama hakatakse, peaksid institutsioonid kokku leppima, et liikmesriikide algatustele, mis käsitlevad politsei- ja õigusalast koostööd kriminaalasjades, tuleks lisada mõju hindamine.

Komisjon on teatanud, et ta kavatseb institutsioonidevahelist otsustusprotsessi lihtsustada parandades lihtsustamisalgatuste kavandamist ja esiletoomist järgmiste toimingute kaudu:

- Lihtsustamisettepanekud lülitatakse komisjoni iga-aastasesse õigusloome- ja tööprogrammi. Komisjoni 2007. aasta õigusloome- ja tööprogrammi puhul on seda tehtud.

- Sissejuhatuses selgitatakse põhjalikult ja varasemast paremini ettepanekutes taotletud lihtsustamiseesmärki. Selliste lihtsustamisettepanekute puhul, kus nõutakse mõju hindamist, püüab komisjon hinnata ka lihtsustamise mõju, sealhulgas halduskoormust.

- Valitakse välja mõned lihtsustamisettepanekute nn „näidisjuhtumid", et katsetada, kuidas on võimalik kehtestada paremaid institutsioonidevahelisi töömeetodeid lihtsustamise edendamiseks.

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31 Euroopa Parlament tegeleb praegu uuesti sõnastamist ja kodifitseerimist käsitleva sisemise töökorra muutmisega.

32 ELT C-seeria nr 321/1, 31. detsember 2003 (2003/C321/01)

33 Lisatud nõukogu 24. novembri 2005. aasta dokumendile 2005/14901.

2.3. Kaas- ja isereguleerimise laialdasem kasutamine

Kaasreguleerimist ja isereguleerimist sobib tuua näiteks vahendeist, mida võib teatud tingimustel kasutada, et saavutada poliitilisi eesmärke seadusandja võimalikult vähese sekkumise juures.

Näiteks teevad Euroopa standardimisasutused ja komisjon koostööd selle nimel, et välja pakkuda uusi algatusi teenuste sektori standardite kohta, mis keskenduksid konkreetselt siseturule. Standardid võimaldavad kasutajatel vabalt võrrelda tooteid ja hindu, tugevdades sel viisi konkurentsi ja elavdades ELi-sisest teenuskaubandust. Standardimistegevusele annavad uut hoogu nii laiaulatuslike arutelude tulemusena sõnastatud standardimise tegevuskava, mille eesmärk on edendada tööstuse konkurentsivõimet, kui ka ühendusepoolset rahastamist käsitleva otsuse heakskiitmine.

Isereguleerimise valdkonnas on Euroopa tasandil tööturu osapooltel eriline osa, kuna neil on võimalik sõlmida kokkuleppeid[34], mis muudetakse õigusakti ettepaneku kaudu siduvaks või mida kohaldatakse autonoomselt. Isereguleerimine on kooskõlas komisjoni poliitikaga, mis on suunatud ettevõtete sotsiaalse vastutuse suurendamisele. Vabatahtlikud algatused, mis viiakse ellu Euroopa ettevõtete sotsiaalse vastutuse liidu raames, võiksid eelduste kohaselt viia uute isereguleerimise kokkulepete sõlmimiseni. Sellised algatused, mille ELi ettevõtted on teinud tihedas koostöös asjaomaste sidusrühmadega, peaksid samuti kaasa aitama ettevõtete sotsiaalse vastutuse tavade laialdasemale kasutuselevõtule nii Euroopas kui ülemaailmsel tasandil. Euroopa Majandus- ja Sotsiaalkomitee ning Euroopa Komisjon on loonud andmebaasi, mis sisaldab andmeid ligi 100 ELis toimiva isereguleerimissüsteemi kohta, et paremini teavitada eraettevõtjaid, kes soovivad luua või parandada isereguleerimissüsteeme, ning seadusandjaid, kes vastutavad kaasreguleerimise kavandamise eest. See andmebaas, mis tuleb käiku anda 2006. aasta novembris, näitab muude teemade hulgas ka seda, mis liiki probleem viis ELi tasandi ise- või kaasreguleerimissüsteemi väljatöötamiseni, samuti nende süsteemide eesmärke ja organisatsioonilist korraldust. Tänu sellele on heade ja halbade tavade eristamine tunduvalt lihtsam.

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[34] 2006. aasta aprillis alla kirjutatud „Kokkulepe, mis käsitleb töötajate tervise kaitse eesmärgil kristalse räni ja seda sisaldavate toodete häid käsitsemis- ja kasutamistavasid" on hea näide isereguleerimise kohta. Tegemist on iseseisva kokkuleppega, kus loetletakse head tavad, kuidas vähendada töötajaskonna kokkupuuteid kristalse räni tolmuga. Sellest peaks olema abi erinevate riiklike töökeskkonna piirnormide järgimisel. Kõnealune kokkulepe, mida on arutanud erinevaid asjaomaseid tööstusharusid esindavad tööturu osapooled, on Euroopa sotsiaalse dialoogi raames sõlmitud mitut sektorit hõlmav iseseisev kokkulepe.

2.4. Lihtsustamine liikmesriigi tasandil

2.4.1. Lihtsustatud ELi õigustik peab kajastuma ka liikmesriigi tasandil

Vältimaks olukorda, kus uued siseriiklikud eeskirjad või tehnilised tõkked muudaksid olematuks ühenduse lihtsama õiguskeskkonna mõju, on vaja, et liikmesriigid toetaksid täiel määral ELi lihtsustamispüüdeid. Üha suurema hulga liikmesriikide puhul ongi see nii, kuid olukord võiks veel parem olla. Siinkohal võib näiteks tuua statistikaalaste nõuete säilitamise liikmesriikide tasandil, samal ajal kui ühenduse õigust on lihtsustatud.

Sellest tulenevalt on komisjon teatavate viimasel ajal tehtud tühistamisettepanekutes sätestanud vastastikuse heakskiitmise, tagamaks et ühenduse õigusakti kehtetuks tunnistamise järel ei teki uusi kaubandustõkkeid. Näiteks müügipakendeid käsitleva ettepaneku eesmärk on välistada võimalus selliste kaubandustõkete tekkimiseks, mis on põhjustatud siseriiklike nõuete säilimisest.

Ka selle menetluses oleva otsuse puhul, millega tahetakse kehtetuks tunnistada toorpuidu liigitust käsitlev ELi õigusakt, tuleks võtta ühtseid järelmeetmeid üle kogu Euroopa Liidu. Vastavalt tuleb muuta siseriiklikke õigusakte, milles viidatakse kõnealusele direktiivile ja liikmesriigid peaksid tagama, et tehnilised muudatused viiakse sisse kiiresti ja täpselt.

Liiga sageli kohaldatakse halduskontrolli ja pikaajalisi menetlusi selliste Euroopa ettevõtete suhtes, kes soovivad tegutseda teises liikmesriigis. Asjakohastel juhtudel toetavad asutamislepingu eeskirjad siseturu toimingute lihtsustamist. Komisjon aitab kõnealust halduskoormust vähendada, tagades EÜ asutamislepingu artikli 28 (mis käsitleb kaupade vaba liikumist) täitmise, eelkõige teostades järelevalvet siseriiklike õigusaktide eelnõude üle.

2007. aastal kavatseb komisjon käsitleda kaitseturu integreerimise küsimust, eesmärgiga leevendada ülemäärast halduskoormust, mis kahjustab ELi tööstuse konkurentsivõimet selles valdkonnas. Tööstuse ja haldusasutuste kulutused seoses sõjavarustuse ühendusesiseste impordi- ja ekspordilitsentsidega ulatuvad 238,9 miljoni euroni aastas. Tegelik olukord näitab, et litsentsitaotlusi ei lükata peaaegu kunagi tagasi.[35]

2.4.2. Ülemääraste nõuete kehtestamise vältimine

Ühenduse direktiive ülevõtvate siseriiklike rakendussätete uurimise tulemusena võib tuua hulgaliselt näiteid tehniliste nõuete, märgistamiskohustuste, tähtaegade, lubade andmise korra ja muude haldusnõuete kohta, mille siseriiklikud seadusandjad on ühenduse õigusnormidele lisanud (ülemääraste nõuete kehtestamine). ELi ettevõtete regulatiivset keskkonda on võimalik parandada üksnes juhul, kui ELi tasandi algatustega kaasnevad asjakohased toimingud liikmesriigi tasandil.

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[35] UNISYSi lõpparuanne „Intra-Community circulation of defence related products", veebruar 2005.

Seda kinnitavad ka muud allikad, näiteks ühe riikliku VKEde liidu jaoks hiljuti korraldatud uuring.[36] Nimetatud uuringust selgub, et direktiivide algse kohaldamisala laiendamine nende ülevõtmismeetmete käigus võib tõsiselt ohustada väikeettevõtete tootlikkust, jättes sel viisi rahalistesse raskustesse olulise tähtsusega rikkuse loojad ja töökohtade pakkujad. Lisaks eespool nimetatule, võib ülemääraste nõuete kehtestamine panna asjaomase riigi ettevõtted ebasoodsamasse konkurentsiolukorda võrreldes teiste riikide ettevõtetega.

Sellel põhineb 2005. aasta oktoobri teatises esitatud komisjoni kavatsus rakendada endisest paremini lihtsustamisvõimalusi, kasutades asjakohastel juhtudel direktiivide asemel määrusi. Taimekaitsevahendite turuleviimist käsitleva direktiivi 91/414/EMÜ asendamine määrusega on üks konkreetne näide regulatiivse praktika muutmisest.

2.4.3. Siseriiklikud reformiprogrammid

Õigusaktide nõuded ja rakendusmeetmed pärinevad enamasti liikmesriigi tasandilt.

Siseriiklikud reformiprogrammid on osa majanduskasvu ja töökohtade loomise strateegia (Lissaboni strateegia) uuest juhtimisstruktuurist; nendes sätestatakse liikmesriigi tasandil majandusreformi poliitika, mis rajaneb ühenduse suunistel. Kõnealused kavad on seega ELis parema ettevõtluskeskkonna loomise seisukohast olulise tähtsusega. Kõik liikmesriigid on reageerinud parema õigusliku reguleerimise suunistele ning on lülitanud oma siseriiklikesse reformiprogrammidesse meetmeid parema õigusliku reguleerimise edendamiseks.

Praeguse seisuga on üheksa liikmesriiki käivitanud kõnealuste siseriiklike reformiprogrammide raames lihtsustamisprogrammid, mis on oma eesmärkide poolest erinevad. Siiski on oluline, et ELi tasandi lihtsustamisprogrammi täiendaksid lihtsustamisalased edusammud kõikides liikmesriikides ja kõikidel regulatiivsetel tasanditel. Komisjoni märgukirjas majanduspoliitika komiteele „Parema õigusliku reguleerimise edendamine"[37] ja 2006. aasta konkurentsiaruandes esitati üldkokkuvõte parema õigusliku reguleerimise põhimõtte rakendamisest liikmesriikide tasandil ning kirjeldati üksikasjalikumalt edusamme, mis selles valdkonnas on saavutatud.

Siinkohal näiteid liikmesriigi tasandi algatustest:

- Halduskulude vähendamine: 17 liikmesriiki on teadvustanud vajaduse analüüsida ettevõtlusele tekkivaid halduskulusid ja on alustanud nende mõõtmist. Mõned liikmesriigid on seadnud halduskulude vähendamise suhtes kvantitatiivsed eesmärgid (näiteks 20% või 25% võrra aastaks 2010). Sellealast tegevust toetavad muu hulgas e-valitsus, ühtsed teenuspunktid[38] ja registreerimiskeskused, maksualaste õigusnormide vähendamine, töötamise või füüsilisest isikust ettevõtjaks olemisega seotud haldusmenetluste lihtsustamine ning valitsusülesed algatused.

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36 Ühendkuningriigi Väikeettevõtete Liit: „Burdened by Brussels or the UK? Improving the implementation of EU Directives". (Autorid Sarah Schaefer ja Edward Young). Nimetatud projektis analüüsitakse kaheksa direktiivi ülevõtmist Ühendkuningriigi õigusesse. Tuuakse mitmeid näiteid ülemääraste nõuete kohta, eriti rahapesu direktiivi ja kindlustusvahendusteenuste direktiivi puhul.

37 Ettevõtluse ja tööstuse peadirektoraat, Brüssel, 18. oktoober 2006.

38 Ühtsetes teenuspunktides on võimalus teha kõik haldustoimingud ühekorraga. See tõhustab tööd, on VKEdele kasulik, võimaldab asukohta vahetada ja tulemused on kvantitatiivselt mõõdetavad.

- E-valitsus ja infotehnoloogilised lahendused, mille abil vähendada bürokraatiat avaliku halduse valdkonnas: portaalid, mis sisaldavad õigusakte ja vorme (taotlused, andmete esitamine jne) ning lairibaühenduse kättesaadavamaks muutmine.

- Õigusaktide läbivaatamine eesmärgiga kontrollida, kas nende eesmärgid on veel ajakohased: tööõiguse lihtsustamine; heade reguleerimistavade levitamine kõigis valitsusasutustes; õigusloome kulude-tulude analüüs; ettevõtlusvaldkonna õiguslikku reguleerimist käsitleva foorumi loomine, kus sidusrühmad saaksid hinnata ettevõtlusele pandud koormust; üldised hea reguleerimise põhimõtted: asjakohasus, proportsionaalsus, subsidiaarsus, läbipaistvus, aruandekohustus, kättesaadavus ja lihtsus.

- Maksukohustuste, haldamise ja aruandluse lihtsustamine: eelkõige ühtsete teenuspunktide loomine ettevõtete, väikeettevõtete ja kodanike jaoks; ettevõtte tulumaksu ja kapitali tulumaksu reformimine.

- Käibemaksukohustuste lihtsustamine, näiteks maksutõkete kõrvaldamine piiriüleselt tegevuselt selliste eeskirjade kaudu, millega antakse maksusoodustusi ELi liikmesriikide pensionisüsteemidesse makstavate osamaksude suhtes, aidates sellega sisserändajaid ja teenuste osutajaid.

- Siseturualaste õigusnormide rakendamise parandamine, et tagada vastava kasu saamine.

- VKEd: parem juurdepääs rahastamisvõimalustele; aruandluskohustuste vähendamine; veebipõhise ühtse teenuspunkti loomine uute ettevõtjate jaoks.

- Ühised jõustumiskuupäevad.[39]

Õiguskeskkonna paremaks muutmisel etendavad olulist osa parimate tavade tutvustamine liikmesriikide vahel ja eksperdiarvamuste kasutamine. Komisjon toetab sellealast tegevust parema õigusliku reguleerimisega tegeleva kõrgetasemelise töörühma ning Lissaboni protsessi kaudu.

Liikmesriike ja piirkondi tuleks ärgitada koos välja töötama häid tavasid, näiteks algatuse BEST[40] kaudu.

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39 Ühiste jõustumiskuupäevade kehtestamise eesmärk on aidata ettevõtetel kavandada uusi õigusnorme ja saada rohkem teavet uute või muudetud nõuete kohta. Loodetakse, et juhul, kui uued õigusnormid võiksid jõustuda näiteks vaid kahel kuupäeval aastas, saavad ettevõtjad rohkem teavet uute või muudetud kohustuste kohta ja kohustuste täitmise tase paraneb.

40 Ettevõtluskeskkonna lihtsustamise töörühm (*The Business Environment Simplification Task Force* – BEST) loodi 1997. aastal. Sinna kuuluvad liikmesriikide ettevõtjaskonna ja ametiasutuste esindajad ja selle ülesandeks oli valmistada ette sõltumatu käsitlus, kuidas parandada õigusnorme ja kõrvaldada tarbetud takistused Euroopa ettevõtete, eelkõige väikeste ja keskmise suurusega ettevõtete (VKEde) arengu teelt. BEST-eksperdirühm on välja selgitanud eri riikides tehtud heade tavade algatused (näiteks ühtsete teenuspunktide edendamine, riskipõhine reguleerimine), et teised saaksid neist kogemustest õppida. Riskipõhise reguleerimise eesmärk on suunata regulatiivse tegevuse raskuspunkt (ja ettevõttele tekkivad kulud) sellistele toimingutele, mis kujutavad suurimat ohtu tervisele või keskkonnale.

3. KOKKUVÕTE

Parema õigusliku reguleerimise oluliseks osaks olev lihtsustamisstrateegia hakkab ilmutama esimesi tulemusi.

Euroopa Komisjon kavatseb täiustatud ja ambitsioonikat lihtsustamisprogrammi kaudu otsustavalt jätkata oma tegevust tugeva õiguskeskkonna loomise nimel.

Ühise eesmärgi saavutamiseks peaksid nõukogu ja parlament aktiivsemalt tegutsema selle nimel, et viia lihtsustamistoimingud lõppjärku.

Ka liikmesriigid peaksid oma panuse andma. Nad peaksid üksteisele tutvustama häid tavasid ja lihtsustamisprogrammid ellu viima.

Annex 1

Simplification Rolling programme (2006-2009)

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
2006				
1	Single Common Market Organisation	Recast	Recast of 21 Regulations into 1 horizontal common market organisations instrument	
2	Reform fruit and vegetable common market organisation	Revision	Revision of 1 Regulation to improve competitiveness in the Fruit & vegetable sector.	
3	State aid in the agricultural sector	Revision	Reduction from 7 to 3 texts governing state aid in the agricultural sectors.	
4	Parcel size of coupled payments (agricultural direct support)	Revision	Amendment of Commission Regulation (EC) No 796/2004. The objective is to include landscape elements in the area eligible for support.	X
5	Use of set-aside land in case of exceptional climatic conditions	Revision	Amendment of Commission Regulation (EC) No 795/2004 to specify that Member States will have the possibility to decide themselves that there is an exceptional climatic condition which justifies the use of set aside land for grazing purposes.	X
6	Energy crops support conditions	Revision	Amendment of Commission Regulation (EC) No 1973/2004 to ease the eligibility conditions and the administrative procedures to be followed to receive support for the production of energy crops.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
7	Codification of 2 Directives on employee protection in the event of the insolvency of their employer	Codification	Codification	
8	Recast of 1 Regulation on Maximum Residue Limits (MRLs) of veterinary medicinal products in foodstuffs of animal origin	Recast	Recast to: - Reduce the number of lists of substances, - Enhance transparency in the assessment procedure, - Ensure compliance with international trade standards. It will provide incentives to ensure availability of veterinary medicinal products for food-producing animals, and ensure consistency with parallel review of the legislation on control of residues in foodstuffs of animal origin.	
9	Revision of 1 regulation on fishing authorisation permits	Revision	Clarification and improvement of the management of fishing authorizations and to introduce IT tools ("fishing authorisations permits").	
10	Recast of 3 Regulations regarding the European fisheries fund	Recast	Recast into a single document.	
11	Codification of the acquis related to the Community trade mark	Codification	Codification	
12	Repeal of 1 Directive on freedom to provide services in respect to public procurement activities	Repeal	Repeal	
13	Review of 2 Directives regulating the professions involved in the trade, distribution and use of toxic products	Review	Review of the 2 Directives. (consultations with stakeholders have confirmed the significant of the two Directives)	
14	Codification of 7 Directives on securities (UCITS acquis)	Codification	Codification	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
15	Council Directive 69/335/EEC of 17 July 1969 concerning indirect taxes on the raising of capital	Recast	The proposal aims at simplifying and modernising the existing Community legislative framework in the area of indirect taxes on the raising of capital and to provide for a phasing out of capital duty. It also reinforces the prohibition on creating or levying other similar taxes.	
16	Recast of 1 Regulation on radioprotection and agricultural products	Recast	Recast, notably to remove Annex 3 of this Regulation (list of customs offices in which products listed in Annexe 1 may be declared for free circulation in the Community).	
17	Codification of 1 Regulation on radioactive contamination of feeding stuffs after a nuclear accident	Codification	Codification	
18	Codification of 2 Regulations on imports of agricultural products following the Chernobyl accident	Codification	Codification	
19	Codification of 1 Directive on maritime transport regarding seafarers training	Codification	Codification	
20	Simplification of the Rail Safety Directive and extension of the competence of the European Railway Agency	Revision	The objective is to simplify the process of certification for railway undertakings and the rail industry. This will be achieved through an extension of the competences of the European Railway Agency – ERA.	
21	Codification of 1 Directive on roadworthiness tests for motor vehicles and trailers	Codification	Codification of the basic act and its four Commission Directives adapting it technical progress, and possible simplification (pending the findings of an ongoing study to be completed by the end of 2006)	
22	Recast of 2 Directives on the transport of dangerous goods by road	Recast	Recast: new directive or regulation and, at the same time, discontinue the translation and publication of the Annexes in all Community languages (± 900 pages per mode).	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
23	Repeal of 2 Directives on requirements for safety advisers for on the transport of dangerous goods	Repeal	Repeal: The corresponding provisions are already incorporated in existing international agreements	
24	Recast of Statutes & Rules on nuclear energy supply contracts (Euratom Supply Agency)	Recast	Recast: Procedures for approving supply contracts will be simplified.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
2007				
25	Proposal for a Council Regulation on common market organisation of wine	Revision	The reform of the common market organisation for wine aims mainly: - To increase the competitiveness of the EU's wine producers; - To create a wine regime that operates through clear, simple rules that ensure balance between supply and demand; and - To create a wine regime that preserves the best traditions of EU wine production and reinforces the social and environmental fabric of rural areas.	
26	Cross compliance report and relevant legislative proposals for direct support schemes under the common agricultural policy	Revision	Report with appropriate legislative proposals on the implementation of the cross compliance mechanisms of Council Regulation (EC) NO 1782/2003 establishing common rules for direct support schemes	
27	Council regulation on information and promotion actions for agricultural products	Recast	The objective of this initiative is to define the conditions, procedures and control methods in the co-financing of information programmes and the promotion of agricultural goods, both within the Internal Market and with regard to third countries. This initiative translates into a reduction of current regime on the promotion of agricultural products. The four Regulations (two of the Council and two of the Commission) will be halved into one Council Regulation and one Commission implementing measure.	X
28	Amendment of the rules concerning applications for export licenses (agricultural products)	Revision	Redrafting of Art 25 of Commission Regulation (EC) N° 1291/2000 will clarify that (for reasons of efficiency) the electronic versions of certificates referred to in Art. 19 may be submitted to the issuing body instead of to the importer / exporter.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
29	Commission Regulation (EC) No 917/2004 on beekeeping	Revision	The objective is to give Member States greater flexibility to adapt financial allocations, allowing better realisation of the programme and benefiting production and marketing conditions in this sector. Commission autonomous act	X
30	Commission Regulation (EC) No 800/1999 on proof of import for differentiated refunds(agricultural products)	Revision	The objective is to amend the rules concerning proof of import in the system of differentiated export refunds (Articles 16 and 17 of Commission Regulation (EC) No 800/1999). Commission autonomous act	X
31	Commission Regulation (EC) No 2808/98 and implementing rules of Regulation (EC) No 2799/98 (operative events and exchange rates)	Revision	The proposal concerns the harmonisation of operative events and exchange rates in the different CAP sectors, relating to amounts, prices and aids to be converted in euros or in another national currency of Member States. The repeal of certain sectoral regulations and modification of Regulation (EC) NO 2808/98 in order to use a single exchange rate instead of an average rate for amounts are under consideration. Commission autonomous act	X
32	Simplification of standard periodic agricultural instruments	Revision	The objective is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms through the modification of periodic agricultural instruments relating to: - Allocation of quantities for import tariff quotas; - Tendering procedures for export refunds; - Tendering procedures for public storage; - Fixing of export refunds (including respect of WTO commitments). Commission autonomous act	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
33	Horizontal rules for private storage of agricultural products	Revision	The aim is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms relating to the private storage of agricultural products. It is planned to carry out a legal review of the existing sectoral provisions with a view to eliminating unnecessary provisions and to harmonising the system of private storage, and to adopt a horizontal regulation for the rules concerning private storage. Commission autonomous act	X
34	Commission Regulation (EC) No 2295/2003 on egg labelling	Revision	The existing implementing Regulation (EC) No 2295/2003 will be redrafted to take into account the changes introduced by the new Council Regulation (EC) No 1028/2006. Commission autonomous act	X
35	Horizontal rules on tender procedures for export refunds for certain agricultural products	Revision	The aim is to replace multiple sectoral rules and simplify management mechanisms relating to tendering procedures concerning export refunds for certain agricultural products, through the adoption of a horizontal regulation for the tendering procedure concerning export refunds for certain agricultural products. Commission autonomous act	X
36	Horizontal rules on import tariff quotas managed through a system of import licences (agricultural products)	Revision	The aim is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms relating to import tariff quotas managed by a system of import licences (excepted bananas) by means of a legal review of the existing sectoral provisions with a view to eliminating unnecessary provisions and to harmonising regulations opening the import tariff quotas. Commission autonomous act	X
37	Commission Regulation (EC) No 382/2005 on the Common organisation of the market in dried fodder	Revision	The objective is to amend the implementing Regulation to reduce obligations for non-processors (farmers and downstream sector) under the regulation and to remove obsolete provisions. Commission autonomous act	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
38	General block exemption Regulations on the application of Arts 87 and 88 of the EC Treaty to regional aid, SME, R&D, environmental aid, employment, training	Revision	The new General block exemption Regulation (GBER) will cover areas already covered by existing block exemptions concerning training, employment, SME, and new areas like innovation, environment, risk capital and regional aid. State aid covered by this GBER will not have to be notified to the Commission. The GBER will gather all provisions concerning State aid exempted from the notification obligation in one single document and by increasing the number of cases exempted from prior notification, thereby reducing the administrative burden for MS.	
39	Notice on the execution of recovery decisions	Revision	A more effective execution of recovery decisions by Member States has been identified as a priority objective in the State aid action plan This notice should provide guidance to Member States on how they should ensure that the Commission's recovery decisions are properly executed	X
40	Implementing regulation, state aids procedural aspects	Recast	The implementing regulation provides guidance to Member States on a number of specific State aid procedural aspects (notification, calculation of recovery interests, reporting). The objective is to - Adapt the Regulation to accommodate the increased use of electronic exchanges between the Commission and the Member States; - Revise provisions regarding the recovery interests to bring them into line with economic reality; - Revise the annual reporting requirements for transparency and monitoring purposes.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
41	Repeal of Council Decision 85/368/EEC on a system for the comparability of vocational education and training (VET) qualifications	Repeal	Following the adoption of the draft Recommendation of the Council and the EP on a European Qualifications Framework COM(2006)479, the Decision has become outdated and is no longer sustainable, notably because of the rapid development of qualifications.	X
42	Revision of Directive 2001/23/EC 'Transfer of Undertakings'	Revision	The objective is to clarify the application of the Directive to cross border operations and to introduce any amendments that are justified, after consulting Member States and social partners, on the basis of the Commission report of 2006.	X
43	Codification of Directive 89/655/CEE and its amendments, Directives 95/63/EC and 2001/45/EC, concerning the health and safety minimum requirements for the use of work equipment at work	Codification	Codification.	
44	Revision of Directive 88/378/EC on the safety of toys	Revision	The main policy objectives are the simplification of the current legislation, the improvement on the safety of toys by clarifying essential safety requirements, the improvement in the functioning of the Internal Market by developing conditions for a better common approach by national market surveillance authorities in the implementation of the legislation in force.	X
45	Proposal for Regulation of EP and Council on type approval of heavy-duty vehicles and engines with respect to their emissions (Euro VI proposal)	Revision and repeal	The proper functioning of the single market in the European Union requires common standards limiting the emission of atmospheric pollutants from motor vehicles. The proposal will apply to heavy-duty vehicles. The main objective of the proposal is to lay down the Euro VI limits for pollutant emissions. The proposal will repeal four directives.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
46	Simplification of Council Directive 76/768/EEC on Cosmetic Products	Recast	The purpose of this proposal is to recast legislation on cosmetics products, as part of a more general simplification strategy concerning goods.	
47	Recast of Directive 89/106/EEC on Construction Products	Recast	The purpose of this proposal is to clarify the scope and the objectives of the existing Directive and to simplify the implementing mechanisms, ensuring proper functioning of the internal market for construction products, while avoiding constraints and obligations, e.g. administrative costs, which are disproportionate to the benefits to be expected.	
48	Repeal of Directive 84/539/EEC on electro-medical equipment used in human or veterinary medicine	Repeal	This Directive has become obsolete. The applicable standard specified in the Annex dates back to 1979. It is intended to broaden the scope of Directive 93/42/EC on medical devices which currently only addresses medical devices for human beings to veterinary devices.	X
49	Review of existing legislation on industrial emissions	Recast	The objectives is to improve the current legal framework related to industrial emissions, and to streamline the interaction between the various legislation, while not altering the underlying principles and the level of ambition of the present legal framework. As regards the scope of the present initiative, it includes reviewing the Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) and related industrial emissions legislation (Directive 2001/80/EC on large combustion plants, Directive 2000/76/EC on the incineration of waste, Directive 1999/13/EC on the use of organic solvents in certain activities and installations).	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
50	Revision of Regulation (EC) No 1980/2000 on a revised Community eco-label award scheme	Recast	The objective is to create a more business friendly system by involvement of key stakeholders in the decision making process, outsource routine criteria development to a dedicated body, link Eco-label closely with Green Procurement and reduce the procedural burden for the Commission. The changes will focus on the substance with special attention for the needs of SMEs, the institutional set up and the links to other policy instruments in particular Green Public Procurement.	X
51	Revision of the Regulation (EC) 761/2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)	Recast	The objective is to raise attractiveness for SMEs by reduction of the administrative burden for companies, simplify access to EMAS for company-clusters and reduce procedural requirements by cutting red tape. The changes will focus on the substance with special attention for the needs of SMEs, the institutional set up and the links to other policy instruments in particular Green Public Procurement	
52	Review of the Directives on waste from the titanium dioxide industry	Recast	The objective is to simplify the current legislation related to the waste from the titanium dioxide industry (78/176/EEC, 82/883/EEC, 92/112/EEC) based on other existing legislation, deleting obsolete provisions, while keeping the same level of environmental protection. This initiative includes reviewing and clarifying the interaction with Directive 96/61/EC (IPPC).	X
53	Development of the Shared Environmental Information System (SEIS)	Communication Recast/revision	Communication outlining the vision, objectives, actions and timetable for the development of the Shared Environmental Information System. It will be accompanied or followed by appropriate legislative proposals to streamline the environmental reporting.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
54	Recast of Council Regulation (EC) No 850/98 and its modifications (8) for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms	Recast	Major revision of current technical measures in order to reduce their complexity and number, reinforce consistency and provide for simpler procedures for later updating and revision. More enforceable technical measures will be established in close cooperation with stakeholders.	
55	New legislative proposals amending the regulatory framework for electronic communications networks and services	Revision	The main objective of the legislative proposals is to enhance the ability of the current framework to deliver on its initial objectives by proposing adaptations that take account of experience to date and expected market and technological changes in the future. The creation of a competitive single market for electronic communications services and networks in Europe with corresponding benefits for citizens is the ultimate aim.	X
56	Repeal of Decision 2003/548/EC on Leased Lines	Repeal	There is no need or justification for mandating specific retail services. In the public consultation on the 2006 review, it is proposed that the concept be removed altogether by legislative amendment of the Universal Service Directive.	X
57	Repeal of Directive 87/372/EC on the frequency bands to be reserved for cellular digital band-based mobile communications	Repeal	Policy initiative linked to previous actions in radio spectrum policy. Directive 87/372 is reaching obsolescence. A new Commission Decision pursuant to Decision 676/2002/EC will regulate the use of the 900 MHz band in the EU.	X
58	Revision of Regulation (EC) No 2195/2002 on the Common Procurement Vocabulary (CPV)	Revision	The objective is to update and revision of the existing Commission Regulation (following targeted and wide stakeholder consultations). The update of the CPV Regulation is necessary to maintain an efficient and simple procurement system that is easily applied for both suppliers and bidders	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
59	Proposal for a directive on the solvency of insurance companies (Solvency II)	Recast	In line with similar developments in the banking sector and following international developments in solvency, risk management and accounting, the new solvency regime aims at the protection of policyholders and beneficiaries. It will improve the competitiveness of EU insurers and provide for a better allocation of capital resources, without causing significant market disruptions and impeding innovation in the insurance industry.	
60	Revision of Regulation (EC) No 258/97 on novel foods	Recast	Revision of the Novel Food Regulation is needed to clarify the legislation after removal of GM food from the scope, create a more favourable environment for innovation for the food industry and facilitate internal and external trade. This will: -Tighten and streamline the authorisation procedure for novel/new foods and thus make it more predictable for the applicants. -Tailor the safety assessment to different types of foods allowing foods with safe history of use outside the EU to enter the EU more easily than is presently the case. -Take into account new technologies with an impact on food (e.g. nanotechnology, animal cloning).	X
61	Revision of the existing legislation on feed labelling and authorisation/withdrawal procedure of feed materials (Directives 79/373/EEC, 96/25/EC, 82/471/EEC and 93/74/EEC)	Recast	Recast, modernisation and replacement of the directives to amend the existing feed labelling requirements, to extend the non-exclusive list of feed materials and to align the authorisation procedures with principles and provisions set out in the General Food Law.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
62	Revision of existing Regulation on general food labelling and nutrition labelling	Revision and repeal	The key objective is to update the current rules on general food and nutrition labelling, taking into account the experience gained in applying Directives 2000/13/EC and 1990/496/CEC. There is a need to ensure that there is legislation that meets consumers' needs, is not too burdensome for the industry, and that can adapt to a continually changing market. This requires a new approach that strikes a balance between flexibility and prescription and between action at the national and EU level. The proposed Regulation will repeal the above mentioned Directives and will clarify and simplify the laws on general food and nutrition labelling.	
63	Revision of Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production	Recast	Amendments concern inter alia a new definition of marketing, as well as technical measures which will be adopted based on an appropriate evaluation and on technical and scientific progress. Two objectives can be identified: - To clarify and simplify the regulatory framework in which business operates; - To improve the legislation based on technical and scientific progress and to the new marketing environment in line with the new CAP.	X
64	Review of the Timeshare Directive (94/47/EC)	Revision	The objective is to enhance legal certainty for consumers. Level playing field for business as traders marketing and selling the new products in the market will have to comply with the same rules as "traditional timeshare". Update of the list of requirements for the prospectus and the contract will provide for modernisation. The scope is extended to bring under the Directive other long-term holiday products which have been developed since the adoption of the current directive.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
65	Rules of Origin (based on the Community Customs Code)	Recast	The objective is to simplify the rules of origin by proposing new rules which will determine the position in negotiation on GSP as well as in the context of the new Economic Partnership Agreements with the ACP countries.	
66	Modernisation of VAT provisions relating to financial services including insurance	Revision	The current provisions are out of date and at the very least need to be modernised. The overall legal and regulatory environment in which the industry operates does not keep pace with the evolution of the industry and conflicts with the bias towards vertical integration. Companies are thus prevented from further refining their economic and legal structures to increase their competitiveness. Changes should be directed towards modernising the rules, ensuring their consistency with established policy objectives and reducing the need to seek clarification through litigation.	
67	Revision of Directive 92/12/EEC on general arrangements for products subject to excise duty and holding, movement and monitoring of such products	Recast	Simplification and modernisation of requirements and computerisation of the procedures by: - modernizing and simplifying the provisions of the directive wherever possible - integrating into the directive judgements of the ECJ as well as guidelines of the excise committee - adapting the directive to support the computerisation of procedures for the movement of excise products under suspension of excise duty (the EMCS project).	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
68	Revision of Regulation (EC) No 1334/2000 setting up a Community regime for the control of dual-use items and technology	Recast	The proposal provides for enlarging the scope of controls by extending them, under specific circumstances, to transit and brokering of dual use items. This enlargement of the scope of controls is compensated by the creation of a level playing field for exporters aiming at reducing the current distortions of competition between EU exporters which originate from MS different practices. A number of measures will simplify the work for: – Community administrations (for example improved system of sharing denials using a template provided by the Commission, a comitology procedure for changes to the annexes and for the adoption of guidelines for the implementation of the Recast Regulation); – private entities (harmonisation of the conditions of use of export authorisations and their format, e-systems for the management of licence applications, replacement of intra-Community transfer authorisations by pre-notification of transfers by EU suppliers of those dual use goods whose intra-EC trade is currently under control).	X
69	Recast of Directives 96/26/EC and 98/76/EC on the conditions of admission to the occupation of road haulage and road passenger transport operators	Recast	The objective is to ensure a harmonised application of the rules, a clear understanding of what is required, maintain mutual recognition of qualifications, protect the right of establishment, rationalise the market, improve service quality and road safety. The amendment of existing rules will strengthen, clarify and simplify the application of the three qualitative criteria of good repute, financial standing and professional competence, by which operators gain admission to the occupation.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
70	Recast of conditions of access to road transport market (Regulations (EC) No 881/92, 684/92, 3118/93, 12/98 and 484/2002)	Recast	The objective is to ensure a harmonised application of the rules, a clear understanding of what is required, protect the right of establishment, rationalise the market, improve service quality and road safety. The amendment of existing rules to strengthen, clarify and simplify the access to the market, conditions for cabotage and the applicability of driver attestation to EU drivers.	
71	Revision of Regulation (EC) No 2299/89 on a code of conduct for computerised reservation systems	Revision	Regulation (EC) No 2299/89 was adopted in a market context where almost all airline bookings were made via computerised reservation systems (CRS) and where most CRS were owned and controlled by airlines. With the divestment of most airlines and the development of alternative distribution channels, the market context has changed and the regulation now seems to be standing in the way of an efficient functioning of the market. The main policy objective is to increase market efficiency by giving more room to market forces. Increased competition in the sector should allow to improve the quality of services offered and to reduce the distribution costs in the air transport sector.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
2008				
72	Direct Payments Health Check in the Common Agricultural Policy	Revision	Report with appropriate legislative proposals on the implementation of Council Regulation (EC) No 1782/2003	
73	Proposal to simplify Directives on information and consultation of workers (conditional)	Recast	Scope and objectives to be refined in light of 2007 report on Directive 2002/14 and further discussions with Member States.	
74	Community initiative on work-related musculoskeletal disorders (follow-up of the second phase of consultation of the social partners)	Recast	The objective is to integrate the provisions of both Council Directive 90/269/EEC on the minimum health and safety requirements for the manual handling of loads and Council Directive 90/270/EEC on the minimum health and safety requirements for work with display screen equipment into a new legislative instrument. (depending on the result of the consultation of the social partners a proposal for a new Directive)	X
75	Proposal for a Council Regulation extending the provisions of EC Regulation n° 883/2004 and its implementing Regulation to nationals of third countries (who are not already covered by those provisions on the basis of their nationality)	Revision and repeal	EC Regulation 883/2004 modernises and simplifies the coordination of social security systems. Its predecessor, Regulation 1408/71, was extended to third country nationals through Regulation 859/03. The proposed Regulation will achieve the same aim and replace Regulation 859/03. This Regulation will result in fewer administrative costs for Member States.	X
76	Revision of Regulation of the European Parliament and of the Council completing the Annexes of EC Regulation n°883/2004	Revision	The objective of the proposal is to complete the Annexes of Regulation 883/2004. EC Regulation 883/2004 modernises and simplifies the coordination of social security systems. It is necessary for these Annexes to be completed for Regulation 883/2004 to apply.	X
77	Codification of Directive 83/477/CEE and its amendments, directives 91/382/CEE and 2003/18/CE into a single text (protection of workers against the risks of exposure to asbestos at work)	Codification	Codification	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
78	Recast of two directives concerning Medical Devices and human blood and human plasma	Recast	The purpose is to recast into a Regulation:: - Directive 2000/70/EC on medical devices incorporating stable derivates of human blood or human plasma, - and Directive 2001/104/EC on medical devices.	
79	Recast and adapt market authorisation procedures of directives concerning Medical Devices and active implantable medical devices	Recast	The purpose is to recast into a Regulation: - Directive 90/385/EEC relating to active implantable medical devices; - and Directive 93/42/EEC on medical devices. This is part of a more general simplification strategy concerning goods.	
80	Revision of Regulation (EC) No 1085/2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products falling within the scope of Council Regulation (EC) No 2309/93	Revision	The objective is to reduce the administrative burden for industry by streamlining the circumstances obliging industry to file applications for variations of human and veterinary medicinal products.	X
81	Revision of Regulation (EC) No 1084/2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products granted by a competent authority of a Member State	Revision	The objective is to reduce the administrative burden for industry by streamlining the circumstances obliging industry to file applications for variations of human and veterinary medicinal products.	X
82	Moving towards the UN/ECE system of vehicle approval legislation	Recast	Replacing the Community *acquis* in the field of motor vehicles with international regulations at UN_ECE level This will be followed by the repeal of numerous EU Directives.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
83	Revision of 3 Directives on textiles	Revision	The objective is to replace these Directives by a Regulation and simplify procedures for Member States, companies and the Commission. It will provide for shorter period of time for adoption of new fibre names. Quantitative methods will be transferred to the standardisation process Commission autonomous act	X
84	Extension of the scope of Directive 2004/22/EC on measuring instruments and repeal 8 "old approach" metrology Directives (75/33/EEC, 76/765/EEC, 76/766/EEC, 71/317/EEC, 74/148/EEC, 86/217/EEC, 71/347/EEC, 71/349/EEC)	Repeal	The objective is to provide for a coherent legal framework for legal metrology. Commission autonomous act	X
85	Recast of 4 Directives on Pressure vessels and equipments	Recast	The objective is to recast these Directives into one legal instrument by implementing the revised regulatory approach to technical harmonisation.	
86	Legal instrument setting sector-specific adaptations to New Approach revision	Recast	This instrument is meant to adapt sectoral Directives to the horizontal instrument to be adopted in 2006 and would cover sectors not already specifically addressed in the simplification programme.	
87	Commission Directive relating to self testing and to virtual testing, with a view to simplify the type-approval procedure with respect to ten separate directives. The list of Directive is published as Annex I to the CARS 21 Final Report	Recast	The introduction of virtual / self testing will reduce costs and administrative burden of present producers. Virtual and self testing will speed up product development and reduce costs for both industry and consumers. The recast of Directive 70/156/EEC will empower the Commission to adopt the necessary modifications via comitology.	
88	Review of Regulation (EC) No 2037/2000 on substances that deplete the ozone layer	Recast	Simplification as part of an overall assessment of the effectiveness of the present framework in the light of new technical and scientific developments which might require new issues to be addressed or possibly strengthened..	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
89	Revision of both Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment and Directive 2002/96/EC on waste electrical and electronic equipment (WEEE)	Revision	Review based on the experience of the application of the Directives and based on the development of the state of technology, experience gained environmental requirements and the functioning of the internal market. The review shall, as appropriate, be accompanied by proposals for revision of relevant provisions of these Directives.	
90	Revision of Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States	Revision	Simplification of Intrastat with a view to alleviate the statistical reporting of economic operators, in particular SMEs, taking into account the outcome of the ongoing pilot project of administrative costs and a future feasibility study to analyse workability of a collection system limited to one flow.	
91	Recast of Regulation (EC) No 2847/93 establishing a control system applicable to the common fisheries policy	Recast	The objective is to modernise the procedures and facilitate a better enforcement by alleviating the burden and constraints for the industry and public administrations and increasing the use of IT tools to reduce reporting obligations. All aspects related to the control and monitoring of fisheries activities (declaration of catches, tolerance margins, landing declaration, transport, localisation of the fleet, etc.) will be simplified	
92	Codification or recast of company law Directives	Codification Reduction of administrative costs	Codification Report on outcome of measurement of administrative costs originating from company law directives. Could lead to simplification and recast	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
93	Revision of the accounting *acquis*	Reduction of administrative costs Revision	Revision of the accounting *acquis* to: – simplify and update accounting rules under fourth and seventh CLD's for SME's. – consolidate all Commission Regulations on IAS/IFRS/SIC/IFRIC in force in the EU (this could lead to the abrogation of six Regulations)	
94	Revision of the Consumer Protection *acquis* (8 Consumer Protection Directives)	Codification	The overall aim of the revision of the *acquis*, is to simplify and improve the coherence of the consumer regulatory framework and thus enhance legal certainty both for consumers and business. The legal instrument will be a combination of codification and repeal of parts of existing directives and enactment of new rules. The most likely regulatory action, depending on the final outcome of the review, will be a mixed approach to the revision of the *acquis*. This will consist of a horizontal instrument, underpinned whenever required by vertical solutions.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
95	Proposal for a Council Directive amending Directive 77/388/CEE as regards the VAT treatment of public authorities and the exemptions for certain activities in the public interest	Revision	The proposal aims at ensuring a more harmonised and neutral VAT system. Harmonisation is necessary as, due to certain options and vague definitions, the practical application of the provisions related to public authorities varies widely among Member States creating differences in the VAT treatment of public authorities between Member States. Neutrality has to be achieved as distortions of competition between the public and the private sector and several economic inefficiencies as well as tax avoidance schemes are the main disadvantages of the current rules.	
96	Council Directive 2003/49/EC on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States as amended	Codification	Consolidation of the legal text and adoption of simplified procedures relating to exemption from withholding tax.	
97	Recast of Regulation (EC) No 3821/85 on recording equipment in road transport	Recast	Recast	
98	Recast of Regulation (EC) No 725/2004 on ship and port facility security	Recast	Recast	
99	Review of the "first railway package" following the 2006 report on its implementation (Communication accompanied by a proposal to modify/recast existing acts, notably Directives 91/440/CEE and 2001/14/CE)	Recast	In the light of the above-mentioned report, it is necessary to take on board, where possible in the form of a "railway code", the totality of the relevant legislation with the aim to improve its readability and clarify certain points (notably with regard to the independence of vital functions)	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
100	Revision of Council Directive 94/56/EC establishing the fundamental principles governing the investigation of civil aviation accidents and incidents and of Directive 2003/42/EC on occurrence reporting in civil aviation	Revision	The objective is to modernise Directive 94/56/EC following the advice of the Group of Experts established by EC Decision 2003/425. In addition it will build upon Directive 2003/42/EC in order to create a minimum set of centralised functions, including a data base to allow appropriate entities to carry out trend analysis or other studies.	X
101	Mutual acceptance of personnel licences and harmonisation of technical requirements in civil aviation	Recast	Potential repeal of: - Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation -Council Regulation (EC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation.	
102	Recast of Directive 96/98 on marine equipment	Recast	To ensure the free movement of marine equipment within the Single Market while ensuring the highest level of safety and environment protection. The objectives are to: - Produce a consolidated text following the successive amendments of the Directive; - Improve the functioning of the Directive's system by addressing the existing shortcomings; - Adapt, if and as necessary, to the ongoing revision of the New Approach.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
103	Revision of the Emergency Oil Stock Systems Recast of Directive 68/414/EEC to minimum stocks; repeal of 68/416/EEC Council Decision; recast of Directive 72/425/EEC; recast of Directive 73/238/EEC; repeal of 77/706/EEC Council Decision; repeal of 79/639/EEC Commission Decision and recast of Directive 98/93/EC	Revision and repeal	The objective of this revision is to achieve better security of oil supply by providing for an integrated EU emergency mechanism which will be able to secure the integrity of supplies of oil products in case of supply disruptions and to contribute to the transparency of oil markets by increasing the visibility of stocks.	
104	Recast of the framework Directive 92/75/EC on the compulsory energy labelling of domestic appliances	Recast	Impact Assessment will be launched in October 2006 to evaluate the opportunity to extend the scope of the directive beyond domestic appliances.	
105	Recast of the Community regulatory framework regarding the transport of radioactive material	Recast	Currently at Community level more than 30 Directives, Regulations, recommendations govern the transport of radioactive material. Based on the work of an expert group, harmonisation will lead to simplification of rules and procedures.	X
106	Revision of the basic safety standards (2006-2007) to reflect the new ICRP Recommendation (2007) and to strengthen the Community legislation Recast of 10 acts on radioprotection into a single Commission act: Euratom Council Directives 89/618, 90/641, 92/3, 96/29, 97/43, 2003/122 and 1493/93; Euratom Commission decision 93/552, and Commission recommendations 90/143 and C (2001)4580.	Recast	Once the International Commission on Radiological Protection will have issued new recommendations (mid-2007), Directive 96/29/Euratom will be revised taking into account operational experience and consolidating the existing *acquis*.	

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
107	Commission Decision amending the Annex to Directive 90/377 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users	Revision	The draft Decision concerns the methodology for collecting statistics. There are also significant simplifications to the methodology including the removal of data submission at local level and a reduction in the number of categories of consumer. These will reduce the reporting burden without losing very much in terms of the comprehensiveness of coverage.	X

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
2009				
108	Commission Directive repealing 38 Directives on Motor Vehicles	Repeal	Once the recast of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers has been adopted, a set of UN/ECE Regulations on motor vehicles can be made mandatory (step 1) in view of repealing 38 parallel Directives (step 2). The list of Directives to be repealed is published as Annex 1 to the CARS 21 Final Report. The recast of Directive 70/156/EEC will also empower the Commission to proceed to the necessary repeals via comitology.	
109	Simplification of Regulation (EC) No 2003/2003 on fertilizers	Revision	The purpose of the Fertiliser Regulation is to guarantee to the farmer the nutrient content of the fertiliser. For this purpose, the technical Annexes of the Regulation give detailed technical specifications of a larger number of nutrient test methods. The objective of the simplification is to: - Replace 150 pages of the Annexes containing detailed descriptions of text methods with standards - Have therefore greater compliance with WTO by use of international standards Commission autonomous act	X

Annex 2

Codification rolling programme – SEC(2006) 1220

** Acts forming part of the Commission's Simplification Programme*

[1] The order of priority of the acts in the list will be subject to the availability of the texts in all languages, in particular Bulgarian and Romanian, and to amendments foreseen to the act being codified.

	Title	Legal Base
	SECTION 1: ACTS PENDING BEFORE THE COUNCIL OR THE EUROPEAN PARLIAMENT AND COUNCIL	
1	Regulation 845/72 laying down special measures to encourage silkworm rearing	
2	Regulation 2730/75 on glucose and lactose	Art. 308
3	Regulation 2759/75 on the common organization of the market in pig meat	Art. 36 and 37
4	Regulation 2075/92 on the common organization of the market in raw tobacco	Art. 36 and 37
5	Decision 2000/24 granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community	Art. 181a
6	Directive 73/23 on the harmonisation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits	Art. 95
7	Directive 93/31 on stands for two-wheel motor vehicles (amended proposal)	Art. 95
8	Directive 93/32 on passenger hand-holds on two or three-wheel motor vehicles (amended proposal)	Art. 95
9	Directive 93/94 relating to the space for mounting rear registration plate of two or three-wheel motor vehicles	Art. 95
10	Directive 78/659 on the quality of fresh waters needing protection or improvement in order to support fish life	Art. 175(1)
11	Directive 79/923 on the quality required of shellfish waters	Art. 175(1)
12	Directive 90/219 on the contained use of genetically modified micro-organisms	Art. 175(1)
13	Directive 96/61* concerning integrated pollution prevention and control	Art. 175(1)

	Title	Legal Base
14	Regulation 1588/90 on the transmission of data subject to statistical confidentiality to the statistical Office of the European Communities	Art. 285
15	Decision 91/115 establishing a committee on monetary, financial and balance of payments statistics	The treaty: decision sui generis
16	Regulation 3880/91 on the submission of nominal catch statistics by Member States in the north-east Atlantic	Art. 285
17	Directive 92/100 * on rental right and on certain rights related to copyright in the field of intellectual property	
18	Directive 93/98 * harmonizing the term of protection of copyright and certain related rights	
19	Directive 69/466 on control of San José Scale	Art. 37 and 94
20	Directive 84/450 concerning misleading and comparative advertising	Art. 95
21	Directive 88/344 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients	Art. 95
22	Directive 89/398 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses	Art. 95
23	Decision 90/638 laying down Community criteria for the eradication and monitoring of certain animal diseases	Treaty and Dec. 90/424 (Art. 24)
24	Directive 91/629 laying down minimum standards for the protection of calves	Art. 37
25	European Parliament and Council Directive 98/27 on injunctions for the protection of consumers' interests	Art. 95 and 251
26	Directive 78/1035 on the exemption from taxes on imports of small consignments of goods of a non-commercial character from third countries	Art. 93
27	Regulation 3911/92 on the export of cultural goods	Art. 133
28	Decision 73/391 on consultation and information procedures in credit matters	Art.133
29	Regulation 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process	Art. 133
30	Directive 62/2005 on the establishment of common rules for international transport (carrying of goods by road for hire or reward)	Art. 71(1) and 251

	Title	Legal Base
31	Decision 62/403 instituting a procedure or prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States	Art. 71(1) and 251
32	Regulation 4060/89 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport	Art. 251
33	Directive 92/14 on the limitation of the operation of aeroplanes covered by Annex 16 to the Convention on International Civil Aviation	Art. 80(2)
34	Directive 95/18 on the licensing of railway undertakings	Art. 71

	Title	Legal Base
	SECTION 2: ADOPTION BETWEEN 15 SEPTEMBER 2006 AND 31 DECEMBER 2006	
	(a) EP/Council acts	
35	Regulation 1601/91 laying down general rules on the definition, description and presentation of aromatized wines	Art. 37 and 97
36	Directive 80/987 * on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer	Art. 251
37	Directive 83/477 * on the protection of employees against the risk of exposure to asbestos at the workplace	Art. 251
38	Directive 89/655 * on the minimum health and safety requirements for the use of equipment	Art. 251
39	Directive 74/151 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors	Art. 95
40	Directive 74/347 on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors	
41	Directive 93/29 on identification of controls, tell-tales and indicators for two or three-wheel motor vehicles	Art. 95
42	Regulation 837/90 concerning statistical information to be supplied by the Member States on cereals production	Art. 251

	Title	Legal Base
43	Regulation 2597/95 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the north Atlantic	Art. 285
44	Directive 85/611 * on the co-ordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities – CITS	Art. 47(2)
45	Directive 89/104* First Council Directive to approximate the laws of the Member States relating to trademarks	Art. 95
46	Regulation 40/94 * on the Community trade mark	Art. 308
47	Directive 77/504 on pure-bred breeding animals of the bovine species	Art. 37 and 94
48	Directive 91/630 laying down minimum standards for the protection of pigs	Art. 37
49	Directive 76/308 on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the EAGGF, and of the agricultural levies and customs duties	Art. 93 and 94
50	Directive 83/183 on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals	Art. 93
51	Directive 90/377 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users	Art. 284
52	Directive 96/96 * on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers	Art. 71
	(b) Commission acts	
53	Regulation 1054/73 on detailed rules for aid in respect of silkworms	
54	Regulation 109/80 on the application of the lowest rate of export refund for certain products in the eggs and poultryment sectors	
55	Regulation 2319/89 on minimum quality requirements for Williams and Rocha pears in syrup and in natural fruit juice eligible for the production aid scheme	
56	Regulation 2742/90 laying down detailed rules for the application of Regulation 2204/90	
57	Regulation 2825/93 laying down detailed rules for the application of Regulation 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks	
58	Regulation 1432/94 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Regulation 774/94	

	Title	Legal Base
59	Regulation 562/2000 laying down detailed rules for the application of Regulation 1254/1999	
60	Regulation 2723/87 laying down special detailed rules for the application of the system of export refunds on cereals exported in the form of pasta products falling within heading No 19.03 of the CCT	
61	Decision 79/491 laying down a code and standard rules for the transcription into a machine-readable form of the data of the basic surveys of areas under vines	
62	Regulation 908/2000 laying down detailed rules for calculating aid granted by member States to producer organisations in the fisheries and aquaculture sector	
63	Regulation 1886/2000 laying down detailed rules for the application of Regulation 104/2000 as regards the extension to non-members of certain rules adopted by producers' organisations in the fisheries sector	
64	Directive 95/44 establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Directive 77/93 may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections	
65	Directive 96/5 on processed cereal-based foods and baby foods for infants and young children	
66	Regulation 3954/87 * concerning maximum permitted levels of radioactive contamination of foodstuffs	Art. 31 Euratom
67	Regulation 737/90 * concerning imports of agricultural products after the Chernobyl accident	Art. 133
68	Directive 2001/25 * concerning the minimum level of training of seafarers	Art. 80(2)

	Title	Legal Base
	SECTION 3 : ADOPTION BETWEEN 1 JANUARY 2007 AND 30 APRIL 2007	
	(a) EP/Council acts	
69	Regulation 79/65 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings	Art. 37(2)
70	Regulation 234/68 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage	Art. 36 and 37
71	Regulation 315/68 fixing quality standards for flowering bulbs, corms and tubers	Treaty Council Regulation 234/68
72	Regulation 316/68 fixing quality standards for fresh cut flowers and fresh ornamental foliage	Treaty Council Regulation 234/69
73	Regulation 827/68 on the common organisation of the market in certain products listed in Annex II to the Treaty	Art. 36 and 37
74	Regulation 2782/75 on the production and marketing of eggs for hatching and of farmyard poultry chicks	Art. 37
75	Regulation 1017/68 applying rules of competition to transport by rail, road and inland waterway	Art. 71, 83 and 251
76	Directive 75/321 on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors	Art. 95
77	Directive 77/536 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors	Art. 95
78	Directive 78/764 on the approximation of the laws of the Member States relating to the drivers seat on wheeled agricultural or forestry tractors	Art. 95
79	Directive 80/181 on the approximation of the laws of the Member States relating to units of measurement	Art. 95
80	Regulation 959/93 concerning statistical information to be supplied by Member States on crop products other than cereals	Art. 251
81	Regulation 2018/93 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic	Art. 285
82	Directive 68/151 * on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community	Art. 251
83	Directive 80/777 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters	Art. 95

	Title	Legal Base
84	Directive 90/539 on animal health conditions governing intra-Community trade in and imports from the third countries of poultry and hatching eggs	Art. 37
85	Directive 92/12 on general arrangements for products subject to excise duty	Art. 93
86	Regulation 3911/92 on the export of cultural goods	Art. 133
87	Regulation 519/94 on common rules for imports from third countries	Art. 133
88	Regulation 3285/94 on the common rules for imports	Art. 133
89	Directive 94/55 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road	Art. 71
90	Directive 96/49 relating to the transport of dangerous goods by rail	Art. 71
	(b) Commission acts	
91	Decision 83/471 relating to the Community Inspection Committee on the application of the classification scale for carcases of adult bovine animals	
92	Regulation 2622/71 on procedures for the importation of rye from Turkey	
93	Regulation 2968/79 laying down detailed rules for the provision of administrative assistance in connection with the export of soft ripened cow's milk cheeses eligible for special treatment on import into a non-member country	
94	Regulation 2973/79 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country	
95	Regulation 32/82 laying down the conditions for granting special export refunds for beef and veal	amendment pending
96	Regulation 563/82 laying down detailed rules for the application of Regulation 1208/81 for establishing the market prices of adult bovine animals on the basis of the Community scale for the classification of carcases	
97	Regulation 1964/82 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals	amendment pending
98	Regulation 2213/83 laying down quality standards for onions and witloof chicory	
99	Regulation 2388/84 on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products	amendment pending
100	Regulation 1591/87 laying down quality standards for cabbages, Brussels sprouts, ribbed celery, spinach and plums	
101	Regulation 1677/88 laying down quality standards for cucumbers	
102	Regulation 1014/90 laying down detailed implementing rules on the definition, description and presentation of spirit drinks	

	Title	Legal Base
103	Regulation 2921/90 on aid for the production of casein and caseinates from skimmed milk	
104	Regulation 1538/91 introducing detailed rules for implementing Regulation 1906/90	
105	Regulation 1518/95 laying down detailed rules for the application of Regulations 1418/76 and 1766/92 as regards the import and export system for products processed from cereals and rice	
106	Regulation 2051/96 laying down certain detailed rules for granting of assistance for the export of beef and veal which may benefit from a special import treatment in Canada	
107	Regulation 936/97 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat	
108	Regulation 2288/97 laying down marketing standards for garlic	
109	Regulation 1396/98 laying down procedures for applying Regulation 779/98 in the poultrymeat sector	amendment pending
110	Regulation 730/1999 laying down the marketing standard for carrots	
111	Regulation 1455/1999 laying down the marketing standard for sweet peppers	
112	Regulation 2377/1999 laying down the marketing standards for asparagus	
113	Regulation 2561/1999 laying down the marketing standard for peas	
114	Regulation 2789/1999 laying down the marketing standard for table grapes	
115	Regulation 851/2000 laying down the marketing standard for apricots	
116	Regulation 912/2001 laying down the marketing standard for beans	
117	Regulation 1508/2001 laying down the marketing standard for onions	
118	Regulation 1543/2001 laying down the marketing standard for lettuces and curled-leaved and broad-leaved (Batavian) endives	
119	Regulation 1615/2001 laying down the marketing standard for melons	
120	Regulation 1799/2001 laying down the marketing standard for citrusfruit	
121	Regulation 2396/2001 laying down the marketing standard applicable to leeks	
122	Regulation 843/2002 laying down the marketing standard for strawberries	
123	Regulation 1284/2002 laying down the marketing standard for hazelnuts in shell	
124	Directive 80/723 on the transparency of financial relations between Member States and public undertakings	

	Title	Legal Base
125	Regulation 4056/87 laying down the methods of analysis and other technical provisions necessary for the implementation of Regulation 3035/80	
126	Regulation 4154/87 laying down the methods of analysis and other technical provisions necessary for the implementation of Regulation 3033/80	
127	Directive 94/54 concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Directive 2000/13	

	Title	Legal Base
	SECTION: ADOPTION BETWEEN 1 MAY 2007 AND 31 AUGUST 2007	
	(a) EP/Council acts	
128	Regulation 2729/75 on the import levies on mixtures of cereals, rice and broken rice	
129	Regulation 2783/75 on the common system of trade for ovalbumin and lactalbumin	Art. 26, 87, 88, 89 and following, 308
130	Regulation 3220/84 determining the Community scale for grading pig carcases	Treaty and Council Regulation 2759/75
131	Regulation 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts	Art. 37
132	Regulation 2204/90 laying down additional general rules on the common organization of the market in milk and milk products as regards cheese	
133	Regulation 2137/92 concerning the Community scale for the classification of carcases of ovine animals and determining the Community standard quality of fresh or chilled sheep carcases	Art. 37
134	Regulation 1254/1999 on the common organization of the market in beef and veal	Art. 36 and 37
135	Regulation 3976/87 on the application of Article 85 (3) to agreements in the air transport sector	Art. 83
136	Regulation 479/92 on the application of Article 85 (3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia)	Art. 83

	Title	Legal Base
137	Directive 72/306 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles	
138	Directive 74/346 on the approximation of the laws of the Member States relating to rear view mirrors for wheeled agricultural or forestry tractors	Art. 95
139	Directive 76/114 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment	Art. 95
140	Directive 76/760 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers	Art. 95
141	Directive 76/765 on the approximation of the laws of the Member States relating to alcoholmeters and alcohol hydrometers	Art. 94
142	Directive 77/311 on the approximation of the laws of the Member States relating to the driver perceived noise level of wheeled agricultural or forestry tractors	Art. 95
143	Directive 78/933 on the approximation of the laws of the Member States relating to the installation of lighting and light signalling devices on wheeled agricultural or forestry tractors	Art. 95
144	Directive 79/533 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors	Art. 95
145	Directive 79/622 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors	Art. 95
146	Directive 80/720 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors	Art. 95
147	Directive 86/298 on rear-mounted roll-over protection structures of narrow track wheeled agricultural and forestry tractors	Art. 95
148	Directive 87/402 on roll-over protection structures mounted in front drivers seat on narrow track wheeled agricultural and forestry tractors	Art. 95
149	Directive 89/106 an the approximation of the laws of the Member States relating to construction products	Art. 96
150	Directive 90/384 on the harmonisation of the laws of the Member States relating to non-automatic weighting instruments	Art. 95
151	Directive 90/396 on the approximation of the laws of the Member States relating to appliances burning gazeous fuels	Art.95
152	Directive 93/92 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles	Art. 95

	Title	Legal Base
153	Directive 79/409 on the conservation of wild birds	Art. 175(1)
154	Regulation 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network	Art. 175
155	Regulation 3037/90 on the statistical classification of economic activities in the European Community	Art. 285
156	Decision 96/411 on improving Community agricultural statistics	Art. 251
157	Directive 72/166 * on the approximation of the laws of Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability	Art. 251
158	Directive 78/855 * concerning mergers of public limited liability companies	Art. 251
159	Directive 84/5 * on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles	Art. 251
160	Directive 91/250 * on the legal protection of computer programs	Art. 95
161	Directive 91/496 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries	Art. 37
162	Directive 92/102 on the identification and registration of animals	Art.37
163	Directive 83/181 determining the scope of Article 14(1)(d) of Directive 77/388 as regards exemption from value added tax on the final importation of certain goods	Art. 93 and 94
164	Directive 90/434 on the common system of taxation applicable to mergers of companies of different Member States	Art. 94
165	Regulation 2603/69 establishing common rules for exports	Art. 133
166	Regulation 520/94 establishing a Community procedure for administering quantitative quotas	Art. 133
167	Directive 76/135 on reciprocal recognition of navigability licences for inland waterway vessels	Art. 71
	(b) Commission acts	
168	Decision 88/566 listing the products referred to in the second subparagraph of Article 3(1) of Regulation 1898/87	
169	Regulation 467/67 fixing the conversion rates, the processing costs and the values of the by-products for the various stages of rice processing	
170	Regulation 2237/77 on the form of farm return to be used for the purpose of determining incomes of agricultural holdings	

	Title	Legal Base
171	Regulation 1552/80 laying down detailed rules for the provision of administrative assistance in connection with the export of certain cheeses eligible for special treatment on import into Australia	
172	Regulation 1859/52 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings	
173	Regulation 1898/87 on the protection of designations used in marketing of milk and milk products	
174	Regulation 344/91 laying down detailed rules for applying Council Regulation 1186/90 to extend the scope of the Community scale for the classification of carcases of adult bovine animals	
175	Regulation 94/92 laying down detailed rules for implementing the arrangements for imports from third countries	
176	Regulation 2342/92 on imports of pure-bred breeding animals of the bovine species from the third countries and the granting of export refunds thereon	
177	Regulation 461/93 laying down detailed rules for the Community scale for the classification of carcases of ovine animals	
178	Regulation 2131/93 laying down the procedure and conditions for the sale of cereals held by intervention agencies	
179	Regulation 1267/94 applying the agreements between the European Union and third countries on the mutual recognition of certain spirit drinks	
180	Regulation 2019/94 on imports of residues from the manufacture of starch from maize from the USA	
181	Regulation 1445/95 on rules of application for import and export licences	amendment pending
182	Regulation 1501/95 laying down certain detailed rules for the application of Regulation 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market in cereals	
183	Regulation 1598/95 laying down detailed rules for the application of the arrangements for additional import duties in the milk and milk products sector	
184	Regulation 1249/96 on the rules of application (cereal sector import duties) for Council Regulation 1784/2003	
185	Regulation 2449/96 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand	
186	Regulation 2497/96 laying down procedures for applying in the poultrymeat sector the agreement with Israel	amendment pending
187	Regulation 577/97 laying down certain detailed rules for the application of Regulations 2991/94 and 1898/87	
188	Regulation 831/97 laying down marketing standards applicable to avocados	

	Title	Legal Base
189	Regulation 2331/97 on special conditions for granting export refunds on certain pigmeat products	
190	Regulation 790/2000 laying down the marketing standard for tomatoes	
191	Regulation 883/2001 laying down detailed rules for implementing Regulation 1493/1999 as regards trade with third countries in products in the wine sector	
192	Directive 88/301 on competition in the markets in telecommunications terminal equipment	
193	Regulation 80/2001 laying down detailed rules for the application of Regulation 104/2000 as regards notifications concerning recognition of producer organisations, the fixing of prices and intervention within the scope of the common organisation of the market in fishery and aquaculture products	
194	Directive 93/10 relating to materials and articles made of regenerated cellulose film	
195	Decision 94/63 drawing up a provisional list of third countries from which Member States authorize imports of semen, ova and embryos of the ovine, caprine and equine species, ova and embryos of the porcine species	
196	Directive 94/39 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes	
197	Directive 95/31 laying down specific criteria of purity concerning sweeteners for use in foodstuffs	
198	Directive 96/77 laying down specific purity criteria on food additives other than colours and sweeteners	
199	Decision 2001/106 establishing a model for the lists of units approved by Member States for intra-Community trade in live animals, semen and embryos	
200	Decision 2000/585 laying down animal and public health conditions and veterinary certifications for imports of wild and farmed game meat and rabbit meat from third countries	amendment pending
201	Decision 2001/618 on additional guarantees in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease	
202	Decision 2000/666 laying down the animal health requirements and the veterinary certification for the import of birds, other than poultry and the conditions for quarantine	
203	Regulation 752/93 laying down provisions for the implementation of Regulation 3911/92	
204	Regulation 805/1999 laying down certain measures for implementing Regulation 718/1999 on a Community-fleet capacity policy to promote inland waterway transport	

	Title	Legal Base
	SECTION 5: ADOPTION BETWEEN 1 SEPTEMBER 2007 AND 31 DECEMBER 2007	
	(a) EP/Council acts	
205	Regulation 2771/75 on the common organization of the market in eggs	Art. 36 and 37
206	Regulation 2777/75 on the common organization of the market in poultry meat	Art. 36 and 37
207	Regulation 1906/90 on certain marketing standards for poultry	Treaty and Council Regulation 2777/75
208	Regulation 1868/94 establishing a quota system in relation to the production of potato starch	Art. 36 and 37
209	Directive 74/152 on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors	Art. 95 - amendment pending
210	Directive 71/316 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control	Art. 95
211	Directive 75/322 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by sparkignition engines fitted to wheeled agricultural or forestry tractors	Art. 95.
212	Directive 78/25 on the approximation of the laws of the Member States relating to the colouring matters which may be added to medicinal products	Art. 95
213	Directive 79/532 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light signalling devices on wheeled agricultural or forestry tractors	Art. 95
214	Directive 80/1268 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles	Art. 95
215	Directive 87/404 on simple pressure vessels	Art. 95
216	Directive 89/173 on certain components and characteristics of wheeled agricultural or forestry tractors	Art. 95
217	Directive 93/7 on the return of cultural objects unlawfully removed from the territory of a Member State	Art. 251
218	Directive 93/34 on statutory markings for two or three-wheel motor vehicles	Art. 95
219	Regulation 3448/93 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products	Art. 37 and 133
220	European Parliament and Council Directive 96/74 on textile names	Art. 95

	Title	Legal Base
221	Regulation 338/97 on the protection of species of wild fauna and flora by regulating trade therein	Art. 175(1)
222	Regulation 3605/93 on the application of the Protocol on the excessive deficit procedure to the treaty establishing the European Community	Art. 104(14)
223	Directive 95/64 on statistical returns in respect of carriage of goods and passengers by sea	Art. 285
224	Regulation 1172/95 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries	Art. 285
225	Regulation 2223/96 on the European system of national and regional accounts in the Community	Art. 285
226	Regulation 1172/98 on statistical returns in respect of the carriage of goods by road	Art. 285
227	Regulation 1683/95 on a uniform format for visas	Art. 62(2)
228	Decision 90/424 on expenditure in the veterinary field	Art. 37
229	Directive 66/401 on the marketing of fodder plant seed (amended proposal)	Art. 37
230	Directive 66/402 on the marketing of cereal seed (amended proposal)	Art. 37
231	Directive 68/193 on the marketing of material for the vegetative propagation of the vine	Art. 37
232	Directive 89/556 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species	Art. 37
233	Directive 90/426 on animal health conditions governing the movement and import from third countries of equidae	Art. 37
234	Directive 90/429 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species	Art. 37
235	Directive 91/68 on animal health conditions governing intra-Community trade in ovine and caprine animals	Art. 37
236	Directive 92/35 laying down control rules and measures to combat African horse sickness	Art. 37
237	Directive 92/65 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements	Art. 80(2) and 251
238	Directive 92/118 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements	Art. 37

	Title	Legal Base
239	Directive 2000/29 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community	Art. 37
240	European Parliament and Council Regulation 2001/999 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies	Art. 152(4)(b)
241	Directive 77/799 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation	Art. 94
242	Directive 95/50 on uniform procedures for checks on the transport of dangerous goods by road	Art. 71 and 251
243	Decision 96/1692 of the European Parliament and of the Council on Community guidelines for the development of the trans-European transport network	Art. 156
244	Directive 98/18 on safety rules and standards for passenger ships	Art. 80(2)
	(b) Commission acts	
245	Regulation 1351/72 on the recognition of producer groups for hops	
246	Regulation 776/73 on registration of contracts and communication of data with respect to hops	
247	Regulation 584/75 laying down detailed rules for the application of the system of tendering for export refunds on rice	
248	Decision 85/377 establishing a Community typology for agricultural holdings	
249	Regulation 2220/85 laying down common detailed rules for the application of the system of securities for agricultural products	
250	Regulation 120/89 laying down common detailed rules for the application of export levies and charges on agricultural products	
251	Regulation 3444/90 laying down detailed rules for granting private storage aid for pigmeat	
252	Regulation 3446/90 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat	
253	Regulation 3447/90 on special conditions for the granting of private storage aid for sheepmeat and goatmeat	
254	Regulation 3002/92 laying down common detailed rules for verifying the use and/or destination of products from intervention	
255	Regulation 3515/92 laying down common detailed rules for the application of Regulation 1055/77 on the storage and movements of products brought in by an intervention agency	
256	Regulation 1756/93 fixing the operative events for the agricultural conversion rate applicable to milk and milk products	
257	Regulation 2273/93 determining the intervention centres for cereals	

	Title	Legal Base
258	Regulation 1429/95 on implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugars	
259	Regulation 1591/95 laying down detailed rules for the application of export refunds to glucose and glucose syrup used in certain products processed from fruit and vegetables	
260	Regulation 1839/95 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal	
261	Regulation 996/97 on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91	
262	Regulation 1081/1999 opening and providing for the administration of tariff quotas for imports of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds	
263	Regulation 2771/1999 laying down detailed rules for the application of Regulation 1255/1999 as regards intervention on the market in butter and cream	
264	Regulation 2799/1999 laying down detailed rules for applying Regulation 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder	
265	Regulation 824/2000 establishing procedures for the taking-over of cereals by intervention agencies and laying down methods of analysis for determining the quality of cereals	
266	Regulation 1291/2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products	
267	Regulation 1622/2000 on the Community code of oenological practices	
268	Regulation 2584/2000 establishing a system for the communication of information on certain supplies of beef, veal and pigmeat by road to the territory of the Russian Federation	
269	Regulation 2707/2000 laying down rules for applying Regulation 1255/1999 as regards Community aid for supplying milk and certain milk products to pupils in educational establishments	
270	Regulation 245/2001 laying down detailed rules for the application of Regulation 1673/2000 on the common organization of the markets in flax and hemp	
271	Decision 82/43 relating to the setting up of an Advisory Committee on Equal Opportunities for Women and Men	
272	Decision 98/385 on rules for implementing Directive 95/64 on statistical returns in respect of carriage of goods and passengers by sea	

	Title	Legal Base
273	Decision 86/109 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'	
274	Decision 94/467 laying down health guarantees for the transport of equidae from one third country to another in accordance with Article 9 (1) (c) of Directive 91/496	
275	Directive 95/45 laying down specific purity criteria concerning colours for use in foodstuffs	amendment pending
276	Decision 97/10 on additional guarantees in relation to the temporary admission and imports into the Community of registered horses from South Africa	
277	Directive 95/12 implementing Directive 92/75 with regard to energy labelling of household washing machines	
278	Directive 97/17 implementing Directive 92/75 with regard to energy labelling of household dishwashers	

	Title	Legal Base
	SECTION 6 : ADOPTION DURING FIRST HALF OF 2008	
	(a) EP/Council acts	
279	Regulation 1784/77 concerning the certification of hops	Treaty + Regulation 1952/2005
280	Regulation 1883/78 laying down general rules for the financing of interventions by the EAGGF	Legal base unclear
281	Regulation 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the EAGGF	Art. 37
282	Regulation 1255/1999 on the common organisation of the market in milk and milk products	
283	Regulation 1673/2000 on the common organisation of the markets in flax and hemp grown for fibre	Art. 36 and 37 - amendment pending
284	Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations	amendment pending
285	Decision 77/271/Euratom on the implementation of Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations	amendment pending
286	Regulation 2728/94 establishing a Guarantee Fund for external actions	amendment pending
287	Directive 76/763 on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractor	Art. 95
288	Directive 77/537 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors	Art. 95 - amendment pending
289	Directive 86/297 on the approximation of the laws of the Member States relating to power take-offs of wheeled agricultural or forestry tractors and their protection	Art. 95 - amendment pending
290	Directive 86/415 on the installation, location operation and identification of the controls of wheeled agricultural or forestry tractors	Art. 95 - amendment pending
291	Directive 89/686 on the approximation of the laws of the Member States relating to personal protective equipment	Art. 95
292	Directive 90/385 on the approximation of the laws of the Member States relating to active implantable medical devices	Art. 95 - amendment pending

	Title	Legal Base
293	Regulation 1768/92 concerning the creation of a supplementary protection certificate for medicinal products	Art. 95 - amendment pending
294	Directive 97/24 on certain components and characteristics of two or three-wheel motor vehicles	Art. 95 - amendment pending
295	European Parliament and Council Directive 2002/24 relating to the type-approval of two or three-wheel motor vehicles	Art. 95 - amendment pending
296	Regulation 2150/2002 on waste statistics	Art. 285
297	Directive 77/91 * on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital	Art. 251
298	Directive 89/667 * on single-member private limited-liability companies	Art. 251
299	Directive 88/407 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species	Art. 37 - amendment pending
300	Directive 89/662 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market	Art. 37
301	Directive 92/119 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease	Art. 37
302	Directive 93/53 introducing minimum Community measures for the control of certain fish diseases	Art. 37 - amendment pending
303	Directive 97/7 on the protection of consumers in respect of distance contracts	Art. 95
304	Directive 2002/56 on the marketing of seed potatoes	Art. 37
305	Directive 90/435 common system of taxation applicable to parent companies and subsidiaries of different Member States	Art. 94
306	Directive 92/79 on the approximation of taxes on cigarettes	Art.93
307	Directive 92/80 on the approximation of taxes on manufactured tobacco other than cigarettes	Art. 93
308	Directive 95/59 on taxes other than turnover taxes which affect the consumption of manufactured tobacco	Art. 93
309	Regulation 3821/85 on recording equipment in road transport	Art. 71

	Title	Legal Base
310	Regulation 3922/91 on the harmonization of technical requirements and administrative procedures in the field of civil aviation	Art. 80(2)
311	Directive 96/53 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic	Art. 71 and 251
312	Directive 96/98 on marine equipment	Art. 80(2)
	(b) Commission acts	
313	Regulation 821/68 on the definition, applicable to the granting of export refunds, of hulled grains and pearled grains of cereals	
314	Regulation 100/72 laying down detailed rules on the denaturing of sugar for animal feed	
315	Regulation 890/78 laying down detailed rules for the certification of hops	
316	Regulation 3076/78 on the importation of hops from non-member countries	
317	Regulation 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries	
318	Regulation 2248/85 on detailed rules for administrative assistance with the exportation of certain cheeses subject to quota restrictions that qualifies for special treatment on importation into the USA	
319	Regulation 2967/85 laying down detailed rules for the application of the Community scale for grading pig carcases	amendment pending
320	Regulation 2145/92 redefining the destination zones for export refunds, export levies and certain export licences for cereals and rice	
321	Regulation 1713/93 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector	
322	Regulation 1431/94 laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Regulation 774/94	amendment pending
323	Regulation 1251/96 on administration of tariff quotas in the poultry meat sector	amendment pending
324	Regulation 327/98 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice	
325	Regulation 800/1999 laying down common detailed rules for the application of the system of export refunds on agricultural products	
326	Regulation 1788/2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Regulation 2092/91	
327	Regulation 2375/2002 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries	

	Title	Legal Base
328	Regulation 2377/2002 opening and providing for the administration of a Community tariff quota for malting barley from third countries	
329	Decision 92/260 on animal health conditions and veterinary certification for temporary admission of registered horses	amendment pending
330	Decision 93/195 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export	
331	Decision 93/196 on animal health conditions and veterinary certification for imports of equidae for slaughter	
332	Decision 93/197 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production	
333	Decision 93/342 laying down the criteria for classifying third countries with regard to avian influenza and Newcastle disease	amendment pending

	Title	Legal Base
	SECTION 7 : ADOPTION DURING FIRST HALF OF 2008	
	(a) EP/Council acts	
334	Regulation 404/93 on the common organization of the market in bananas	Art. 36 and 37 - amendment pending
335	Regulation 1103/97 on certain provisions relating to the introduction of the euro	Art. 123(5)
336	Regulation 974/98 on the introduction of the euro	Art. 123(5)
337	Regulation 975/98 on denominations and technical specifications of euro coins intended for circulation	Art. 106(2)
338	Regulation 357/79 on statistical surveys of areas under vines	Art. 285
339	Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders	Art. 62(2)
340	Directive 92/33 on the marketing of vegetable propagating and planting material, other than seed	Art. 37
341	Regulation 384/96 on protection against dumped imports	Art.133
342	Regulation 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks	Art. 156(1)
	(b) Commission acts	

	Title	Legal Base
343	Regulation 2659/94 on detailed rules for the granting of private storage aid for Grana Padano, Parmigiano-Reggiano and Provolone cheeses	
344	Regulation 214/2001 laying down detailed rules for the application of Regulation 1255/1999 as regards intervention on the market in skimmed-milk powder	
345	Regulation 2700/98 concerning the definitions of characteristics for structural business statistics	
346	Regulation 2701/98 concerning the series of data to be produced for structural business statistics	

	Title	Legal Base
	SECTION 8 : PROPOSALS CONVERTED FROM CODIFICATION TO RECAST, TO BE ADOPTED BEFORE THE END OF 2008	
	(a) EP/Council acts	
347	Regulation 2092/91 on the organic production of agricultural products	
348	Regulation 2597/97 laying down additional rules on the common organization of the market in milk and milk products for drinking milk	
349	Directive 72/245 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by sparkignition engines fitted to motor vehicles	Art. 95
350	Directive 76/115 on the approximation of the laws of the Member States relating to anchorages for motor vehicle safety belts	Art. 95
351	Directive 76/432 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors	Art. 95
352	Directive 88/378 on safety of toys	
353	European Parliament and Council Directive 98/34 laying down a procedure for the provision of information in the field of technical standards and regulations	Art. 37, 95, 284
354	Directive 92/34 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	Art. 37
355	Directive 67/227 on the harmonization of legislation of Member States concerning turnover taxes	Art. 93 and 94
356	Directive 69/335 concerning indirect taxes on the raising of capital	Art. 93 and 94
357	Regulation 1192/69 on common rules for the normalisation of the accounts of railway undertakings	Art. 71, 89 and 251

	Title	Legal Base
358	Directive 82/714 laying down technical requirements for inland waterway vessels	Art. 71(1) and 251
359	Directive 91/440 on the development of the Community's railways	Art. 71 and 251
360	Regulation 684/92 on common rules for the international carriage of passengers by coach and bus	Art. 71 and 251
361	Regulation 3118/93 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State	
362	Directive 94/57 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations	
363	Directive 95/21 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the juridiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)	
364	Directive 96/26 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations	
	(b) Commission acts	
365	Regulation 1868/77 laying down detailed rules of application of Regulation 2782/75	
366	Directive 71/250 establishing Community methods of analysis for the official control of feedingstuffs	
367	Directive 71/393 establishing Community methods of analysis for the official control of feedingstuffs	
368	Directive 72/199 establishing Community methods of analysis for the official control of feedingstuffs	
369	Directive 73/46 establishing Community methods of analysis for the official control of feedingstuffs	
370	Directive 76/372 establishing Community methods of analysis for the official control of feedingstuffs	
371	Directive 78/633 establishing Community methods of analysis for the official control of feedingstuffs	

	Title	Legal Base
	SECTION 9 : ACTS EXPECTED TO BE REPEALED BEFORE THE END OF 2008	

	Title	Legal Base
	(a) EP/Council acts	
372	Regulation 565/80 on the advance payment of export refunds in respect of agricultural products	
373	Regulation 2019/93 introducing specific measures for the smaller Aegean islands concerning certain agricultural products	
374	Regulation 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport	
375	Regulation 1292/96 on food aid policy and food-aid management and special operations in support of food security	
376	Directive 73/361 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wireropes, chain and hooks	
377	Directive 75/439 on the disposal of waste oils	
378	Directive 91/157 on batteries and accumulators containing certain dangerous substances	
379	Decision 91/116 setting up the European Advisory Committee on statistical information in the economic and social spheres	
380	Regulation 1382/91 on the submission of data in the landings of fishery products in Member States	Art. 285
381	Directive 93/23 on the statistical surveys to be carried out on pig production	
382	Directive 93/24 on the statistical surveys to be carried out on bovine animal production	
383	Directive 93/25 on the statistical surveys to be carried out on sheep and goat stocks	
384	Regulation 2930/86 defining characteristics for fishing vessels	
385	Regulation 1956/88 adopting provisions for the application of the scheme of joint international inspection adopted by NAFO	Art. 37
386	Regulation 189/92 adopting provisions for the application of certain control measures adopted by NAFO	Art. 37
387	Regulation 2847/93 establishing a control system applicable to the common fisheries policy	
388	Regulation 1626/94 laying down certain technical measures for the conservation of fishery resources in the Mediterranean	Art. 37
389	Regulation 3069/95 establishing an EC observer scheme applicable to Community fishing vessels operating in the Regulatory Area of NAFO	Art. 37
390	Regulation 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms	Art. 37

	Title	Legal Base
391	Regulation 2791/99 laying down certain control measures applicable in the area covered by the Convention on future multilateral cooperation in the north-east Atlantic fisheries	
392	Regulation 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea	Art. 37
393	Directive 79/117 prohibiting the placing on the market and use of plant protection products containing certain active substances	Art. 94
394	Directive 79/373 on the circulation of compound feedingstuffs	Art. 37 and 94
395	Directive 89/396 on indications or marks identifying the lot to which a foodstuff belongs	
396	Directive 92/66 introducing Community measures for the control of Newcastle disease	
397	European Parliament and Council Directive 94/35 on sweeteners for use in foodstuffs	
398	Directive 69/169 on the harmonisation of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel	Art. 93
399	Directive 79/1072 on arrangements for the refunds of VAT to taxable persons not established in the territyory of the country	Art. 93
400	Regulation 918/83 setting up a Community system of reliefs from customs duty	Art. 26, 37 and 308
401	Regulation 1420/1999 establishing common rules on the shipment of waste	
402	Regulation 1547/1999 determining the control procedures under Regulation 259/93	
403	Regulation 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway	co-decision
404	Regulation 1107/70 on the granting of aids for transport by rail, road and inland waterway	
	(b) Commission acts	
405	Regulation 2676/90 determining Community methods for the analysis of wines	
406	Regulation 1793/93 regarding the operative event for the agricultural conversion rates used in the hops sector	
407	Regulation 1848/93 laying down detailed rules for the application of Regulation 2082/92 on certificates of specific character for agricultural products and foodstuffs	
408	Regulation 1858/93 laying down detailed rules for applying Regulation 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector	

	Title	Legal Base
409	Regulation 2037/93 laying down detailed rules of application of Regulation 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs	
410	Regulation 2958/93 laying down detailed rules for the application of Regulation 2019/93 as regards the specific arrangements for the supply of certain agricultural products	
411	Regulation 3063/93 laying down detailed rules for the application of Regulation 2019/93 with regard to the aid scheme for the production of honey of specific quality	
412	Regulation 3393/93 laying down detailed rules governing the granting of private storage aid for certain cheeses manufactured on the smaller Aegean islands	
413	Regulation 919/94 laying down detailed rules for the application of Regulation 404/93 as regards banana producers' organizations	
414	Regulation 3175/94 laying down detailed rules of application for the specific arrangements for the supply of cereal products to the smaller Aegean islands and establishing the forecast supply balance	
415	Regulation 2898/95 concerning verification of compliance with quality standards for bananas	
416	Regulation 832/97 laying down detailed rules for the application of Regulation 2275/96 introducing specific measures for live plants and floricultural products	
417	Regulation 1729/97 on the adjustment, following a change in prices or the storage levy in the sugar sector, of certain export refunds fixed in advance	
418	Regulation 2301/97 on the entry of certain names in the register of certificates of specific character provided for in Regulation 2082/92	
419	Regulation 1623/2000 laying down detailed rules for implementing Regulation 1493/1999	
420	Regulation 1554/2001 laying down detailed rules for the application of Regulation 1260/2001 as regards marketing sugar produced in the French overseas departments and equalising the price conditions with preferential raw sugar	
421	Regulation 2166/83 establishing a licensing system for certain fisheries in an area north of Scotland (Shetland area)	
422	Regulation 2807/83 laying down detailed rules for recording information on Member States' catches of fish	
423	Regulation 3440/84 on the attachment of devices to trawls, Danish seines and similar nets	
424	Regulation 2868/88 laying down detailed rules for the application of the scheme of joint international inspection adopted by NAFO	

	Title	Legal Base
425	Decision 93/623 establishing the identification document (passport) accompanying registered equidae	
426	Decision 94/85 drawing up a provisional list of third countries from which Member States authorize imports of fresh poultry meat	
427	Decision 94/86 drawing up a provisional list of third countries from which Member States authorize imports of wild game meat	
428	Decision 96/367 concerning protection measures in relation to foot-and- mouth disease in Albania	
429	Decision 96/414 concerning protective measures with regard to imports of animals and animal products from the Former Yugoslav Republic of Macedonia due to outbreaks of foot-and-mouth disease	
430	Decision 96/482 laying down animal health conditions and veterinary certificates for the importation of poultry and hatching eggs other than ratites and eggs thereof from third countries including animal health measures to be applied after such importation	
431	Decision 96/539 on animal health requirements and veterinary certification for imports into the Community of semen of the equine species	
432	Decision 96/540 on animal health requirements and veterinary certification for imports into the Community of ova and embryos of the equine species	
433	Decision 96/659 on protective measures in relation to Crimean Congo haemorrhagic fever in South Africa	
434	Decision 97/222 laying down the list of third countries from which the Member States authorize the importation of meat products	
435	Decision 1999/246 approving certain contingency plans for the control of classical swine fever	
436	Directive 2001/32 recognising protected zones exposed to particular plant health risks in the Community	
437	Regulation 2288/83 establishing the list of biological or chemical substances provided for in Article 60 (1) (b) of Regulation 918/83	
438	Regulation 2289/83 laying down provisions for the implementation of Articles 70 to 78 of Regulation 918/83	
439	Regulation 2290/83 laying down provisions for the implementation of Articles 50 to 59 and 63 of Regulation 918/83	
440	Decision 96/587 on the publication of the list of recognized organizations which have been notified by Member States in accordance with Directive 94/57	

Annex 3

Simplification proposals pending before the co legislators – state of play
(as of 10 October 2006)

Regulatory area	**Legal act(s)**	**Commission**
Organic farming	Simplified regime for **organic production of agricultural products and indications** referring thereto on agricultural products and foodstuffs (revision of Council Regulation (EC) No 2092/91 of 24 June 1991)	21 December 2005 COM(2005) 671 2005/0278/CNS 2005/0279/CNS
Free movement of workers	Adaptation of the **coordination of the national social security regimes** (modifications to Regulation (EEC) No 1408/71 and (EEC) No 574/72 of the Council)	21 December 2005 COM(2005) 676 2005/0258/COD
Free movement of workers	Proposal for a Regulation of the European Parliament and of the Council laying down the **procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems**	31 January 2006 COM(2006) 16 2006/0006/COD
Health and safety at work	Proposal for a Directive of the European Parliament Directive on **protection of the health and safety of workers at work** with a view to simplifying and rationalising the reports on practical implementation	14 July 2006 COM(2006) 390 2006/0127/COD
Automotive construction sector	Simplified regime for **type approval of motor vehicles and their trailers** (modification of Directive 70/156/CEE)	14 July 2003 COM(2003) 418 2003/0153/COD
Chemicals (REACH)	Revision of the regime on **marketing and use of certain dangerous substances and preparations** (replacement of Council Directive 76/769/EEC of 27 July 1976 and subsequent modification)	29 October 2003 COM(2003) 644 2003/0256/COD 2003/0257/COD
Metrology & Packaging	Repeal of **pre-packaging** requirements.	25 October 2004 COM(2004) 708 2004/0248/COD
Public procurement	Proposal for a directive of the European Parliament and of the Council amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts.	14 June 2006 COM(2006) 195 2006/0066/COD
Waste	Revision of the **waste Directives** (replaces and repeals Directives 75/439/EEC, 75/442/EEC and 91/689/EEC)	21 December 2005 COM(2005) 667[41] 2005/0281/COD
Business statistics	Streamlining of the **structural business statistics** (Council Regulation (EC / Euratom) NO**58/97**)	20 February 2006 COM(2006) 66 2006/0020/COD
Payment services	Revised regime on **payment services** (Revision of Directive 97/5/EC)	1 December 2005 COM(2005) 603 2005/0245/COD

[41] Action identified by the Council in its priority list adopted on 25 November 2004.

Regulatory area	**Legal act(s)**	**Commission**
Taxation	Revision of the **Sixth VAT Directive** (77/388/EEC- 28 acts and some 150 OJ pages).	15 April 2004 COM(2004) 246 2004/0079/CNS
Customs Union	Modernisation of the **Community Customs Code**	30 November 2005 COM(2005) 608 2005/0246/COD
Road safety	Recast of the regime on **driving licences** (to replace Council Dir. 91/439, Council Dir. 94/72, Council Dir. 96/47, Commission Decision 96/427, Council Dir. 97/26 and Commission Dir. 2000/56).	21 October 2003 COM(2003) 621 2003/0252/COD
Maritime Transport	Recast of the regime on **port State control** (Council Directive 95/21/EC)	23 November 2005 COM(2005) 588 2005/0238/COD
Maritime Transport	Recast of the regime for **ship inspections and survey organisations** (Directive 94/57/EC)	23 November 2005 COM(2005) 587 2005/0237/COD
Air Transport	Proposal for a Regulation of the European Parliament and of the Council on **common rules for the operation of air transport services** in the Community (recast)	18 July 2006 COM(2006) 396 2006/0130/COD
Plan Protection products	Proposal for a proposal on the placing of **plant protection products** on the market	12 July 2006 COM(2006) 388 2006/0136/COD
Food additives	Proposal for a regulation on **food additives**	28 July 2006 COM(2006) 428 COM(2006) 425 COM(2006) 423 COM(2006) 427 2006/145/COD 2006/0144/COD 2006/0143/COD 2006/0147/COD
Wood in the rough	Proposal for repealing Council Directive 68/89/EEC on classification of wood in the rough	29 September 2006 COM(2006) 557 2006/0178/COD
Energy-efficiency labelling programme for office equipment	Proposal for a Regulation on a Community energy-efficiency labelling programme for office equipment (Recast)	10 October 2006 COM(2006) 576 2006/0187/COD
Trans-European transport and energy networks	Amended proposal for a Regulation for the granting of Community financial aid in the field of trans-European transport and energy networks and amending Council Regulation (EC) No 2236/95	24 May 2006 COM(2006) 245 2004/0154/COD