KOMISIA EURÓPSKYCH SPOLOČENSTIEV

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KOM(2006) 690 v konečnom znení

**PRACOVNÝ DOKUMENT KOMISIE**

**Prvá správa o pokroku v súvislosti so stratégiou zjednodušenia regulačného prostredia**

{KOM(2006) 689 v konečnom znení}
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***Zhrnutie***

Predkladaný pracovný dokument Komisie je priamym pokračovaním oznámenia KOM(2005) 535 z októbra 2005: Presadzovanie Lisabonského programu Spoločenstva: Stratégia pre zjednodušenie regulačného prostredia. Zároveň je doplnením oznámenia „Strategické preskúmanie iniciatívy lepšej právnej regulácie v Európskej únii".

Zjednodušenie právnych predpisov EÚ môže významne prispieť k zlepšeniu regulačného prostredia, aktualizácii a modernizácii predpisov, ako aj zníženiu administratívneho zaťaženia s cieľom zlepšiť stav európskeho hospodárstva s prihliadnutím na vývoj v oblasti technológií, na trhoch a v medzinárodnom kontexte. Z tohto dôvodu Komisia vyzdvihla zjednodušenie právnych predpisov prostredníctvom pracovného programu lepšej právnej regulácie ako jednu z kľúčových politických priorít.

Pracovný dokument Komisie v súlade s týmto zameraním bilancuje pokrok dosiahnutý pri implementácii stratégie zjednodušenia z októbra 2005, poukazuje na prebiehajúce práce a predstavuje úplne nové iniciatívy, ktorými sa vylepší priebežný program zjednodušovania na obdobie rokov 2006 – 2009. Jedným z dôležitých úspechov stratégie zjednodušenia je jej postupné zavádzanie vo všetkých regulačných oblastiach ES. V pracovnom dokumente Komisie sa uvedie aj aktuálny stav v oblasti kodifikácie.

Táto prvá správa o pokroku zároveň poukazuje na faktory, ktoré boli dôvodom úspechu pri dosahovaní cieľov stratégie zjednodušenia, akými sú predovšetkým jednotný súbor metodík, lepšia medziinštitucionálna spolupráca s Európskym parlamentom a Radou v záujme dosiahnutia konečnej fázy prác, intenzívnejšie využívanie samoregulácie a koregulácie, ako aj zjednodušenie právnych predpisov na vnútroštátnej úrovni s cieľom zabezpečiť, aby prínosy zjednodušovania právnych predpisov na úrovni EÚ neboli zmarené novými vnútroštátnymi predpismi alebo technickými prekážkami.


## ÚVOD

V súlade s politickými prioritami politiky lepšej právnej regulácie zavedenej Komisiou v marci 2005 prijala Komisia v októbri 2005 novú stratégiu zjednodušenia regulačného prostredia[1]. Zastrešujúcim cieľom tejto stratégie je zlepšiť kvalitu a účinnosť *acquis* a odstrániť nadbytočné zaťaženie hospodárskych činiteľov, čím táto stratégia prispeje k cieľu zlepšovania konkurencieschopnosti európskeho hospodárstva.

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[1] Oznámenie KOM(2005) 535 Presadzovanie lisabonského programu Spoločenstva: Stratégia pre zjednodušenie regulačného prostredia. Zjednodušovanie právnych predpisov zahŕňa širokú škálu nástrojov vrátane zrušenia, kodifikácie, rekodifikácie alebo zmeny regulačných prístupov. Vymedzenie pojmu kodifikácie sa nachádza v bode „1.2 Aktuálny stav – Kodifikácia" tohto dokumentu. Rekodifikácia je postup, v rámci ktorého sa novým právne záväzným predpisom zrušujú predpisy, ktoré zároveň nahrádza, pričom týmto novým právnym predpisom dochádza nielen k zmene predmetu úpravy právnych predpisov, ale aj ku kodifikácii ostatných ustanovení, ktoré nie sú dotknuté zmenou.

Európsky parlament[2] všeobecne privítal program Komisie na zjednodušenie *acquis*, kým Európska rada[3] vyzvala Radu, aby prioritizovala postup návrhov na zjednodušenie v rámci legislatívneho systému. V záujme presadenia návrhov na zjednodušenie má zásadný význam spolupráca spolurozhodujúcich zákonodarcov.

Ako doplnenie „Strategického preskúmania iniciatívy lepšej právnej regulácie v Európskej únii“[4], podáva predkladaný pracovný dokument Komisie po prvý raz od zavedenia stratégie v októbri 2005 správu o výsledkoch a poukazuje na nový vývoj v rámci plnenia cieľov stratégie zjednodušenia. Najmä:

- podáva správu o aktuálnom stave implementácie stratégie zjednodušenia a kodifikačného procesu s dôrazom na:

  (1) ukončené opatrenia v rámci priebežného programu,

  (2) prebiehajúce opatrenia, na ktorých sa naďalej pracuje a

  (3) nové opatrenia vymedzené Komisiou.

- poukazuje na kľúčové faktory úspechu pri dosahovaní skutočne zjednodušeného regulačného prostredia, akými sú predovšetkým jednotný súbor metodík, úzka spolupráca medzi inštitúciami EÚ, intenzívnejšie využívanie samoregulácie a koregulácie, ako aj zjednodušenie na vnútroštátnej úrovni.

Aktualizovaný priebežný program, ktorý sa vzťahuje na obdobie rokov 2006 – 2009, zahŕňa iniciatívy zjednodušenia vymedzené v legislatívnom a pracovnom programe Komisie na rok 2007 a poskytuje prehľad snáh Komisie o zjednodušenie súčasného regulačného prostredia v rámci viacročnej perspektívy. Skutočnosť, že iniciatívy zjednodušenia sú po prvý raz zahrnuté v legislatívnom a pracovnom programe Komisie na rok 2007, je jasným dôkazom, že stratégia zjednodušenia sa považuje za politickú prioritu.

Dochádza k zmene kultúry regulačného prostredia. Komisia po prvý raz prispôsobila svoje pracovné metódy, priority a zdroje cieľom zjednodušenia. Jedným z dôležitých úspechov je postupné presadzovanie zjednodušenia vo všetkých oblastiach politiky.

V budúcnosti sa práca prebiehajúca v oblasti znižovania administratívneho zaťaženia zúročí v procese zjednodušovania, čo zasa prispeje k dosiahnutiu spoločného cieľa 25 %-ného celkového zníženia objemu právnych predpisov EÚ a jednotlivých členských štátov, ktorý sa má podľa oznámenia „Strategické preskúmanie iniciatívy lepšej právnej regulácie“ dosiahnuť do roku 2012.

V súlade s tým rozsiahle konzultácie so zainteresovanými stranami a hodnotenia vplyvu prispejú k skvalitneniu nových návrhov Komisie a zákonodarcom vytvoria lepšie podmienky na tvorbu regulačného prostredia, ktoré by bolo plne v súlade so zásadou subsidiarity a bolo by prínosnejšie pre konkurencieschopnosť, inovácie a rast. Týmto spôsobom sa zníži pracovné zaťaženie spojené s procesom zjednodušovania.

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2 Rezolúcia Európskeho parlamentu o stratégii pre zjednodušenie regulačného prostredia [Spravodajca: člen Európskeho parlamentu Giuseppe Gargani ref. A6-0080/2006 – PA_TA-PROV (2006) 0205].

3 Európska rada (15. a 16. decembra 2005): Závery predsedníctva.

4 KOM(2006) 689, konečné znenie.

Zavedie sa pravidelné podávanie správ o pokroku.

# 1. AKTUÁLNY STAV

## 1.1. Aktuálny stav – priebežný program na zjednodušenie

Stratégia zjednodušenia z októbra 2005 zahŕňa súbor metód zjednodušovania, ktorý tvorí trojročný priebežný program. Pôvodne tento program obsahoval okolo 100 iniciatív na obdobie rokov 2005–2008 zahŕňajúcich 220 základných legislatívnych nástrojov, ktoré Komisia zamýšľa zjednodušiť na základe rozsiahlych konzultácií s členskými štátmi, podnikmi a občanmi.

Vzhľadom na dôležitosť nepretržitého preskúmavania *acquis* Komisia v súčasnosti vytýčila ďalších 43 dodatočných iniciatív, ktoré by mohli byť zahrnuté do procesu zjednodušovania v období rokov 2006 – 2009. Tieto iniciatívy sú obsiahnuté v aktualizovanom priebežnom programe, ktorý je uvedený v prílohe 1. Program je potvrdením rozhodnutia Komisie zamerať sa na zníženie administratívneho zaťaženia spôsobeného regulačným rámcom a aktualizovať a modernizovať predpisy s prihliadnutím na vývoj v oblasti technológií, na trhoch a v medzinárodnom kontexte.

### *1.1.1. Pokrok dosiahnutý zo strany Komisie*

Ukončených bolo 12 zo 14[5] iniciatív naplánovaných na rok 2005. Pokiaľ ide o rok 2006, v oznámení z októbra 2005 bolo naplánovaných najmenej 54 iniciatív, 3 iniciatívy boli novo vytýčené, jedna iniciatíva bola prenesená z roku 2005 a jedna bola posunutá z roku 2008. Do dnešného dňa bolo prijatých 15 iniciatív[6]. Okrem toho bolo potvrdené, že 24 návrhov zameraných na zjednodušenie sa prijme do konca tohto roka. Tieto návrhy sú uvedené v prílohe 1. 15 iniciatív sa odloží na roky 2007/2008. Na základe preskúmaní a konzultácií zo zainteresovanými stranami bolo zrušených 5 iniciatív.

Komisia do dnešného dňa prijala 27 zo 71 iniciatív plánovaných na roky 2005–2006 a viac ako polovica programu bude prijatá do konca roku 2006. Priebežný program na zjednodušenie napreduje v roku 2006 rôznym tempom v závislosti od zložitosti príslušnej oblasti a v niektorých prípadoch celkovo zaostáva za plánom, hoci niektoré iniciatívy boli prijaté skôr, ako bolo pôvodne naplánované.Takmer všetky oneskorené iniciatívy budú uskutočnené v roku 2007.

Je potrebné zdôrazniť, že tento program je zďaleka najambicióznejším plánom zjednodušenia, na aký sa Komisia kedy podujala. Ukazuje sa, že zjednodušovanie právnych predpisov je náročnou úlohou, ak sa má dosiahnuť rovnováha medzi prínosmi pre podniky a občanov na jednej strane a úsilím a nákladmi potrebnými na prispôsobenie sa novému regulačnému prostrediu na strane druhej. Zjednodušenie môže skutočne v niektorých oblastiach politiky znamenať reformu v právnej regulácii. Na prekonanie odporu voči zmene, ktorý vytvárajú reformné plány, je často potrebný dlhší čas, aby sa prejavili celkové makroekonomické čisté výhody navrhovaných zmien.

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[5] Zostávajúce dve iniciatívy – návrhy týkajúce sa ochrany pred žiarením a poľnohospodárskych výrobkov a automatizovaného rezervačného systému v leteckej doprave – boli odložené na rok 2006, resp. 2007.

[6] Stav k 27. októbru 2006.

Okrem toho hodnotenia vplyvu môžu zvýrazniť nové prvky, ktoré majú význam pre tvorcov politiky, pokiaľ ide o výber najvhodnejšej politickej varianty[7]. Program na zjednodušenie sa implementuje vzhľadom na výsledky týchto hodnotení vplyvu.

Takmer všetky návrhy na zjednodušenie sú v legislatívnom procese v Rade alebo Európskom parlamente. Tieto návrhy sú uvedené v prílohe 3.

Na niektorých príkladoch úspechu, ktoré sú uvedené ďalej v texte, je možné vidieť, že prostredníctvom programu Komisie na zjednodušenie boli už riešené hlavné oblasti záujmu podnikov a občanov.

Tu sú uvedené príklady návrhov prijatých Komisiou:

- **Modernizovaný colný kódex a elektronické colné konanie**[8]: rekodifikácia colných právnych predpisov Spoločenstva a vytvorenie celoeurópskeho elektronického systému výmeny údajov medzi verejnými orgánmi a spoločnosťami. Vďaka efektívnym a zjednodušeným colným postupom a predpisom, automatizovaným a prepojeným colným systémom a úzkej spolupráci všetkých orgánov a agentúr zapojených do pohybu tovaru cez hranice Spoločenstva dôjde k uľahčeniu medzinárodného obchodu.

- **Životné prostredie**[9]: modernizácia rámcovej smernice o odpade:

  – zjednodušenie právnych predpisov o odpade prostredníctvom objasnenia definícií, racionalizácie ustanovení a začlenenia smerníc o nebezpečnom odpade a o odpadových olejoch;

  – zlepšenie recyklačného trhu prostredníctvom ustanovenia noriem v oblasti ochrany životného prostredia, ktorými sa upresní, za akých podmienok sa určitý recyklovaný odpad už nepovažuje za odpad,

- **Voľný pohyb pracovníkov**[10]:

  – modernizácia platných ustanovení o koordinácii vnútroštátnych systémov sociálneho zabezpečenia

  – zjednodušenie postupov pre poistené osoby a skrátenie lehôt na odpoveď a na vybavovanie cezhraničných prípadov inštitúciami v rôznych oblastiach

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7 K oneskoreniam v stratégii zjednodušenia došlo v týchto prípadoch: a) Pôvodne plánované zrušenie právneho predpisu o počítačovom rezervačnom systéme v leteckom sektore je predmetom preskúmania a došlo k odkladu akýchkoľvek opatrení, keďže vznikla potreba vykonať ďalšiu analýzu vzhľadom na reakcie zainteresovaných strán a Európskeho parlamentu. V plnom súlade so zásadami lepšej regulácie sa Komisia rozhodla vykonať rozšírené hodnotenie vplyvu s cieľom ďalej preskúmať celý rad možností vrátane zrušenia alebo čiastočnej liberalizácie existujúcej regulácie a opatovne vykonať konzultácie so zainteresovanými stranami. b) Súčasný vývoj v oblasti energetiky na medzinárodnej úrovni a následná diskusia o energetickej bezpečnosti viedla Komisiu k odkladu plánovaného preskúmania legislatívy týkajúcej sa zásob ropy, a to pravdepodobne do roku 2008. Budúca politika Komisie v tejto oblasti bude zväčša závisieť od výsledku konzultácií o zelenej knihe o energetickej politike predloženej Komisiou v marci 2006.

8 KOM(2005) 608.

9 KOM(2005) 667.

10 KOM(2006) 16.

sociálneho zabezpečenia (choroby, pracovné úrazy, choroby z povolania, invalidita, dôchodok, nezamestnanosť, rodinné dávky).

- **Prídavné látky a ochucovadlá do potravín**[11]:

  – zjednodušenie právnych predpisov týkajúcich sa prídavných látok do potravín vytvorením jedného právneho nástroja stanovujúceho zásady, postupy a povoľovanie;

  – zlepšenie postupu aktualizácie zoznamu Spoločenstva povolených prídavných látok do potravín.

- **Malé a stredné podniky vo farmaceutickom odvetví**[12]: zavedenie zjednodušeného regulačného rámca pre mikro podniky vrátane zníženia poplatkov, možnosti odkladu platieb poplatkov a administratívnej a právnej pomoci pri podávaní žiadostí Európskej agentúre pre lieky

- **Platobné služby**[13]: vytvorenie zjednodušeného regulačného rámca platobných služieb pre spotrebiteľov a firmy. Návrh stanovuje zjednodušenie legislatívy (nahradenie troch smerníc a troch odporúčaní jedným koherentným súborom pravidiel), zjednodušenie administratívnych postupov pre verejné orgány (na úrovni ES alebo vnútroštátnej úrovni) a zjednodušenie administratívnych postupov pre subjekty zo súkromného sektora. Návrhom sa zavádza väčšia transparentnosť a jasnejšie a stručnejšie požiadavky na informácie pre používateľov platobných služieb a spotrebiteľov.

- **Účtovné predpisy**[14]: zmena platných účtovných predpisov poskytnutím väčšieho priestoru pre členské štáty v oblasti oslobodenia spoločností od určitých požiadaviek na zverejňovanie informácií (prostredníctvom zvýšenia prahov, od ktorých sa také zverejňovanie vyžaduje). To povedie k zjednodušeniu administratívnych postupov v prípade menších firiem.

- **Štrukturálna podniková štatistika**[15]: návrh prináša zjednodušenie zostavovania údajov ŠPŠ zrušením 15 povinných ukazovateľov (týkajúcich sa výskumu a vývoja, zamestnanosti, energetiky a finančného lízingu), prechodom od ročného zberu na viacročný zber v prípade iných ukazovateľov a zrušením nepovinných ukazovateľov. Okrem toho Eurostat vytvára program na transformáciu podnikovej štatistiky s cieľom pomôcť členským štátom pri vývoji nových metód, ktoré môžu podstatne znížiť zaťaženie spojené s výkazníctvom napr. prostredníctvom intenzívnejšieho využívania administratívnych údajov a automatizovaného elektronického prenosu údajov z účtovníctva spoločností.

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11 KOM(2006) 428
12 Nariadenie Komisie (ES) č. 2049/2005.
13 KOM(2005) 603.
14 Smernica 2006/46, prijatá 14. júna 2006.
15 KOM(2006) 66.

- **Trh v oblasti leteckej dopravy**[16]: revízia takzvaného tretieho balíka liberalizácie leteckej dopravy by mala zlepšiť zrozumiteľnosť legislatívy prostredníctvom spojenia 3 platných nariadení do jedného nového nariadenia. Takouto právnou úpravou sa modernizuje a zjednodušuje právny rámec, zabezpečuje jednotné uplatňovanie v členských štátoch a rieši možné narušanie a obmedzovanie hospodárskej súťaže. Malo by to prispieť k nárastu možností výberu pre spotrebiteľov, nižšiemu cestovnému a lepšej hospodárskej súťaži.

### *1.1.2. Prebiehajúce práce*

V súčasnosti je potvrdených niekoľko hlavných iniciatív zjednodušenia s významom pre konkurencieschopnosť na roky 2006/2007/2008. Ide o tieto iniciatívy:

- **Poľnohospodárstvo:** zlúčenie 21 organizácií spoločného trhu do jednej schémy s cieľom zriadiť racionálny horizontálny právny rámec, ktorý zavedie jednotný súbor harmonizovaných pravidiel v rozličných oblastiach trhovej politiky ako napr. intervencie, súkromné skladovanie, dovozné colné kvóty, vývozné náhrady, ochranné opatrenia, poľnohospodárske výrobky, pravidlá štátnej pomoci, oznámenia a výkazníctvo.

- **Životné prostredie:** revízia smernice o integrovanej prevencii a kontrole znečisťovania (IPKZ) a iných súvisiacich právnych predpisov týkajúcich sa priemyselných emisií v záujme väčšej jasnosti a konzistentnosti (predovšetkým pokiaľ ide o podávanie správ) a racionalizácie požiadaviek.

- **Smernica o stavebných výrobkoch:** cieľom je objasniť a znížiť administratívne zaťaženie, predovšetkým v prípade MSP, prostredníctvom väčšej flexibility pri formulácii a používaní technických špecifikácií, jednoduchších pravidiel osvedčovania a odstránenia implementačných prekážok, ktoré doteraz brzdili vytváranie plne funkčného vnútorného trhu so stavebnými výrobkami.

- **Štatistika:** zjednodušenie štatistického vykazovania zo strany hospodárskych subjektov, predovšetkým MSP, s prihliadnutím na prebiehajúce práce na zlepšovaní riadenia v oblasti štatistiky Únie a záverečný výsledok prebiehajúcich pilotných projektov týkajúcich sa merania a znižovania administratívneho zaťaženia.

- **Označovanie potravín/krmív** modernizácia legislatívy povedie k objasneniu pravidiel, ktorými sa bude riadiť označovanie potravín alebo krmív, aby spotrebitelia mohli robiť informované rozhodnutia trvalého charakteru, založené na posúdení bezpečnostných a zdravotných hľadísk. Zároveň prispeje k vytvoreniu prokonkurenčného trhového prostredia, v ktorom účastníci hospodárskej súťaže môžu prostredníctvom účinného používania etikiet podporiť predaj svojich výrobkov.

- **Ochrana spotrebiteľa:** racionalizácia a zjednodušenie celého *acquis* v oblasti ochrany spotrebiteľa s cieľom odstrániť možné nezrovnalosti, duplicitnú úpravu, prekážky vnútorného trhu a narušanie hospodárskej súťaže.

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[16] KOM(2006) 396.

- **Kozmetika:** smernica o kozmetike bola prijatá pred 30 rokmi a odvtedy bola viac ako 40-krát zmenená. V záujme lepšej konzistentnosti a zrozumiteľnosti jej znenia je potrebná jej rekodifikácia. To prispeje k zníženiu administratívnych nákladov spojených s implementáciou a uplatňovaním tejto smernice, pričom súčasný režim postupného zákazu testovania na zvieratách sa zachová v nezmenenom stave.

- **Účtovníctvo a štandardy finančného výkazníctva:** zabezpečenie aktualizovaného súboru štandardov finančného účtovníctva pre firmy EÚ prostredníctvom zlúčenia súboru platných nariadení[17] v rozsahu viac ako 2 000 strán do jedného nariadenia vo forme prijateľnej pre používateľov.

- **Regulačný rámec pre automobilový priemysel:** schválenie prerokúvaného návrhu na revíziu rámcovej smernice o homologizácii motorových vozidiel umožní:

  – nahradiť smernice ES nariadeniami EHK/OSN. Takýmto zjednodušením sa zracionalizujú nariadenia a odstránia nadbytočné požiadavky. Okrem toho, pokiaľ ide o globálny priemysel, bude to nápomocné pri odstraňovaní necolných prekážok obchodu. Zároveň to pomôže EÚ udržať si vedúcu pozíciu v oblasti tvorby medzinárodných noriem a umožní priemyslu rýchlejšie sa prispôsobiť technickému vývoju na medzinárodnej úrovni;

  – zaviesť potrebné technické ustanovenia na autotestovanie a virtuálne testovanie v 25 smerniciach a nariadeniach EHK/OSN. To umožní zjednodušenie postupu homologizácie a neustálu aktualizáciu regulačného prostredia vzhľadom na technický vývoj. Virtuálnym testovaním a autotestovaním sa urýchli vývoj produktu a znížia náklady pre priemysel, ako aj pre spotrebiteľov. Okrem toho súčasný návrh Komisie počíta v smernici o schvaľovaní motorových vozidiel so všeobecným ustanovením, ktorým sa výrobcom umožní vykonávať činnosť testovacích laboratórií pod podmienkou, že homologizačný orgán uznal ich potrebnú odbornosť.

- **Prístup na trh a k povolaniam v oblasti cestnej dopravy:** rekodifikácia štyroch nariadení a jednej smernice s cieľom objasniť a zjednodušiť pravidlá, ktorými sa riadi prístup na trh a k povolaniam vrátane kabotáže v oblasti cestnej nákladnej dopravy a osobnej dopravy, ako aj zlepšiť ich vynútiteľnosť. Rekodifikácia by mala umožniť harmonizované uplatňovanie a nákladovo efektívnu vynútiteľnosť pravidiel aj v nadnárodnom kontexte, čím sa obmedzí narušanie hospodárskej súťaže, zabezpečí ochrana práva na usadenie a zlepší kvalita služieb a bezpečnosť na cestách.

- Konsolidácia technických nariadení/smerníc **„nového prístupu“**[18] o uvádzaní výrobkov na trh na základe jednotných definícií, zjednodušených postupov osvedčovania a efektívnej administratívnej spolupráce v záujme uľahčenia obchodovania s výrobkami pri súčasnom zabezpečení ochrany výrobcov v súvislosti s výrobkami, ktoré nevyhovujú normám.

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17 Nariadenia Komisie o schválení medzinárodných štandardov finančného výkazníctva (IFRS), medzinárodných účtovných štandardoch (IAS) a výkladoch.

18 Smernice „nového prístupu“: nestanovujú podrobné požiadavky špecifické pre určité výrobky, ale len základné požiadavky verejného záujmu, ktoré musia výrobky spĺňať. Výrobcovia si môžu zvoliť rôzne technické riešenia a využívať pružnosť pri preukazovaní súladu týchto riešení s týmito požiadavkami, napr. prostredníctvom normalizácie.

### *1.1.3. Nové iniciatívy posilňujúce priebežný program na zjednodušenie*

Na základe priebežného programu zavedeného minulý rok posilňuje Komisia svoje úsilie o zjednodušenie prostredníctvom 43[19] nových iniciatív na obdobie rokov 2006 - 2009 s cieľom:

- stimulovať inovácie a znížiť administratívne zaťaženie spôsobované regulačnými požiadavkami;
- znížiť celkový objem *acquis* Spoločenstva a podporovať prechod na pružnejšie regulačné prístupy.

Tu sa uvádza niekoľko nových hlavných iniciatív:

- Zjednodušenie predpisov týkajúcich sa zmien **liekov** po udelení povolenia (tzv. nariadenia o „pozmeneniach"). Administratíva spojená s týmito pravidlami v súčasnosti viaže viac ako 60 % ľudských zdrojov a finančných nákladov právnych oddelení spoločností. V niektorých prípadoch môže toto zaťaženie brzdiť inovácie tým, že bráni v zavádzaní zmien, ktoré sú prínosné pre pacientov a spoločnosť. Postupy sa zefektívnia, aby sa zabezpečilo zjednodušenie, lepšia zrozumiteľnosť a väčšia pružnosť nariadení o „pozmeneniach" bez toho, aby došlo k ohrozeniu verejného zdravia a zdravia zvierat.
- Zabezpečenie **vzájomného uznávania**[20] tovarov, na ktoré sa nevzťahujú harmonizované predpisy Spoločenstva. Komisia v súčasnosti pracuje na legislatívnom návrhu na odstránenie technických prekážok voľného pohybu tovarov v rámci EÚ („návrh o vzájomnom uznávaní"). Týmto nástrojom sa vymedzia práva a povinnosti jednak vnútroštátnych orgánov a jednak podnikov, ktoré chcú v jednom členskom štáte predávať výrobky, ktoré sa už zákonne vyrábajú alebo uvádzajú na trh v inom členskom štáte.
- Objasnenie vymedzenia a rozsahu bezpečnostného posúdenia **nových potravín** a zefektívnenie povoľovacieho postupu.
- Zjednodušenie riadiacich a administratívnych postupov v **poľnohospodárskej oblasti** prostredníctvom implementácie súboru technických zjednodušení. S cieľom zmeniť právne ustanovenia, ktoré majú bezprostredný vplyv na poľnohospodárov, iných prevádzkovateľov hospodárskej činnosti a vnútroštátne správne orgány, bol zostavený priebežný akčný plán. Zmeny sa týkajú napríklad povinností poľnohospodárov uchovávať dokumentáciu, kontrolných povinností členských štátov, podmienok prijímania pomoci atď.

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[19] Údaj o 43 nových iniciatívach zahŕňa 3 nové iniciatívy v roku 2006, 28 nových iniciatív v roku 2007, 11 nových iniciatív v roku a 1 novú iniciatívu v roku 2009.

[20] Aj táto iniciatíva prispieva k stratégii pre zjednodušenie, ale nie je zahrnutá v priebežnom programe na zjednodušenie.

- Zjednodušenie a zlepšenie **spoločnej politiky rybného hospodárstva** prostredníctvom právneho a administratívneho zjednodušenia v súlade s akčným plánom na roky 2006 – 2008, ktorý Komisia prijala v roku 2005[21]. Akčný plán sa vzťahuje na určité regulačné ustanovenia týkajúce sa riadenia a kontroly rybolovu s cieľom napr. zlepšiť zrozumiteľnosť legislatívneho rámca a znížiť administratívne zaťaženie rybárov a príslušných zamestnancov verejnej správy.

- Revíziou regulačného rámca pre **siete a služby v oblasti elektronických komunikácií** sa zníži potreba právnej regulácie ex-ante a umožní pružnosť a inovácie v prospech priemyslu, ako aj občanov.

- Nahradenie smerníc o **textile** jedným nariadením s cieľom zjednodušiť postupy schvaľovania názvov nových vláken. Okrem toho sa kvantitatívne metódy merania obsahu vláken presunú do oblasti normalizácie.

- Zjednodušenie platnej legislatívy o **hračkách** prostredníctvom objasnenia základných bezpečnostných požiadaviek a vytvorenia podmienok pre lepší spoločný prístup národných orgánov dohľadu nad trhom.

- Obmedzenie rozsahu právnych aktov týkajúcich sa **metrológie a hnojív** na základné požiadavky prostredníctvom „nového prístupu“. Podrobné technické popisy sa nahradia normami.

- Revízia **schémy Spoločenstva pre udeľovanie environmentálnej značky** s cieľom:

  (a) vytvoriť systém priaznivejší pre podnikanie zapojením zainteresovaných strán do rozhodovacieho procesu a začlenením potrieb MSP;

  (b) zveriť vypracovanie kritérií udeľovania externému špecializovanému orgánu a úzko prepojiť environmentálne označovanie s environmentálne zameraným verejným obstarávaním.

- Rekodifikácia smernice o uvádzaní na trh **množiteľského materiálu ovocných drevín** a ovocných drevín určených na výrobu ovocia.

- Sústredenie právnej úpravy **muskuloskeletálnych porúch** do jedného nástroja, ktorý by zahŕňal rôzne platné minimálne zdravotné a bezpečnostné požiadavky ako napr. tie, ktoré sa týkajú ručnej manipulácie s nákladom alebo práce so zobrazovacími jednotkami.

Všetky útvary Komisie ukončia revíziu *acquis* v oblasti ich pôsobnosti do roku 2009 s cieľom preskúmať význam ich nástrojov, výber spôsobu regulácie a priestor pre uplatnenie jedného zo spôsobov zjednodušenia vymedzených v stratégii pre zjednodušenie z októbra 2005. Na základe toho sa v prípade potreby a vhodnosti stanovia nové iniciatívy zjednodušenia a uskutoční aktualizácia priebežného programu v budúcnosti**.**

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[21] KOM(2005) 647.

## 1.2. Aktuálny stav – kodifikácia

Kodifikácia je kľúčovou súčasťou procesu zlepšovania právnej regulácie Európskej komisie. Kodifikácia predstavuje postupy, ktorými sa spájajú ustanovenia platných aktov so všetkými následnými zmenami a doplneniami do jedného právneho predpisu, čím prispieva k zníženiu objemu legislatívy EÚ a k jej väčšej transparentnosti, zrozumiteľnosti a právnej jasnosti.

Priebežný kodifikačný program (v prílohe 2) zahŕňa okolo 500 predpisov. Kodifikačným procesom prešlo úspešne celkovo 52 predpisov[22], ktoré boli prijaté a uverejnené v Úradnom vestníku Európskej únie (38 predpisov Komisie a 14 predpisov Európskeho parlamentu a Rady). Okrem toho je 33 predpisov v legislatívnom procese a o 8 predpisoch sa rozhoduje písomným postupom. Európska komisia sfinalizovala celkovo 85 predpisov.

S cieľom ukončiť kodifikačný program v polovici roku 2008 boli prijaté opatrenia na zrýchlenie prekladu nahromadených originálnych znení do nových jazykov EÚ. K tomuto nahromadeniu došlo v dôsledku oneskorení pri preklade textov, ktoré podliehajú kodifikácii, do týchto jazykov.

Prijali sa aj primerané opatrenia na maximalizáciu počtu kodifikovaných znení dostupných v bulharskom, rumunskom, írskom a maltskom jazyku tým, že prioritne sa kodifikujú právne akty, ktoré už boli preložené do príslušných jazykov.

Okrem toho bol vypracovaný program na prijatie zvyšných právnych aktov, ktoré sa majú kodifikovať. Cieľom je zabezpečiť transparentnosť procesu najmä v záujme toho, aby predpisy, ktoré podliehajú kodifikácii, boli menené len v minimálnej miere a tým stabilizovať príslušné právne predpisy a zredukovať oneskorenia. Tento program je zatiaľ len predbežný, keďže ukončenie kodifikačného projektu závisí od toho, či sú právne akty, ktoré sa majú kodifikovať, dostupné vo všetkých jazykoch. To sa bude týkať predovšetkým bulharského a rumunského jazyka. Okrem toho, ak sa predpokladajú nové zmeny a doplnenia týchto predpisov, kodifikácia sa musí odložiť. Poradie predpisov v programe sa bude meniť v závislosti od týchto dvoch faktorov.

Zároveň je potrebné poznamenať, že na prijímanie kodifikovaných predpisov zákonodarným orgánom sa vzťahuje súbor pravidiel stanovených v medziinštitucionálnej dohode o zrýchlenej pracovnej metóde pre úradnú kodifikáciu právnych textov z 20. decembra 1994.

# 2. FAKTORY ÚSPECHU

Regulačné prostredie pre európske podniky a občanov pozostáva z viacerých vrstiev často sa prelínajúcich zákonov a predpisov prijatých na rôznych úrovniach (na medzinárodnej úrovni[23], na úrovni Spoločenstva, na národnej, regionálnej a miestnej úrovni). Žiadny z týchto regulačných orgánov nemôže sám osebe rozhodujúcim spôsobom zlepšiť kvalitu tejto legislatívnej siete. Konkrétne zlepšenie kvality celkového regulačného rámca vyžaduje odhodlané, systematické a koordinované úsilie na všetkých regulačných úrovniach.

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22 Stav k 27. októbru 2006.

23 Napríklad v *oblasti účtovníctva, auditu, verejného obstarávania a práv duševného vlastníctva, niektoré* predpisy a normy sa často schvaľujú alebo prijímajú na medzinárodnej úrovni.

## 2.1. Zjednodušovanie na pevných metodických základoch

### *2.1.1. Konzultácia so všetkými stranami*

Pôvodný aj aktualizovaný priebežný program na zjednodušenie na roky 2006-2009 sa vypracoval na základe príspevkov zainteresovaných strán a členských štátov, ktorých skúsenosti sú pri koncipovaní zmysluplného programu na zjednodušenie veľmi cenné. Intenzívne konzultácie so zainteresovanými stranami, preskúmanie celých oblastí politiky, hodnotenie ex-post právneho aktu a odborné preskúmanie pomáhajú tvorcom politiky lepšie rozpoznať skutočné problémy v danej oblasti. Takýto postup prispieva aj k tomu, že zainteresované strany sa neskôr s navrhovaným opatrením lepšie identifikujú.

V oznámení o zjednodušení z októbra 2005[24] bolo uvedených niekoľko iniciatív:

- Ako bolo uvedené v „Oznámení Komisie o zjednodušení a lepšej právnej regulácie v oblasti Spoločnej poľnohospodárskej politiky“, bol vypracovaný akčný plán, ktorý bola predstavený na konferencii s názvom: „Jednoduchá SPP pre Európu, výzva pre všetkých“, ktorá sa konala v októbri 2006. Akčný plán obsahuje 20 konkrétnych projektov v oblasti technického zjednodušenia (zníženie zaťaženia bez zmeny súvisiacej politiky), ktoré sa majú zrealizovať do roku 2007. Akčný plán predstavuje začiatok nepretržitého procesu zjednodušovania. Zainteresované strany a členské štáty sa preto vyzývajú, aby predložili svoje ďalšie návrhy na zjednodušenie.

- „Akčný plán na zjednodušenie a zlepšenie spoločnej politiky v oblasti rybolovu na roky 2006-2008“ prijala Komisia v roku 2005 a v plnej miere ho podporili európske inštitúcie a oslovené zainteresované strany.

- Pripravované oznámenie o znížení administratívneho zaťaženia, zjednodušení a stanovení priorít v oblasti štatistiky Spoločenstva. V tomto oznámení sa stanovuje strategický prístup na ďalšie minimalizovanie štatistického zaťaženia podnikov kombináciou dvoch prvkov: zjednodušením požiadaviek na štatistiku vo vybraných prioritných oblastiach a podporou štatistických nástrojov a metód, ktoré uľahčia plnenie spravodajskej povinnosti. Komisia predovšetkým navrhne jednosmerný systém pre Intrastat, program na reorganizáciu podnikovej štatistiky a bude aktívne presadzovať zjednodušenie európskeho systému poľnohospodárskej štatistiky.

Okrem toho sa v článku 138 zmluvy sa stanovuje potreba konzultácií európskych sociálnych partnerov o iniciatívach Spoločenstva v oblasti sociálnej politiky[25].

V niektorých prípadoch výsledok konzultačného procesu viedol Komisiu k prehodnoteniu jej pôvodných zámerov. Týka sa to napríklad preskúmania regulačných rámcov práva obchodných spoločností a autorského práva, z ktorého vyplynuli ďalšie iniciatívy:

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[24] Oznámenie KOM(2005) 535 Presadzovanie lisabonského programu Spoločenstva: Stratégia pre zjednodušenie regulačného prostredia.

[25] Aktuálnym príkladom je konzultácia (2005) sociálnych partnerov o zjednodušení smerníc v oblasti „bezpečnosť a ochrana zdravia pri práci“ týkajúca sa správ a ich praktickej implementácie.

- Pokiaľ ide o právo obchodných spoločností, Komisia plánuje dokonca tohto roka začať s komplexnou iniciatívou na meranie administratívnych nákladov vyplývajúcich zo smerníc práva obchodných spoločností s cieľom identifikovať spolu s členskými štátmi a zainteresovanými stranami, do akej miery je možné tieto náklady znížiť. Výsledky tohto projektu budú predložené v oznámení v druhej polovici roku 2007.

- V prípade autorských práv nasledovali po tomto preskúmaní viaceré aktivity vrátane hodnotenia smernice o autorských právach z roku 2001, ktorých cieľom bolo okrem iného identifikovať výnimky z uplatňovania tejto smernice. Výsledky tohto projektu by mohli byť k dispozícii do leta 2007.

### *2.1.2. Odvetvová analýza*

Komisia vo svojom predchádzajúcom oznámení identifikovala potrebu odvetvového prístupu k zjednodušeniu v záujme lepšieho posúdenia vplyvu regulačného rámca na konkurencieschopnosť jednotlivých odvetví.

V súčasnosti pokračujú napríklad práce v oblasti stavebných výrobkov, ktoré zahŕňajú celkovú analýzu tých činiteľov, ktoré ovplyvňujú konkurencieschopnosť zainteresovaných strán v odvetví stavebníctva, ako aj konkrétne opatrenia na zjednodušenie smernice o stavebných výrobkoch (smernica 89/106/EHS). Pokračujú konzultácie so zainteresovanými stranami, Komisia skúma jednotlivé príspevky.

V oblasti motorových vozidiel Skupina na vysokej úrovni CARS 21 skúmala hlavné politické oblasti, ktoré majú vplyv na konkurencieschopnosť európskeho automobilového priemyslu, a vypracovala niekoľko odporúčaní.

Uplatňovanie zásad lepšej právnej regulácie sa v súčasnosti skúma aj v rámci nových fór vytvorených v nadväznosti na oznámenie o priemyselnej politike[26]. Jednotlivé odvetvia sa začali skúmať napr. v pracovnej skupine pre konkurencieschopnosť informačno-komunikačných technológií (IKT) a v skupine pre politický dialóg v oblasti strojárskeho priemyslu.

### *2.1.3. Riešenie administratívneho zaťaženia v súčasnosti*

V reakcii na závery Európskej rady z júna 2006 a v rámci témy konkurencieschopnosť uvedenej v obnovenej lisabonskej agende na začiatku roka 2007 začne Komisia rozsiahly akčný plán na meranie a zníženie administratívneho zaťaženia vyplývajúceho z existujúcich právnych predpisov EÚ. Plán bude vychádzať z predchádzajúcich skúseností štyroch členských štátov (UK, NL, DK a CZ), ktoré po ukončení rozsiahlych základných meraní už stanovili, v akom rozsahu sa má zníženie dosiahnuť. V pracovnom dokumente Komisie „Meranie administratívnych nákladov a zníženie administratívneho zaťaženia v Európskej únii“[27] sú uvedené výsledky pilotného projektu v oblasti administratívneho zaťaženia, realizovaného v roku 2006, v rámci ktorého sa skúmali a využívali takéto predchádzajúce skúsenosti. Zo strednodobého hľadiska by mal tento proces umožniť zákonodarcom EÚ a

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[26] Oznámenie Komisie „Implementácia lisabonského programu Spoločenstva: Rámcová politika posilnenia výroby v EÚ - smerom k integrovanejšiemu prístupu k priemyselnej politike“- KOM(2005) 474, konečné znenie z 5.10.2005

[27] KOM(2006) 691, konečné znenie

členským štátom stanoviť na základe kvantitatívnych údajov prioritné oblasti, v ktorých existuje priestor na ďalšie zjednodušenie.

V tejto súvislosti treba poznamenať, že v oblasti poľnohospodárstva a uskutočňuje štúdia o administratívnom zaťažení poľnohospodárov. Štúdia sa týka implementácie reformy SPP 2003 a jej neskorších zmien a doplnení. Prvé výsledky budú k dispozícii v roku 2007.

## 2.2. Úzka spolupráca medzi inštitúciami EÚ

Ak Komisia predkladá kvalitné legislatívne návrhy, úlohou Rady a Parlamentu je doviesť túto prácu v oblasti zjednodušenia do konečnej fázy.

22 návrhov na zjednodušenie prijatých Komisiou je v legislatívnom procese v Rade alebo Parlamente (príloha 3). Z nich 7 iniciatív na zjednodušenie pochádzajúcich z predchádzajúcich programov na zjednodušenie z roka 2003[28] je stále v legislatívnom procese. Zoznam návrhov v legislatívnom procese je uvedený v prílohe 3, ktorá obsahuje texty, ktoré majú zásadný význam pre podnikanie, ako napr. preskúmanie 6 smernice o DPH, modernizácia Colného kódexu, revízia právnych predpisov o odpadoch, zjednodušenie homologizácie motorových vozidiel, zjednodušenie štrukturálnej podnikovej štatistiky a zrušenie požiadaviek na balenie výrobkov. Prijatie smernice o účtovníctve[29] obsahujúcej výnimky v prospech MSP, ako aj nedávne schválenie spoločnej pozície o balení výrobkov Radou sú dôkazom spoločného odhodlania inštitúcií zjednodušiť regulačný rámec.

Komisia vyzvala Európsky parlament, aby reagoval na jej stratégiu zjednodušovania z októbra 2005. Európsky parlament sa vyjadril v apríli 2006. Pozície o viacročnom programe na zjednodušenie, ktoré prijali parlamentné výbory, svedčia o výraznej zhode s prioritami Komisie v otázke, čo je potrebné zjednodušiť.

V máji 2006 Európsky parlament prijal niekoľko správ zaoberajúcich sa rôznymi aspektmi lepšej právnej regulácie vrátane zjednodušenia[30]. Európsky parlament navrhuje okrem iného stanoviť okrem kodifikácie a rekodifikácie [31] nový druh nástroja pre osobitné druhy návrhov na zjednodušenie, na ktoré by mohli mať prispôsobené pracovné postupy a rýchlejšie schvaľovanie pozitívny vplyv.

Medziinštitucionálna dohoda (IIA) o lepšej tvorbe práva[32], ktorá je v platnosti od decembra 2003, vytvorila platformu na rozvoj spolupráce medzi týmito troma inštitúciami. Odborná skupina na vysokej úrovni zodpovedná za monitorovanie implementácie IIA pravidelne skúma dosiahnutý pokrok, ako napr. koordináciu a programovanie legislatívnej činnosti, kvalitu právnych predpisov (najmä hodnotenie vplyvu), transponovanie a uplatňovanie právnych predpisov Spoločenstva a zjednodušenie. Ukázalo sa, že spoluzákonodarcovia majú

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28 Rámcové opatrenie „Aktualizácia a zjednodušenie acquis Spoločenstva“ [KOM (2003) 71].

29 Smernica 2006/46, prijatá 14. júna 2006.

30 Rezolúcia Európskeho parlamentu o stratégii zjednodušenia regulačného prostredia [Spravodajca: člen parlamentu Giuseppe Gargani ref. A6-0080/2006 – PA_TA-PROV (2006) 0205]. Súčasne s uvedeným uznesením sa Európsky parlament zaoberal aj príspevkom schváleným konferenciou predsedov, v ktorom je zhrnutá pozícia výborov o priebežnom programe na zjednodušenie obsahujúcom aj medziinštitucionálny rozmer zjednodušenia.

31 Európsky parlament v súčasnosti pracuje na zmene rokovacieho poriadku v oblasti rekodifikácie a kodifikácie.

32 Ú. v. EÚ C č. 321/1 z 31. decembra 2003 (2003/C321/01).

problémy s identifikáciou konkrétnych opatrení na stanovenie priorít v rámci zjednodušenia a urýchlenie legislatívneho procesu.

Dohoda dosiahnutá medzi inštitúciami v decembri 2005 o medziinštitucionálnom spoločnom prístupe k hodnoteniu vplyvu[33] dokazuje, že ak je politická vôľa, medziinštitucionálna dohoda o lepšej tvorbe práva môže priniesť konkrétne zlepšenia implementácie lepšej právnej regulácie na medziinštitucionálnej úrovni. Pri príležitosti preskúmania spoločného prístupu v roku 2008 by sa mali inštitúcie dohodnúť na tom, že v rámci iniciatív členských štátov v oblasti policajnej a súdnej spolupráce v trestných záležitostiach sa budú vypracúvať hodnotenia vplyvu.

Komisia oznámila, že plánuje uľahčiť medziinštitucionálny proces rozhodovania tým, že zlepší programovanie a zviditeľní iniciatívy na zjednodušenie prostredníctvom:

- integrácie návrhov na zjednodušenie do ročného legislatívneho a pracovného programu Komisie. To sa teraz dosiahlo v kontexte ročného legislatívneho a pracovného programu na rok 2007;

- maximálneho využitia dôvodovej správy v záujme lepšieho objasnenia cieľov zjednodušenia uvedených v týchto návrhoch. V návrhoch na zjednodušenie, v rámci ktorých sa predkladá hodnotenie vplyvu, Komisia sa bude snažiť aj posúdiť vplyv zjednodušenia (aj na administratívne zaťaženie);

- identifikovania niekoľkých pilotných prípadov návrhov na zjednodušenie s cieľom preskúmať možnosti vypracovať kvalitnejšie pracovné metódy zjednodušenia na medziinštitucionálnej úrovni.

### 2.3. Intenzívnejšie využívanie koregulácie a samoregulácie

Koregulácia a samoregulácia sú príkladmi nástrojov, ktoré sa môžu použiť za určitých okolností na dosiahnutie cieľov politiky s obmedzenou možnosťou zasahovania zo strany zákonodarcu.

Napríklad európske normalizačné úrady a Komisia v súčasnosti spolupracujú na návrhu nových iniciatív v oblasti noriem v odvetví služieb, ktoré sa zamerajú osobitne na vnútorný trh. Normy umožňujú používateľom neobmedzene porovnávať výrobky a ceny, a tak posilniť hospodársku súťaž a zlepšiť obchod so službami vnútri EÚ. Po intenzívnych konzultáciách nasledovalo vypracovanie akčného plánu s cieľom podporiť konkurencieschopnosť priemyslu a prijatie rozhodnutia o financovaní činností v oblasti normalizácie zo strany Spoločenstva.

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[33] Príloha k dokumentu Rady 2005/14901, 24. november 2005.

V oblasti samoregulácie zohrávajú sociálni partneri na európskej úrovni osobitnú úlohu, keďže majú možnosť uzatvárať dohody[34], ktorých záväznosť vyplýva z legislatívneho návrhu alebo ktoré sa implementujú na autonómnom základe. Samoregulácia je v súlade s politikou Komisie na podporu sociálnej zodpovednosti podnikov (ďalej len „CSR"). Dobrovoľné iniciatívy pod záštitou Európskej aliancie sociálnej zodpovednosti podnikov by mohli viesť k novým dohodám o samoregulácii. Takéto iniciatívy podnikov EÚ v úzkej spolupráci s príslušnými zainteresovanými stranami by mali tiež prispieť k oveľa širšiemu využitiu postupov CSR v Európe a vo svete. V záujme lepšieho informovania súkromných strán, ktoré by chceli vytvoriť alebo zlepšiť programy samoregulácie, ako aj regulačných orgánov zodpovedných za tvorbu koregulačných opatrení, vytvorili Európsky hospodársky a sociálny výbor (EHSV) a Európska komisia databázu obsahujúcu takmer 100 systémov EÚ. Sprístupniť sa má v novembri 2006 a okrem iného obsahuje informácie o problémoch, ktoré viedli k tvorbe systémov samoregulácie a koregulácie v EÚ, o ich cieľoch a organizačných aspektoch. Tým sa výrazne uľahčí rozpoznávanie osvedčených a nevhodných postupov.

## 2.4. Zjednodušenie na vnútroštátnej úrovni

### *2.4.1. Zjednodušené právne predpisy EÚ sa musia prejaviť aj na vnútroštátnej úrovni*

Proces zjednodušovania právnych predpisov EÚ potrebuje plnú podporu členských štátov, aby sa zabezpečilo, že pozitívny vplyv jednoduchšieho regulačného prostredia Spoločenstva neznehodnotia nové vnútroštátne predpisy alebo technické prekážky. Hoci to už platí pre stále väčší počet členských štátov, je tu stále priestor na zlepšovanie. Vidieť to na príklade štatistických požiadaviek, ktoré boli na vnútroštátnej úrovni zachované tam, kde boli právne predpisy Spoločenstva zjednodušené.

Komisia preto v niektorých nedávnych návrhoch na zrušenie právnych predpisov zaviedla ustanovenie o vzájomnom uznávaní, ktorým sa má zabezpečiť, že po zrušení právnych predpisov Spoločenstva nevzniknú žiadne nové prekážky pre podnikanie. Napríklad návrhom o baleniach výrobkov sa má zabrániť vzniku prekážok pre podnikanie v dôsledku zachovania vnútroštátnych požiadaviek.

Podobne, ak sa má prejaviť pozitívny účinok rozhodnutia zrušiť právne predpisy EÚ o klasifikácii surového dreva, treba na to v celej EÚ reagovať jednotnými opatreniami. Vnútroštátne právne predpisy, ktoré odkazujú na túto smernicu, sa musia zodpovedajúcim spôsobom zmeniť a doplniť a členské štáty by mali zabezpečiť rýchlu a jednoznačnú realizáciu technických zmien.

Európske spoločnosti, ktoré chcú vykonávať činnosť v inom členskom štáte, sa príliš často stávajú predmetom administratívnych kontrol a postupov. Ustanovenia zmluvy o ES v relevantných prípadoch prispievajú k zjednodušeniu podnikateľských činností na vnútornom trhu. Komisia podporuje zníženie takéhoto zaťaženia uplatňovaním článku 28 zmluvy o ES o voľnom obehu tovaru, najmä monitorovaním návrhov vnútroštátnych právnych predpisov.

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[34] Úspešným príkladom samoregulácie je „*Dohoda o ochrane zdravia pracovníkov pri práci prostredníctvom správnej manipulácie a správneho používania kryštalického kremeňa a produktov, ktoré ho obsahujú*" podpísaná v apríli 2006. Ide o autonómnu dohodu obsahujúcu osvedčené postupy na minimalizáciu expozície pracovníkov kremičitému prachu. Malo by sa ňou uľahčiť dodržiavanie rôznych vnútroštátnych prahových hodnôt záťaže na pracovisku. Táto dohoda, ku ktorej dospeli sociálni partneri z rôznych odvetví, je prvou viacodvetvovou autonómnou dohodou uzavretou v rámci európskeho sociálneho dialógu.

V roku 2007 sa bude Komisia venovať integrácii trhu s obrannými zariadeniami. Jej cieľom je znížiť nadmerné administratívne zaťaženie, ktoré negatívne vplýva na konkurencieschopnosť podnikov EÚ v tejto oblasti. Ročné náklady spojené s povoleniami na dovoz/vývoz vojenského tovaru vnútri Spoločenstva sa v prípade podnikov a orgánov odhadujú na 238.90 mil. EUR. V praxi dochádza k odmietnutiu týchto žiadostí o povolenie len veľmi zriedkavo[35].

### *2.4.2. Nezavádzanie postupov, ktorých požiadavky nevyplývajú zo samotných právnych predpisov*

Vo vnútroštátnych vykonávacích ustanoveniach na transponovanie smerníc Spoločenstva sa nachádza množstvo príkladov technických požiadaviek, povinného označovania, termínov, schvaľovacích postupov a ostatných administratívnych požiadavkách, ktoré stanovujú vnútroštátne regulačné orgány nad rámec právnych predpisov Spoločenstva (tzv. „gold-plating“). Regulačné prostredie pre podniky EÚ sa môže zlepšiť len vtedy, ak sa iniciatívy na úrovni EÚ doplnia vhodnými opatreniami na vnútroštátnej úrovni.

Potvrdzujú to aj iné zdroje, napríklad nedávna štúdia[36] realizovaná pre národnú asociáciu MSP, podľa ktorej rozšírenie pôvodného rozsahu pôsobnosti smerníc v transponujúcich opatreniach môže veľmi negatívne ovplyvniť produktivitu malých podnikov a tým finančne poškodiť subjekty, ktoré rozhodujúcim spôsobom prispievajú k blahobytu a k tvorbe pracovných miest. Okrem toho môže prílišné prispôsobovanie právnych predpisov na vnútroštátnej úrovni dostať podniky jednotlivých krajín do konkurenčne nevýhodného postavenia oproti iným krajinám.

Podporuje to zámer Komisie uvedený v oznámení z októbra 2005 lepšie využívať potenciál zjednodušenia tak, že v relevantných prípadoch sa použijú namiesto smerníc nariadenia. Jedným z konkrétnych príkladov tejto zmeny v regulačných postupoch je nahradenie smernice 91/414/EHS nariadením o uvádzaní prípravkov na ochranu rastlín na trh.

### *2.4.3. Národné reformné programy*

Regulačné požiadavky a vykonávacie opatrenia vznikajú najmä na vnútroštátnej úrovni.

V národných reformných programoch (NRP), ktoré tvoria súčasť novej štruktúry riadenia stratégie pre rast a zamestnanosť (lisabonskej stratégie), je stanovená politika hospodárskych reforiem na vnútroštátnej úrovni na základe usmernení Spoločenstva. Z toho dôvodu zohrávajú rozhodujúcu úlohu pri tvorbe lepšieho podnikateľského prostredia v EÚ. Všetky členské štáty reagovali na usmernenia o lepšej právnej regulácii a opatrenia na podporu lepšej právnej regulácie zapracovali do svojich národných reformných programov.

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35 Záverečná správa UNISYS „Obeh výrobkov na obranné účely vnútri Spoločenstva“, február 2005.

36 Federation of Small Businesses in UK: Burdened by Brussels or the UK? Improving the implementation of EU Directives. (Autori Sarah Schaefer, Edward Young). V tomto projekte sa analyzuje transpozícia ôsmich smerníc do britského práva. Uvádza sa v ňom niekoľko príkladov nadbytočnej implementácie, najmä pokiaľ ide o smernicu o prevencii používania finančného systému na účely prania špinavých peňazí alebo smernicu o sprostredkovaní poistenia.

V súvislosti s týmito NRP začalo deväť členských štátov s programami na zjednodušenie rôzneho stupňa náročnosti. Je však mimoriadne dôležité, aby program EÚ zameraný na zjednodušenie sprevádzal príslušný pokrok vo všetkých členských štátoch a na všetkých regulačných úrovniach. Oznámenie Európskej komisie „Podpora lepšej právnej regulácie“[37] predložená Výboru pre hospodársku politiku a správa o konkurencieschopnosti z roku 2006 obsahujú hlavné závery týkajúce sa implementácie lepšej právnej regulácie na úrovni členských štátov a podrobnejší opis pokroku, ktorý sa doteraz v tejto oblasti dosiahol.

Príkladmi iniciatív jednotlivých štátov sú:

- zníženie administratívnych nákladov: 17 členských štátov si uvedomuje potrebu analyzovať administratívne náklady podnikov a začalo s príslušnými meraniami. Niektoré si v oblasti znižovania nákladov stanovili pevné kvantitatívne ciele (napr. 20 alebo 25 % do roku 2010). K iniciatívam na podporu tejto činnosti patrí elektronická verejná správa (e-government), jediné kontaktné miesta pre styk s verejnou správou[38] alebo centrálne registračné úrady, obmedzenie právnych predpisov súvisiacich so zdaňovaním, zjednodušenie správnych postupov týkajúcich sa zamestnávania a samostatnej zárobkovej činnosti alebo medzirezortné iniciatívy;

- elektronická verejná správa a riešenia IKT na zníženie byrokracie vo verejnej správe: Vytvorenie portálov obsahujúcich právne predpisy a formuláre (žiadosti, výkazy atď.), zvýšenie dostupnosti širokopásmového internetu;

- preskúmanie právnych predpisov: zabezpečiť, aby ich ciele boli stále platné – zjednodušenie pracovného práva, šírenie správnych regulačných postupov v celej verejnej správe, analýza nákladov a prínosov právnych predpisov, vytvorenie fóra pre reguláciu podnikateľskej činnosti, v ktorom zainteresované strany skúmajú zaťaženie podnikov, všeobecné zásady správnej regulácie vrátane jej potrebnosti, proporcionality, subsidiarity, transparentnosti, zodpovednosti , dostupnosti a jednoduchosti.

- zjednodušenie administratívy, daňových alebo spravodajských povinností: Najmä jediné kontaktné miesta pre styk spoločností, MSP a občanov s verejnou správou, reforma dane zo ziskov spoločnosti a z príjmu;

- zjednodušenie povinnosti platiť DPH, napríklad odstránenie daňových prekážok v cezhraničných činnostiach zavedením predpisov umožňujúcich daňové úľavy za príspevky do systému dôchodkového zabezpečenia v členských štátoch EÚ, čo pomôže migrantom a poskytovateľom cezhraničných služieb;

- zlepšenie implementácie právnych predpisov týkajúcich sa vnútorného trhu na zabezpečenie maximálneho prínosu;

- MSP: Lepší prístup k financiám, zníženie spravodajských požiadaviek, vytvorenie jediného internetového kontaktného miesta na pomoc začínajúcim podnikom;

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37 Generálne riaditeľstvo pre podnikanie a priemysel, Brusel, 18. október 2006.

38 Jediné kontaktné miesto (one-stop-shop): zlúčenie správnych postupov do jediného systému spracovania. Zvyšuje účinnosť, je výhodný pre MSP, je prenosný a jeho výsledky sú kvantifikovateľné.

- Jednotné termíny nadobudnutia účinnosti[39]

Kľúčový význam pre zlepšenie regulačného prostredia má výmena osvedčených postupov medzi členskými štátmi a vzájomné posudzovanie. Komisia túto prácu podporuje prostredníctvom skupiny na vysokej úrovni pre lepšiu právnu reguláciu, ako aj prostredníctvom lisabonského procesu.

V členských štátoch a regiónoch sa podporuje spolupráca pri vyvíjaní osvedčených postupov, napríklad v rámci iniciatívy BEST[40].

## 3. ZÁVER

Stratégia zjednodušenia, ktorá je v centre záujmu iniciatívy za lepšiu právnu reguuláciu, prináša prvé výsledky.

Európska komisia je odhodlaná plniť svoje záväzky aj v budúcnosti a prostredníctvom rozšíreného a ambiciózneho priebežného programu prispieť k silnému regulačnému prostrediu.

Na dosiahnutie nášho spoločného cieľa sa Rada a Parlament sa musia intenzívnejšie sústrediť na dokončenie práce v oblasti zjednodušenia.

Svoju úlohu musia plniť aj členské štáty. Mali by si vymieňať osvedčené postupy a implementovať programy na zjednodušenie.

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39 Účelom jednotných termínov nadobudnutia účinnosti je pomôcť podnikom pripraviť sa na novú právnu reguláciu a zvýšiť informovanosť o zavedení nových alebo zmenených požiadaviek. Napríklad ak sa počet termínov, v ktorých môžu nové právne predpisy nadobudnúť účinnosť, zníži na dva, dá sa očakávať, že zvýšená informovanosť podnikov o nových nebo zmenených povinnostiach povedie aj k vyššej úrovni ich dodržiavania.

40 V roku 1997 bola vytvorená pracovná skupina pre zjednodušenie podnikateľského prostredia (BEST), pozostávajúca zo zástupcov podnikateľských kruhov a verejných orgánov v členských štátoch, ktorá bola poverená vypracovaním nezávislej správy o spôsoboch zlepšovania právnych predpisov a odstraňovania zbytočných prekážok, ktoré bránia rozvoju európskych podnikov, najmä malých a stredných podnikov (MSP). Skupina odborníkov BEST zmapovala iniciatívy v oblasti osvedčených postupov (napríklad zavádzanie jediných kontaktných miest pre styk s verejnou správou [„one-stop-shops“], právna regulácia orientovaná na riziko) zavedené v rôznych krajinách, aby sa ostatné krajiny mohli poučiť z ich skúseností. Cieľom právnej regulácie orientovanej na riziko je zamerať úsilie v oblasti regulácie (a nákladov podnikov) na tie činnosti, ktoré predstavujú väčšie riziko pre zdravie alebo životné prostredie.

## 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:<br>- Reduce the number of lists of substances,<br>- Enhance transparency in the assessment procedure,<br>- Ensure compliance with international trade standards.<br>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 |
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| 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 |
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| 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 |
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| **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:<br>- To increase the competitiveness of the EU's wine producers;<br>- To create a wine regime that operates through clear, simple rules that ensure balance between supply and demand; and<br>- 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 |
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| 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:<br>- Allocation of quantities for import tariff quotas;<br>- Tendering procedures for export refunds;<br>- Tendering procedures for public storage;<br>- Fixing of export refunds (including respect of WTO commitments).<br>Commission autonomous act | X |

| | Title of action | Type of simplification action | Description of scope and objectives | Additional initiative to COM (2005) 535 |
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| 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 |
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| 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.<br>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).<br>The objective is to<br>- Adapt the Regulation to accommodate the increased use of electronic exchanges between the Commission and the Member States;<br>- Revise provisions regarding the recovery interests to bring them into line with economic reality;<br>- 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 |
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| 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.<br>The main objective of the proposal is to lay down the Euro VI limits for pollutant emissions.<br>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 |
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| 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.<br>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 |
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| 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<br>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 |
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| 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 |
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| 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:<br>-Tighten and streamline the authorisation procedure for novel/new foods and thus make it more predictable for the applicants.<br>-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.<br>-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 |
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| 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.<br>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.<br>Two objectives can be identified:<br>- To clarify and simplify the regulatory framework in which business operates;<br>- 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 |
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| 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:<br>- modernizing and simplifying the provisions of the directive wherever possible<br>- integrating into the directive judgements of the ECJ as well as guidelines of the excise committee<br>- 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 |
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| 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:<br>– 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);<br>– 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.<br>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 |
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| 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.<br>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.<br>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 |
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| **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<br>(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 |
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| 78 | Recast of two directives concerning Medical Devices and human blood and human plasma | Recast | The purpose is to recast into a Regulation::<br>- Directive 2000/70/EC on medical devices incorporating stable derivates of human blood or human plasma,<br>- 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:<br>- Directive 90/385/EEC relating to active implantable medical devices;<br>- and Directive 93/42/EEC on medical devices.<br>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<br>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 |
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| 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.<br>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 |
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| 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.<br>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<br>Reduction of administrative costs | Codification<br>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<br>Revision | Revision of the accounting *acquis* to:<br>– simplify and update accounting rules under fourth and seventh CLD's for SME's.<br>– 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.<br><br>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.<br>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:<br>- Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation<br>-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.<br>The objectives are to:<br>- Produce a consolidated text following the successive amendments of the Directive;<br>- Improve the functioning of the Directive's system by addressing the existing shortcomings;<br>- 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<br>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<br>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:<br>- Replace 150 pages of the Annexes containing detailed descriptions of text methods with standards<br>- Have therefore greater compliance with WTO by use of international standards<br>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<br>COM(2005) 671<br>2005/0278/CNS<br>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<br>COM(2005) 676<br>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<br>COM(2006) 16<br>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<br>COM(2006) 390<br>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<br>COM(2003) 418<br>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<br>COM(2003) 644<br>2003/0256/COD<br>2003/0257/COD |
| Metrology & Packaging | Repeal of **pre-packaging** requirements. | 25 October 2004<br>COM(2004) 708<br>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<br>COM(2006) 195<br>2006/0066/COD |
| Waste | Revision of the **waste Directives**<br>(replaces and repeals Directives 75/439/EEC, 75/442/EEC and 91/689/EEC) | 21 December 2005<br>COM(2005) 667[41]<br>2005/0281/COD |
| Business statistics | Streamlining of the **structural business statistics** (Council Regulation (EC / Euratom) NO**58/97**) | 20 February 2006<br>COM(2006) 66<br>2006/0020/COD |
| Payment services | Revised regime on **payment services** (Revision of Directive 97/5/EC) | 1 December 2005<br>COM(2005) 603<br>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<br>COM(2004) 246<br>2004/0079/CNS |
| Customs Union | Modernisation of the **Community Customs Code** | 30 November 2005<br>COM(2005) 608<br>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<br>COM(2003) 621<br>2003/0252/COD |
| Maritime Transport | Recast of the regime on **port State control** (Council Directive 95/21/EC) | 23 November 2005<br>COM(2005) 588<br>2005/0238/COD |
| Maritime Transport | Recast of the regime for **ship inspections and survey organisations** (Directive 94/57/EC) | 23 November 2005<br>COM(2005) 587<br>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<br>COM(2006) 396<br>2006/0130/COD |
| Plan Protection products | Proposal for a proposal on the placing of **plant protection products** on the market | 12 July 2006<br>COM(2006) 388<br>2006/0136/COD |
| Food additives | Proposal for a regulation on **food additives** | 28 July 2006<br>COM(2006) 428<br>COM(2006) 425<br>COM(2006) 423<br>COM(2006) 427<br>2006/145/COD<br>2006/0144/COD<br>2006/0143/COD<br>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<br>COM(2006) 557<br>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<br>COM(2006) 576<br>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<br>COM(2006) 245<br>2004/0154/COD |