

# Completing the Better Regulation Agenda

Today's review analyses the reforms put in place to ensure that policy-making is priority-driven, evidence-based, transparent and effective and details the next steps to be taken. Better Regulation underpins the Commission's work to deliver on President Juncker's 10 political priorities, ensuring that the Commission acts only where the EU brings added value, and does so in the least burdensome way possible.

First Vice-President Frans **Timmermans** said: *"Today's world is fraught with complex policy challenges. More than ever before, we must be sure that our policies are rooted in facts and evidence, developed in maximum transparency and decided with full accountability. The European Commission's Better Regulation Agenda is about giving ourselves and our stakeholders the tools to do this."*

The Commission's review of its Better Regulation Agenda finds that the new tools put in place provide a solid basis for timely and sound policy decisions. More **extensive engagement with the public, systematic evaluation, high quality impact assessments, and a strengthened 'REFIT' approach** have allowed for improved appraisal of new proposals and existing legislation. This approach forces policy-makers as well as stakeholders to argue on the basis of evidence and expected impacts. It is further complemented by a new approach to enforcement to ensure swift and effective compliance with adopted laws.

- In 2017, the Commission completed a major **update of the internal guidelines and tools** for better regulation. These new tools, in force since July 2017, guide Commission staff across the entire policy cycle.
- The Commission is investing significantly in a range of **new tools to engage better with citizens and stakeholders** and inform them about its ongoing work. By the end of this year, the "contribute to law-making" website will be fully operational, allowing stakeholders to participate at every stage of the Commission's work, and giving a boost to transparency. Since the website's (partial) launch in July 2016, a total of 643 initiatives have been posted for consultation, at different stages of the policy-making process. Traffic to the website has already reached almost 50,000 users per month.
- The **Regulatory Scrutiny Board is now operating at full capacity**, with three members from outside the EU institutions. The Board is an independent body of the Commission that examines and issues opinions and recommendations on all the Commission's draft impact assessments and major evaluations and fitness checks of existing legislation.
- Before revising or introducing legislation, the Commission has committed to the **"evaluate first" principle**. In 2016, evaluations were carried out for just under 50% of impact assessments, and in 2017 this number rose to almost 70%.

- Through its regulatory fitness and performance programme (REFIT) the Commission aims to keep EU law simple, remove unnecessary burdens and adapt existing legislation without compromising on policy objectives. The REFIT Platform of experts and national representatives has so far issued **58 opinions on possible simplification exercises**, which the Commission follows up in its annual Work Programmes. The Commission is also carrying out an extensive regulatory fitness programme, and has launched **137 simplification initiatives** since 2015.

## Reducing unnecessary costs without compromising on policy objectives

While reaching any policy objective entails costs, these should of course be kept to a minimum. The Commission continuously proposes the elimination of unnecessary regulatory costs on the basis of case-by-case evaluations in consultation with those carrying the burdens and benefitting from EU legislation.

In line with the commitment in the Interinstitutional Agreement on Better Law-Making, the Commission has assessed alternative approaches to burden reduction, including fixing burden reduction objectives in specific sectors. Based on its analysis the Commission will present information on simplification costs and benefits more consistently in its evaluations and impact assessments, **step up its efforts to quantify** such effects and present a burden reduction objective for each proposal to revise legislation wherever possible.

## Embedding Better Regulation in the Commission's DNA

The Better Regulation Agenda adopted in 2015 was a comprehensive set of reforms covering the entire policy cycle, intended to boost openness and transparency in the EU decision-making process, improve the quality of new laws through better impact assessments of draft legislation and amendments, and promote constant and consistent review of existing EU laws so that they achieve their objectives in the most effective and efficient way.

Much has been achieved, and the Commission will continue to improve its better regulation policy and embed it in the Commission's DNA. This will include an overall assessment of how the Better Regulation Agenda has been implemented before the end of this Commission mandate.

## Background

The Political Guidelines of President Juncker, on the basis of which the Parliament elected this Commission, made a clear commitment to better regulation. In addition to internal reforms, the Commission presented and successfully negotiated a new Interinstitutional Agreement with the European Parliament and the Council to update and strengthen the common understanding in relation to better regulation.

For more information

[Completing the Better Regulation Agenda: Better solutions for better results](#)

[Flash Eurobarometer on business perceptions of regulation](#)

[Better Regulation Factsheet \(13 September, 2017\)](#)

[The REFIT Programme](#)

[The REFIT Platform](#)

[IIA on Better Law-Making](#)

[Lighten the Load Portal](#)

[Press release on the Better Regulation Agenda](#)

[Memo on the Better Regulation Agenda](#)

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## [Commission Work Programme 2018: An agenda for a more united, stronger and more democratic Europe](#)

Following on from the announcements made in President Juncker's 2017 State of the Union Address, the European Commission is today presenting its plans for completing the work on President Juncker's [ten political priorities](#) before the end of its mandate, as well as a series of forward-looking initiatives for the future of Europe.

President Jean-Claude **Juncker** said: *"Europe is regaining its strength, and we must take advantage of this renewed momentum. We have already put on the table 80% of the proposals we promised when this Commission took office. The priority must now be on turning proposals into law, and law into practice. The sooner the European Parliament and the Council complete their work, the sooner we will see the benefits of our joint efforts."*

First Vice-President Frans **Timmermans** said: *"The Commission Work Programme adopted today will ensure that Europe's focus remains firmly on the things where European action has most added value. The European Union will be judged not on the number of directives and regulations we adopt, but on the tangible results our policies deliver to our citizens and businesses."*

The focus of the **26 new initiatives** in this year's Work Programme is two-fold. First, there are **targeted legislative actions to complete our work in priority policy areas**, which will all be tabled by May 2018 to allow the European Parliament and Council to complete the legislative work before the European elections of June 2019. Secondly, the Work Programme presents **ambitious actions and initiatives that have a more forward-looking perspective**, as the new Union of 27 shapes its own future for 2025 and

beyond. These proposals reflect the debate kick-started by the Commission's [White Paper on the future of Europe](#) and President Juncker's [2017 State of the Union Address](#).

To ensure a **focus on delivery**, the Commission Work Programme identifies **66 priority pending proposals** presented in the past two years where swift adoption by the Parliament and Council is needed; the Commission also suggests **to withdraw 15 pending proposals** where there is no foreseeable agreement or they no longer serve their purpose or are technically outdated. The Work Programme proposes a number of **15 proposals** that follow on from regulatory fitness and performance (REFIT) **reviews of current laws**, taking into account the opinions of the REFIT Platform. Effective application and enforcement of EU law by Member States will also be a priority, to ensure that citizens and businesses experience the intended benefits. The Commission will repeal three obsolete pieces of legislation.

#### Completing work on the 10 Priorities of the Juncker Commission

From the start of its mandate, this Commission has focused on the big things, where effective European action can make a concrete difference. Over the last year, sharing these priorities with the European Parliament and the Council, solid progress was made in key areas and delivered results across the 10 priorities. This Work Programme now sets out **concrete proposals for the year ahead to complete our work**.

To boost jobs, growth and investment, the Commission will pursue work to deliver on the Circular Economy Action Plan, and to complete the Digital Single Market, the Energy Union, the Capital Markets Union, the Economic and Monetary Union and the Banking Union. An initiative on Fair taxation in the digital economy, a Social fairness package, and a proposal to improve the EU food supply chain will all contribute to a deeper and fairer internal market with a strengthened industrial base. We will also table targeted new measures to complete the Security Union and deliver on the EU Agenda on Migration and the Global Strategy, and will strengthen the Union Civil Protection Mechanism. The Commission will pursue its balanced and progressive trade policy to harness globalisation by finalising agreements with Japan, Singapore and Vietnam and will pursue negotiations with Mexico and Mercosur.

#### Delivering beyond 2025

While completing today's agenda, this Commission will continue with work to prepare the Union of tomorrow. The 2018 Work Programme includes a number of initiatives that look further forward, towards 2025 and beyond. From 30 March 2019, the European Union will be a Union of 27 Member States, and now is the time to shape this [More United, Stronger and More Democratic Union](#).

A **More United Union** will require a credible enlargement perspective for frontrunner candidates in the Western Balkans. To build a **Stronger Union**, the Commission will table a proposal for the future Multi-annual Financial Framework and will also propose more efficient Single Market law-making and more efficiency and consistency in implementing the Common Foreign Policy. We will adopt a Reflection Paper on a sustainable European future and a

Communication on the future of EU energy and climate policy, and propose an extension of the tasks of the European Public Prosecutor's Office to also tackle terrorism. For a **More Democratic Union**, we will make proposals for the creation of a permanent and accountable European Minister of Economy and Finance, an initiative on further enhancing subsidiarity and proportionality, and a Communication on enhancing efficiency at the helm of the European Union. We will also propose an initiative on the enforcement of the rule of law.

## Background

Every year, the Commission adopts a Work Programme setting out the list of actions it will take in the year ahead. The Work Programme informs the public and the co-legislators of our political commitments to present new initiatives, withdraw pending proposals and review existing EU legislation.

The Commission's preparation of the 2018 Work Programme has been enriched by consultations with the European Parliament and Council in the context of the Inter-institutional Agreement on Better Law-Making and the Framework Agreement on relations between the Parliament and the Commission and based on the [Letter of Intent](#) sent by President Juncker and First Vice-President Timmermans on 13 September, after the President's State of the European Union address.

For more information

[2018 Commission Work Programme – Key Documents](#)

[Questions and Answers on the 2018 Commission Work Programme](#)

[Factsheet](#): New initiatives to complete the work on President Juncker's 10 Priorities & initiatives launched with a 2025 perspective

[Factsheet](#): Priority pending proposals requiring swift adoption by the Parliament and Council

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# [Questions and Answers: The 2018 Commission Work Programme](#)

Every year, the European Commission adopts a Work Programme which sets out its key initiatives for the year ahead. The Commission Work Programme informs citizens and our institutional partners and staff how we will deliver on our political priorities and turn them into concrete action.

This is the fourth Work Programme to be presented by the Juncker Commission, and it sets out initiatives to complete the work on the 10 priorities set out

in President Juncker's Political Guidelines by the end of the Commission's five-year mandate, as well as more long-term initiatives with a view to shaping the EU's future for 2025 and beyond.

What are the priorities for the Commission in 2018?

The Commission continues to structure its work around President Juncker's [Political Guidelines](#) of July 2014. The Commission's agenda until the end of the current mandate was set out in President Juncker's [State of the Union](#) address of 13 September 2017. This year's State of the Union was built on the back of the Future of Europe debate launched by the Commission with its [White Paper on the Future of Europe](#) published on 1 March 2017. The actions for the year ahead are also grounded in the [Bratislava Declaration](#) of September 2016 on the EU at 27, and the [Rome Declaration](#) agreed by Leaders on 25 March 2017 on the occasion of the 60<sup>th</sup> Anniversary of the Treaties of Rome. All roads now lead to Sibiu, in Romania, where the first Summit of the EU of 27 Member States will take place; the Juncker Commission is focusing both on short-term delivery and on shaping the future of the EU.

Just as important as the new initiatives set out this year is our continued work with the European Parliament and Council to reach agreement on the ambitious proposals which have already been made in the Commission's first three years in office. The Commission has identified in the Work Programme 66 pending proposals where delivering agreement should be a priority in the next year. The Commission will also pursue its work to make sure that existing European laws are properly applied and enforced and that the body of EU legislation remains fit for purpose. This will include the withdrawal of 15 pending proposals which are obsolete or where agreement is not possible, and the repeal of three existing pieces of legislation.

How is the Work Programme prepared and adopted?

This Commission was elected by the European Parliament on the basis of clear [Political Guidelines](#), which also reflected the European Council's Strategic Agenda. The 10 priorities set out in these Guidelines continue to act as the framework for the Commission's annual planning.

Every year in September, the President of the European Commission delivers his State of the Union speech before the European Parliament. Together with the [Letter of Intent](#), which is sent the same day by the President and the First Vice-President to the President of the European Parliament and the Council Presidency, it outlines the key priorities of the Commission for the months to come.

The State of the Union speech kick-starts the dialogue with the Parliament and Council to prepare the Commission Work Programme for the following year. This dialogue serves to ensure a shared understanding of the priorities ahead between the Parliament, Member States and the Commission.

The Commission also hears the views of the European Economic and Social Committee and the Committee of the Regions in the preparation of the Work Programme.

Does the Work Programme need to be endorsed by the European Parliament and Council?

In the coming weeks, the Commission will work with the European Parliament and Council to reach an agreement between the three Presidents on a Joint Declaration which will set out the broad objectives and priorities for 2018 and identify proposals that deserve priority treatment in the legislative process. This is a new shared commitment under [the Inter-institutional Agreement on Better Law-Making](#) which was proposed by the Commission on 19 May 2015 and signed by the three Institutions on 13 April 2016.

How is the Commission Work Programme structured?

The Commission Work Programme consists of a political Communication and five annexes.

- Annex I includes the key initiatives to be presented in the year ahead, which focus on concrete actions to implement the ten political priorities of the Juncker Commission and actions and initiatives that have a more forward-looking perspective, as the new Union of 27 shapes its own future for 2025 and beyond;
- Annex II contains other key REFIT initiatives where we will review existing legislation in the coming year;
- Annex III lists the priority pending legislative files where we want the co-legislators in the European Parliament and Council to take the swiftest action to deliver results for citizens;
- Annex IV contains a list of intended withdrawals of pending proposals;
- Annex V contains a list of existing legislation which the Commission intends to repeal.

What is REFIT?

[REFIT](#) is the European Commission's Regulatory Fitness and Performance programme. Its objective is to review the existing stock of EU legislation to ensure it remains fit for purpose and delivers the results intended. It aims to keep the body of EU law lean and healthy, remove unnecessary burdens and adapt existing legislation without compromising on our ambitious policy objectives.

The Juncker Commission continues to update and improve existing legislation so it can achieve its objectives effectively and without undue burdens. In identifying REFIT priorities, the Commission has taken into account the Opinions of the REFIT Platform.

What is the REFIT Platform?

The Commission created a high level expert group including Member States, Advisory Bodies, business and civil society to provide advice on how to make EU regulation more efficient and effective reducing costs and burden and without undermining policy objectives.

So far, the [REFIT Platform](#) has adopted 58 Opinions across a wide area of EU

regulation including e-privacy, chemicals regulation, financial services, health and food safety, the Common Agricultural Policy, Cohesion Policy and Value Added Tax.

How does the Commission decide which proposals to withdraw?

European citizens and businesses want our time and efforts to be focused on big and urgent things, whilst striving for simple, evidence-based, predictable and proportionate laws which deliver maximum benefits.

The Commission carefully examines each year all pending proposals to assess whether they should be maintained, amended or withdrawn. We have proposed to withdraw 15 pending proposals that are technically outdated or no longer serve their purpose, to allow the co-legislators to focus on the proposals that really matter.

Is this Work Programme a comprehensive list of everything the Commission will do in 2018?

The Commission Work programme highlights the new key political initiatives planned by the Commission for 2018. The Commission also has ongoing obligations to ensure that existing legislation or programmes are well implemented and deliver concrete results on the ground. The Commission can also take unplanned initiatives in response to events throughout the course of the year which require urgent action at European level.

When will the Commission implement the proposals set out in the Work Programme?

In line with the commitments under the new Inter-institutional Agreement on Better Law-Making, the Work Programme indicates the envisaged timetable to the extent possible. The Work Programme also gives details, as far as available and on an indicative basis, on the intended legal base, the type of legal act and any other relevant procedural information, including information on impact assessment and evaluation work.

Roadmaps for individual actions have already been published or will be published shortly, giving further details on the planned initiatives and providing the opportunity for stakeholders and citizens to give feedback on the Commission's plans

For more information

[Press release](#): Commission Work Programme 2018: An agenda for a more united, stronger and more democratic Europe

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# Pressemitteilung: EU-Prüfer nehmen Fahrgastrechte ins Visier

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## Commission welcomes the Council's endorsement of the European Pillar of Social Rights and its general approach to reform the Posting of Workers Directive

At the Employment, Social Policy, Health and Consumer Affairs Council of 23 October in Luxembourg, EU Ministers of Employment and Social Affairs expressed their unanimous endorsement of the European Pillar of Social Rights, only two years after the [idea was first mentioned by President Juncker](#) and [less than six months after it was presented](#). The Pillar will be proclaimed by the Parliament, the Council and the Commission at the [Social Summit for Fair Jobs and Growth](#), taking place on 17 November in Gothenburg. The Council also agreed on a general approach regarding the [Commission's proposal to revise the rules on the posting of workers](#).

Commissioner Marianne **Thyssen**, in charge of Employment, Social Affairs, Skills and Labour Mobility, welcomed today's agreement and said: *"This Council meeting marks an important step forward for social Europe. The unanimous endorsement of the European Pillar of Social Rights shows that all Member States are committed to striving for better working and living conditions throughout our Union, in light of challenges such as an ageing society, globalisation and digitalisation. As for the agreement on posting of workers – our position from the beginning has been that workers should earn the same pay for the same work in the same place. I am glad Member States broadly support this. This is fair for the posted workers, who deserve equal working conditions. And this is fair for local workers and employers who don't want to be undercut on wages. It shows that in Europe we can come together, sit around a table, have a dialogue and reach a fair and balanced agreement."*

The political agreement on the posting of workers confirms the Commission's key principle of equal pay for equal work at the same place, which **President Juncker** had called for in his [State of Union speech in September 2015](#) and in his [Political Guidelines](#), setting out that posted workers will generally benefit from the same rules governing pay and working conditions as local

workers.

Last week's agreement in the European Parliament's Employment Committee and today's agreement in the Council, confirm the strong political commitment from all actors to make our internal labour market fairer and its rules easier to enforce. The Commission thanks the Estonian Presidency for the great work done on this file. It now calls on the Parliament and the Council to seize this momentum and to swiftly continue the discussions with the Commission, to finalise the agreement and formally adopt the proposal.

## Background

Only two years ago, at his [2015 State of the Union address](#), President Juncker first mentioned the idea of a European Pillar of Social rights: *"I will want to develop a European pillar of social rights, which takes account of the changing realities of Europe's societies and the world of work."* A [first outline of the Pillar was presented on 8 March 2016](#), followed by a broad consultation of Member States, EU institutions, social partners, civil society and citizens. [On 26 April 2017, the Commission presented a final text](#), which contains 20 principles and rights to support fair and well-functioning labour markets and welfare systems, serving as a compass for a renewed process of convergence towards better working and living conditions among EU Member States.

For the Commission, creating a deeper and fairer internal market is an essential component of building a more social Europe. Reforming the existing rules on the posting of workers was one of the key initiatives to achieve this, as outlined in President Juncker's [Political Guidelines of 2014](#): *"I will ensure that the Posting of Workers Directive is strictly implemented, and I will initiate a targeted review of this Directive to ensure that social dumping has no place in the European Union. In our Union, the same work at the same place should be remunerated in the same manner"*. The President reiterated this commitment in his [State of the Union on 13 September 2017](#): *"In a Union of equals, there can be no second class workers. Workers should earn the same pay for the same work in the same place. This is why the Commission proposed new rules on posting of workers."*

The Commission put forward a [formal proposal](#) to amend the 1996 Posted Workers Directive on 8 March 2016. The proposal builds on the principle 'equal pay for equal work at the same place' and sets out that posted workers will generally benefit from the same rules governing pay and working conditions as local workers. It complements the 2014 Enforcement Directive on Posted Workers, which introduces new instruments to fight fraud and abuse and to improve administrative cooperation between national authorities in charge of posting.

In 2018 the Commission will launch a [European Labour Authority](#), in line with President Juncker's 2017 State of the Union and Letter of Intent. The aim is to strengthen cooperation between labour market authorities at all levels and better manage cross-border situations. The Commission will also propose other initiatives in support of fair mobility, including a European Social Security Number, to make social security rights more visible and (digitally)

accessible.

**For more information**

[Press release on the Commission's proposal for a European Pillar of Social Rights](#)

[Press release on the Commission's proposal to revise the 1996 rules on posted workers](#)

[EU factsheet on posted workers](#)

[Country factsheets on posted workers](#)