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## **BETTER REGULATION STAKEHOLDER PLATFORM FOR SMARTER REGULATION PROPOSALS**

The future agenda for smarter regulation should entail further stakeholder involvement allowing stakeholders to put forward proposals for smarter regulation. The proposals should be subject to a response based on a comply-or-explain principle delivered by the Commission.

In order to enhance growth and create more jobs across Europe a continued and ambitious agenda for smarter regulation in the European Union is of utmost importance. In this regard a stronger focus on inclusion and dialogue with stakeholders is essential in order to pick out the most relevant target areas.

BUSINESSEUROPE suggest establishing a platform for stakeholder generated proposals on how to make concrete burden-reductions to open up for increased stakeholder involvement. The platform could possibly be part of a revised mandate for the two existing High Level Groups on Better Regulation and Administrative Burdens.

The platform should be composed of high-level experts and practitioners dealing with the better regulation agenda as representatives of diverse organisations such as business federations, trade unions, academia and individual businesses. The majority of representatives as well as the chair should be representing businesses in order to ensure solid hands-on experience with adopted legislation.

An EU platform should complement but in no way substitute national forums and programmes for stakeholder consultation regarding smarter regulation. In a number of Member States such forums exist which ensure a systematically flow of input and proposals from a broad-based range of stakeholders. A substantial part of the proposals from these stakeholders are, however, targeting EU-legislation or EU-procedures and should therefore be addressed at European level for any impact effect. An EU platform could deal with such proposals from national forums and thus benefit burden-reducing efforts at both European and Member State level through the alignment of efforts.

A new stakeholder platform on smarter regulation in the EU should:

- Validate and refine proposals for smarter regulation sent by national forums (where such forums exist), secure the EU-dimension in every proposal and consult with regulatory experts for any needed clarification.
- Regularly assess the implementation of specific proposals on smarter regulation in the EU.
- Annually discuss the progress made on smarter regulation in the EU with Commission high-level representatives.



The proposals should be subject to a 'comply-or-explain'-principle i.e. the Commission should publish its responses, clearly stating which proposals it intends to pursue, and explaining why some proposals will not be subject for further consideration. Once the Commission decides to pursue a proposal it shall be done within the overall smarter regulation framework. In this way the platform will ensure valuable input from businesses and other stakeholders by bringing the EU closer to the stakeholders and the stakeholders closer to the EU.

An EU driven platform for stakeholder generated proposals founded on a 'comply-or-explain'-principle will enhance transparency and the exchange of best practices in the Commission. In addition, the platform will play an important role in aligning national and European smarter regulation efforts and thereby increasing the cumulative effects of the efforts made.

In a number of Member States similar forums have already proven their worth at national level. One of the most promising examples is The Danish Business Forum for Simpler Rules, which was set up by the Danish Government in 2012. The Forum is a stakeholder forum based on the comply-or-explain principle. Proposals raised in this forum do often not require direct regulatory changes but can typically be handled by a new administrative procedures, better guidelines, increased communication efforts, more digitalization etc. For instance, out of the 60 approved proposals that have already been implemented by the Danish government, only 16 proposals have led to specific regulatory changes, 10 proposals have led to improved communication procedures and 13 proposals have resulted in adaption of new IT-systems. In addition, the UK Government has set up the initiative "Red Tape Challenge" which contains more than 30.000 suggestions to reduce red tape sent in by businesses and citizens through a website. As result more than 3.000 regulations have either been scraped or further improved.

As a considerable part of national legislation is derived from EU-legislation, the situation calls for a platform where proposals from stakeholders in Member States can be submitted to the Commission. The Commission has already established various mechanisms in order to include stakeholders in the full policy cycle. For instance, stakeholders are regularly invited by the Commission to contribute through public consultations. A platform for stakeholder generated proposals would complement these mechanisms by anchoring the voice of stakeholders in ex-post evaluations of smarter regulation initiatives.

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