



Ms Elżbieta Bieńkowska
Commissioner for Internal Market, Industry,
Entrepreneurship and SMEs
European Commission
Rue de la Loi 200
BE-1049 Brussels
BELGIUM

5 December 2016

Re: The Single Market Information Tool (SMIT)

Dear Commissioner,

In view of the Single Market Information Tool (SMIT) proposal that the Commission is currently considering, we would like to raise a few concerns and questions we have with this initiative.

BusinessEurope questions the introduction of an information tool essentially based on the possibility to force companies to reply to information requests under the threat of sanctions. It is fundamental to first justify the need for the SMIT by identifying which outstanding challenges and obstacles the Commission believes it could address with the help of this information tool that it could not currently address. Moreover, it is essential to clarify what kind of information the Commission aims to collect with the SMIT that cannot be gathered through existing channels.

If the Commission does decide to move forward with the SMIT, any requests and cooperation of companies should be on a voluntary basis. Furthermore, it would be absolutely necessary to put in place clear, specific and strict safeguards to determine if the exercise of the SMIT is appropriate on a case-by-case basis. Extra inquiries on top of existing reporting obligations are a burden and therefore a cost on companies.

The SMIT could also lead to unacceptable risks regarding highly sensitive core company information. With a view to the catalogue of sensitive information mentioned in the recent consultation documentation, any additional mandatory information requests regarding highly sensitive data such as business strategy, pricing policy and contract details would not be acceptable.

At annex you will find more detailed remarks. We trust that you will take our concerns into account and remain at your disposal should you wish to discuss these important matters further.

Yours sincerely,

Markus J. Beyrer