

BUSINESSEUROPE'S REACTION TO THE COMMISSION'S BETTER REGULATION COMMUNICATION

This paper sets out BusinessEurope's key messages in response to the Commission Communication "A Simpler, Clearer and Better Enforced EU Rulebook" published on 28 April 2026. Overall, the Communication, as the Commission's mid-term review of the Better Regulation policy, sets out a number of useful improvements. However, the simplification agenda has not brought tangible progress on burden reduction yet, and the Communication confirms that additional burden reduction measures are urgently required.

KEY MESSAGES

- Regulatory self-restraint must become the rule and an immediate moratorium on new regulatory burden must be applied. New EU legislation should be the exception.
- Measurable regulatory burden reduction must be at the core of Better Regulation. This should be supported by clear KPIs.
- RSB and its opinions on impact assessments must be able to act as a real gatekeeper. Proposals should not advance if RSB negative opinions or recommendations are ignored.
- Simplification and burden reduction objectives must be protected throughout negotiations by the co-legislators. Proposals should be withdrawn by the Commission if amendments by the co-legislators deviate from those objectives.
- The Regulatory Deep Cleaning initiative must deliver real burden reduction. Its scope should be expanded with strong political supervision instead of de-centralised governance left to individual Commission services.
- Stakeholder consultations must be improved and ensure meaningful participation of businesses. The forthcoming Simplification Platform must be guided by a clear, long-term objective of burden reduction for economic operators.
- Enforcement of existing rules must take priority over new legislation, including by allocating increased resources within the Commission for this purpose.
- Gold-plating must be effectively prevented through stronger monitoring and discipline in Member States.

GENERAL RECOMMENDATIONS

- ▶ BusinessEurope supports the application of better regulation principles in the EU law and policy making¹, continuity of the regulatory burden reduction agenda and the Commission's **commitment to "regulatory discipline"**. However, the Commission's objective seems to focus primarily on ensuring "that new legislative proposals avoid regulatory complexity and fragmentation", rather than adopting restraint from introducing new proposals as the underlying principle. New legislation should remain the exception where enforcement of existing legislation, coordination mechanisms or non-legislative measures can achieve the same objective more proportionately. *We urge the Commission to abide by its better regulation principles while delivering on its declared regulatory discipline as of now and across all policy areas.*
- ▶ BusinessEurope supports the Commission's intentions to ensure a **better, more efficient and meaningful engagement with stakeholders**, for example through streamlined calls for evidence, more integrated use of different consultation tools, realistic timelines and optimised timing of consultations. At the same time, such flexibility must not undermine stakeholders' effective opportunities for meaningful participation. *Moreover, we urge the Commission to ensure that the proposed Simplification Platform is guided by a clear, long-term burden reduction objective for businesses.*
- ▶ BusinessEurope welcomes the Commission's ambition to strengthen good governance and better regulation principles. It should follow very practical steps, such as ensuring that **independent scrutiny of presented evidence in impact assessments is used as a tool to stop unjustified and disproportionate regulations**. Over a number of years, Annual Regulatory Scrutiny Board reports identify the same critical issues in impact assessments such as poor problem definitions, insufficient consideration of non-legislative options and inadequate comparisons of impacts of those options. It points to a structural issue that EU still legislates even when there is no adequate problem definition. Moreover, while extending impact assessments may be useful in principle, their added value will remain limited if they continue to suffer from the same recurring shortcomings and fail to have meaningful practical influence on the legislative process. *We urge the Commission and the co-legislators to establish a stronger system of impact assessments with accountability for neglecting negative RSB opinions and recommendations. The co-legislators should also be held accountable when they disregard RSB opinions while introducing substantial amendments.*
- ▶ Simplification initiatives do not automatically address the proportionality of rules. The EU simplification agenda and its series of omnibus proposals are welcomed by BusinessEurope. However, **only a fraction of the business community's suggestions on burden reduction² have been addressed to date.³** BusinessEurope invited partner business organisations at EU level to launch the joint burden reduction website called "[Cutting the clutter](#)", demonstrating that a critical mass of regulatory problems for companies remains unresolved. *We urge the co-legislators to clearly commit to the EU's simplification agenda and uphold simplification objectives in interinstitutional negotiations. Moreover, we call on the Commission to strongly defend these objectives, inter alia, in its omnibus or other simplification proposals, including by exercising its right to withdraw proposals if the co-legislators significantly fail to maintain those objectives.*
- ▶ We support an attempt to organise a comprehensive and prioritised review of EU legislation in 12 areas under the **Regulatory Deep Cleaning Action Plan**. However, the initiative misses a clearly

¹ See [BusinessEurope's paper](#) (2024) on Better Regulation in the new legislature.

² See [BusinessEurope's Omnibook](#) (2026) to reduce regulatory burdens.

³ See [here](#) the scoreboard measuring progress made on BusinessEurope's proposals to reduce regulatory burdens.

defined **objective to really cut regulatory burdens** and limits itself to “existing legislation should be re-examined where necessary, to ensure that it remains relevant and to foster coherence across related pieces of legislation”. Moreover, the 12 priority areas do not include some crucial areas identified in BusinessEurope’s Omnibook: social and employment policy and consumer policy. *We urge the Commission to establish regulatory burden reduction as the core objective of its regulatory deep cleaning initiative, include social, employment and consumer policy, and establish a longer-term burden reduction agenda beyond 2026-2027, setting measurable KPIs covering all compliance costs for business.*

- ▶ *We propose that every new idea for a legislative proposal within the Commission should undergo the following checks before being considered at all:*
 - Is it a regulatory burden reduction measure, demonstrable in quantitative terms?
 - Does it comply with the principle of the “regulatory self-restraint”?
 - Does the impact assessment clearly demonstrate the need for EU action, and pass the RSB assessment, and especially the quality test for defining a problem the proposal would address?
 - Does its legal base match the content?
 - Does it provide for maximum harmonisation and clearly prevent fragmentation or disproportionate regulatory burdens through national laws?
- ▶ BusinessEurope welcomes a broader scoping of the Commission’s enforcement actions, now expanded to 11 areas compared to the Annual Single Market and Competitiveness Report earlier this year. At the same time, *we insist that enforcement of all EU Single Market legislation is a prerequisite for establishing a level-playing field and for upholding the rule of law.* Even well-designed legislation is ineffective if its practical application fails.
- ▶ BusinessEurope further welcomes the Commission’s focus and commitment on preventing gold-plating. While guidance on transposition and best practices as well as better and earlier detection of gold-plating, in close cooperation with businesses, remains essential, this should be complemented by close monitoring throughout national transposition of EU law and the establishment of administrative processes. Moreover, *we urge Member States to introduce respective procedures at national level as ‘gold-plating test’ and a tool to adhere to either harmonisation or mutual recognition.*

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BusinessEurope is the leading advocate for growth and competitiveness at the European level, standing up for companies across the continent and campaigning on the issues that most influence their performance. A recognised social partner, we speak for enterprises of all sizes in 36 European countries whose national business federations are our direct members.

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Germany	Greece	Hungary	Iceland	Iceland	Ireland
Italy	Latvia	Lithuania	Luxembourg	Malta	Montenegro
Norway	Poland	Portugal	Rep. of San Marino	Romania	Serbia
Slovak Republic	Slovenia	Spain	Sweden	Switzerland	Switzerland
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