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COMISIÓN DE LAS COMUNIDADES EUROPEAS

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DOCUMENTO DE TRABAJO DE LA COMISIÓN

**Primer informe de evolución
sobre la estrategia para la simplificación del marco regulador**

{COM(2006) 689 final}
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DOCUMENTO DE TRABAJO DE LA COMISIÓN

Primer informe de evolución sobre la estrategia para la simplificación del marco regulador

Resumen

El presente documento de trabajo de la Comisión es la consecuencia directa de la Comunicación COM(2005) 535, de octubre de 2005, titulada «Aplicación del programa comunitario sobre la estrategia de Lisboa: Una estrategia para la simplificación del marco regulador». También sirve de complemento a la Comunicación «Análisis estratégico del programa “Legislar mejor” en la Unión Europea».

La simplificación de la legislación de la UE puede ayudar considerablemente a mejorar el marco regulador, actualizar y modernizar la normativa, así como reducir las cargas administrativas para beneficiar a la economía europea, teniendo en cuenta los avances tecnológicos, los mercados y el contexto internacional. Ésta es la razón por la que la Comisión, en el programa sobre mejora de la legislación, señala la simplificación como una de las prioridades políticas clave.

Conforme a esta orientación, el presente documento de trabajo de la Comisión examina los avances logrados en la simplificación emprendida en octubre de 2005, aborda el trabajo en curso y presenta las nuevas iniciativas del programa renovable de simplificación durante el período 2006-2009. Una de las principales virtudes de la simplificación es su extensión progresiva a todos los ámbitos de regulación comunitaria. El documento presenta también la situación de la codificación.

Paralelamente, este primer informe de evolución aborda los factores que contribuyen a lograr los objetivos de la simplificación, como un grupo de metodologías fiables, una mayor cooperación interinstitucional con el Parlamento Europeo y el Consejo para conducir el trabajo a sus fases finales, un mayor recurso a la autorregulación y la corregulación y una simplificación nacional, para que las ventajas de la simplificación a nivel de la UE no queden anuladas por nuevas normas o barreras técnicas nacionales.

INTRODUCCIÓN

En consonancia con las prioridades políticas de su política de mejora de la regulación establecidas en marzo de 2005, la Comisión adoptó en octubre de 2005 una nueva estrategia para la simplificación del marco regulador¹. El objetivo general de la estrategia es mejorar la calidad y eficacia del acervo y eliminar cargas innecesarias para los operadores, contribuyendo así a reforzar la competitividad de la economía europea.

¹ Comunicación COM(2005) 535 «Aplicación del programa comunitario sobre la estrategia de Lisboa - Una estrategia para la simplificación del marco regulador». La simplificación cubre una amplia gama de instrumentos, entre los que destacan la derogación, la codificación, la refundición y la modificación del enfoque regulador. La definición de codificación figura en el punto 1.2 del presente documento, titulado «Situación de la codificación». La refundición es el proceso por el cual un nuevo acto jurídicamente vinculante, que deroga los actos a los que sustituye, combina la modificación del fondo de la legislación y la codificación de las demás disposiciones que no se pretende modificar.

El Parlamento Europeo² acogió con satisfacción el programa de la Comisión para simplificar el acervo, mientras que el Consejo Europeo³ invitó al Consejo a dar prioridad al avance de las propuestas de simplificación a través del sistema legislativo. La cooperación con los colegisladores es crucial para elaborar propuestas de simplificación.

Como complemento del Análisis estratégico del programa «Legislar mejor»⁴, el presente documento de trabajo de la Comisión informa por primera vez sobre los logros alcanzados desde el inicio de la estrategia en octubre de 2005, y presenta nuevos avances en la realización de los objetivos de la estrategia de simplificación. En particular:

- presenta la situación en que se encuentra la aplicación de la estrategia de simplificación y del proceso de codificación, centrándose en:
 - 1) las acciones finalizadas en el programa renovable,
 - 2) las actuaciones en curso que requieren prolongar los trabajos y
 - 3) nuevas acciones señaladas por la Comisión;
- aborda los principales factores de éxito para lograr un marco regulador verdaderamente simplificado, en especial, un grupo de metodologías fiables, una mayor cooperación entre las instituciones de la UE, un mayor uso de la autorregulación y la corregulación y una simplificación a nivel nacional.

El programa renovable actualizado para 2006-2009 integra las iniciativas de simplificación destacadas en el programa legislativo y de trabajo de la Comisión para 2007 y describe los esfuerzos de la Comisión por simplificar el actual marco regulador con una perspectiva plurianual. El hecho de que las iniciativas de simplificación se incluyan por primera vez en el programa legislativo y de trabajo de la Comisión para 2007 demuestra a las claras la prioridad política que se concede a la estrategia de simplificación.

La cultura de reglamentación está cambiando. Por primera vez, la Comisión ha adaptado sus métodos de trabajo, prioridades y recursos a los objetivos de simplificación. Uno de los principales logros es la cobertura progresiva de todos los ámbitos políticos.

En el futuro, el trabajo en curso para reducir las cargas administrativas se incorporará al ejercicio de simplificación que, por su parte, contribuirá a lograr para 2012 el objetivo global conjunto de reducirlas un 25 % en la legislación de la UE y nacional, como se anuncia en el Análisis estratégico del programa «Legislar mejor».

Además, las amplias consultas con partes interesadas y las evaluaciones de impacto ayudarán a mejorar la calidad de las nuevas propuestas de la Comisión y facilitarán el que los legisladores elaboren un marco regulador plenamente acorde con el principio de subsidiariedad y más capaz de potenciar la competitividad, la innovación y el crecimiento. Es probable que esto alivie la futura carga de trabajo de la simplificación.

² Resolución del Parlamento Europeo sobre una estrategia para la simplificación del marco regulador [Ponente: Giuseppe Gargani; ref. A6-0080/2006 – PA_TA-PROV (2006) 0205].

³ Consejo Europeo de 15 y 16 de diciembre de 2005: Conclusiones de la Presidencia.

⁴ COM(2006) 689 final.

Se presentarán informes de evolución periódicos.

1. SITUACIÓN ACTUAL

1.1. Situación del programa renovable de simplificación

La estrategia de la simplificación de octubre de 2005 cubre varios métodos de simplificación y establece un programa renovable de tres años que enumera inicialmente para el período 2005-2008 alrededor de cien iniciativas en torno a doscientos veinte instrumentos normativos básicos que la Comisión pretende simplificar, merced a amplias consultas con los Estados miembros, las empresas y los ciudadanos.

Teniendo en cuenta la importancia del reexamen continuo del acervo, la Comisión señala ahora otras cuarenta y tres iniciativas con posibilidades de simplificación durante el período 2006-2009. Estas iniciativas se incluyen en la actualización del programa renovable, que se presenta en el anexo 1. El programa confirma la determinación de la Comisión de centrarse en la reducción de las cargas administrativas generadas por el marco regulador y actualizar y modernizar las normas, teniendo en cuenta los avances tecnológicos, los mercados y el contexto internacional.

1.1.1. Avances logrados por la Comisión

De las catorce iniciativas previstas para 2005 se han completado doce⁵. En la Comunicación de octubre de 2005 se previeron no menos de cincuenta y cuatro iniciativas para 2006, tres se han señalado recientemente, una quedó pendiente de finalizar en 2005 y otra se adelantó a partir de 2008. Hasta la fecha se han adoptado quince de ellas⁶. Además, para antes de fin de año está confirmada la adopción de veinticuatro propuestas de simplificación, que se presentan en el anexo 1. Otras quince se aplazarán a 2007/2008. Cinco iniciativas se cancelaron tras exhaustivas revisiones y consultas con las partes interesadas.

Hasta la fecha, la Comisión ha adoptado veintisiete de las setenta y una iniciativas para 2005-2006, y para finales de 2006 se habrá cubierto más de la mitad del programa. El grado de avance en 2006 del programa renovable varía según la complejidad del ámbito de que se trate; en algunos aspectos, el trabajo se ha retrasado en términos generales, aunque varias iniciativas han sido adoptadas antes de lo previsto inicialmente. Sin embargo, casi todas las iniciativas retrasadas se confirman para 2007.

Hay que subrayar que este programa es con mucha diferencia el ejercicio más ambicioso de simplificación jamás emprendido por la Comisión. El ejercicio de simplificación resultó especialmente complicado cuando hubo que poner en los platillos de la balanza las ventajas para empresas y ciudadanos y los esfuerzos y costes necesarios para adaptarse al nuevo marco regulador. Sin duda, la simplificación puede requerir una reforma de la normativa de algunos ámbitos políticos. A fin de superar la resistencia al cambio que suscitan los planes de reforma suele necesitarse más tiempo para ayudar a demostrar las ventajas macroeconómicas netas de los cambios propuestos.

⁵ Los dos restantes —las propuestas sobre radioprotección y productos agrícolas y sobre el sistema informatizado de reserva aérea— se han aplazado, respectivamente, a 2006 y 2007.

⁶ A 27 de octubre de 2006.

Por otra parte, las evaluaciones de impacto pueden poner de relieve nuevos elementos pertinentes para los responsables políticos a la hora de elegir la opción política más apropiada⁷. El programa de simplificación se lleva a cabo atendiendo a los resultados de estas evaluaciones de impacto.

Casi todas las propuestas de simplificación presentadas por la Comisión siguen aún pendientes de lo que dictaminen el Consejo y el Parlamento Europeo. Esas propuestas se presentan en el anexo 3.

Más adelante se presentan algunos ejemplos de resultados satisfactorios, que muestran que el programa de simplificación de la Comisión ya ha abordado las áreas más importantes para las empresas y los ciudadanos.

Ejemplos de propuestas adoptadas por la Comisión:

- **Modernización del código aduanero y aduana electrónica**⁸: Refundición de la legislación aduanera comunitaria y creación de sistemas electrónicos paneuropeos para el intercambio de datos entre poderes públicos y empresas. El comercio internacional se verá favorecido por normas y procedimientos aduaneros más eficaces y sencillos, sistemas aduaneros automatizados e interconectados y la estrecha colaboración de todas las autoridades y agencias que intervienen en la circulación de mercancías a través de las fronteras de la Comunidad.
- **Medio ambiente**⁹: Modernización de la Directiva marco sobre residuos:
 - Simplificación de la legislación sobre residuos aclarando definiciones, racionalizando disposiciones e integrando las Directivas sobre residuos peligrosos y sobre aceites usados.
 - Mejora del mercado del reciclaje mediante la adopción de normas ambientales que especifiquen en qué circunstancias determinados residuos reciclados ya no se consideran residuos.

⁷ Entre los ejemplos de retrasos en la estrategia de la simplificación se cuentan: a) La derogación inicialmente prevista de la normativa sobre sistemas informatizados de reserva aérea se está revisando, y se ha optado por aplazar cualquier medida, ante la necesidad de realizar análisis suplementarios, tanto por la respuesta de los actores como por la del Parlamento Europeo. La Comisión, siguiendo fielmente los principios de mejora de la legislación, decidió poner en marcha una evaluación de impacto ampliada para examinar más en profundidad las distintas opciones, sin excluir la derogación o liberalización parcial de la normativa existente, y volver a consultar a los actores. b) Los sucesos recientes a escala internacional en el terreno de la energía y el subsiguiente debate sobre la seguridad del abastecimiento energético movieron a la Comisión a posponer, probablemente hasta 2008, la revisión prevista de la legislación sobre las reservas de petróleo. La política futura de la Comisión en este ámbito dependerá en gran medida del resultado de la consulta en torno al Libro Verde sobre energía presentado por la Comisión en marzo de 2006.

⁸ COM(2005) 608.

⁹ COM(2005) 667.

- **Libre circulación de los trabajadores**¹⁰:
 - Modernización de las disposiciones actuales sobre coordinación de los regímenes nacionales de seguridad social.
 - Procedimientos más sencillos para las personas aseguradas y mayor rapidez de las instituciones de las diversas ramas de la seguridad social (enfermedad, accidentes de trabajo, enfermedades profesionales, invalidez, vejez, desempleo y prestaciones familiares) al responder y tramitar los casos transfronterizos.
- **Aditivos y aromas alimentarios**¹¹:
 - Simplificación de la legislación sobre aditivos alimentarios creando un solo instrumento sobre principios, procedimientos y autorizaciones.
 - Mejora del procedimiento para actualizar la lista comunitaria de aditivos alimentarios autorizados.
- **Pequeñas y medianas empresas en el sector farmacéutico**¹²: Establecimiento de un marco legislativo simplificado para las microempresas, con reducciones de tasas, posibilidades de aplazamiento de los pagos de tasas y asistencia administrativa y jurídica al presentar solicitudes a la Agencia Europea de Medicamentos.
- **Servicios de pago**¹³: Adopción de un marco legislativo simplificado relativo a los servicios de pago para consumidores y empresas. La propuesta contempla la simplificación legislativa (sustituyendo tres Directivas y tres Recomendaciones por una única normativa coherente), la simplificación de los procedimientos administrativos que deben seguir las autoridades públicas (comunitarias o nacionales) y la simplificación de los procedimientos administrativos aplicables por entidades privadas. Asimismo, introduce más transparencia y requisitos de información más claros y breves para los usuarios de servicios de pago y los consumidores.
- **Normas de contabilidad**¹⁴: Modificación de las normas de contabilidad dando a los Estados miembros más libertad para eximir a las empresas de determinados requisitos de divulgación (incrementando los umbrales de divulgación). Esto conducirá a una simplificación administrativa para las pequeñas empresas.
- **Estadísticas estructurales de las empresas**¹⁵: Esta propuesta simplifica la producción de datos para las estadísticas estructurales de las empresas suprimiendo alrededor de quince variables obligatorias (sobre I+D, empleo, energía y arrendamiento financiero), desplazando otras variables de las estadísticas anuales a las plurianuales y suprimiendo las variables optativas. Además, Eurostat está desarrollando un programa para rediseñar las estadísticas de las empresas, a fin de ayudar a los Estados miembros con nuevos métodos que podrían reducir sustancialmente la carga de respuesta, por ejemplo, mediante un uso

¹⁰ COM(2006) 16.

¹¹ COM(2006) 428.

¹² Reglamento (CE) nº 2049/2005 de la Comisión.

¹³ COM(2005) 603.

¹⁴ Directiva 2006/46/CE, adoptada el 14 de junio de 2006.

¹⁵ COM(2006) 66.

más intensivo de datos administrativos y la transmisión electrónica automática de las cuentas de las empresas.

- **Mercado del transporte aéreo**¹⁶: Con la revisión del denominado «tercer paquete» de liberalización del transporte aéreo se pretende hacer más comprensible la legislación combinando tres Reglamentos existentes en un nuevo Reglamento. La nueva legislación moderniza y simplifica el marco jurídico, asegura una aplicación coherente en todos los Estados miembros y ataca posibles distorsiones y limitaciones de la competencia en algunos segmentos del mercado. Así se espera ofrecer a los usuarios más posibilidades de elección, precios más bajos y más competencia.

1.1.2. Trabajo en curso

A continuación reseñamos varias iniciativas importantes de simplificación relacionadas con la competitividad que ya están confirmadas para 2006/2007/2008:

- **Agricultura:** Unificación de las veintiún organizaciones comunes de mercado en un solo sistema para establecer un marco jurídico horizontal racionalizado que ofrezca una sola normativa armonizada en las distintas áreas de la política de mercados, como la intervención, el almacenamiento privado, los aranceles de importación, las restituciones por exportación, las medidas de salvaguardia, los productos agrícolas, las normas sobre ayudas estatales, las comunicaciones y la notificación de datos.
- **Medio ambiente:** Revisión de la Directiva relativa a la prevención y al control integrados de la contaminación (IPPC) y otras normas afines sobre vertidos industriales para dar más claridad y coherencia (especialmente en lo relativo a la información) y racionalizar los requisitos.
- **Productos de construcción:** Directiva encaminada a aportar claridad y reducir las cargas administrativas, en especial para las PYME, mediante una mayor flexibilidad en la formulación y el uso de especificaciones técnicas, normas de certificación menos estrictas y la eliminación de los obstáculos prácticos que han venido impidiendo la creación de un auténtico mercado interior de los productos de construcción.
- **Estadísticas:** Se suavizan los requisitos de información estadística para los operadores económicos y, señaladamente, las PYME, teniendo en cuenta el trabajo en curso sobre la mejora de la gobernanza estadística de la Unión y el resultado final de los proyectos piloto en curso sobre medida y reducción de las cargas administrativas.
- **Etiquetado de alimentos y piensos:** La modernización de la legislación aclarará las normas conforme a las que funcionará el etiquetado para que los consumidores puedan elegir de manera informada, segura, saludable y viable, y contribuirá a crear en el mercado un entorno favorable a la competición en el que los operadores podrán hacer un uso eficaz del etiquetado para vender sus productos.
- **Protección de los consumidores:** Racionalización y simplificación de todo el acervo de protección de los consumidores para eliminar posibles incoherencias, solapamientos, barreras al mercado interior y distorsiones de la competencia.

¹⁶ COM(2006) 396.

- **Cosméticos:** La Directiva sobre cosméticos se adoptó hace treinta años y se ha modificado en más de cuarenta ocasiones. Es necesario emprender su refundición para que el texto tenga más coherencia y claridad. Esto ayudará a reducir el coste administrativo de la aplicación y gestión de la Directiva, manteniendo sin cambios el régimen real en relación con la prohibición gradual de los ensayos en animales.
- **Normas de contabilidad y de información financiera:** Suministro a las empresas de la UE de una normativa actualizada de información financiera integrando el conjunto actual de Reglamentos¹⁷, que representa más de dos mil páginas, en un Reglamento único y de fácil uso.
- **Marco regulador del automóvil:** Cuando se apruebe, la propuesta de revisión de la Directiva marco sobre homologación de tipo de los vehículos a motor permitirá:
 - Sustituir Directivas comunitarias por Reglamentos CEPE/ONU. Esta simplificación servirá para racionalizar la normativa y eliminar los requisitos redundantes. Además, ayudará a la industria global a eliminar obstáculos no arancelarios al comercio, manteniendo el liderazgo de la UE en el desarrollo de normas internacionales y permitiendo que la industria se adapte más rápidamente a los avances técnicos a nivel internacional.
 - Introducir en veinticinco Directivas comunitarias y Reglamentos CEPE/ONU las disposiciones técnicas necesarias para los autoensayos y ensayos virtuales. Así será posible simplificar el procedimiento de homologación de tipo y adaptar la normativa al progreso tecnológico. Los ensayos virtuales y los autoensayos acelerarán el desarrollo de los productos y reducirán los costes tanto para la industria como para los consumidores. Además, la Comisión propone actualmente una disposición general en la Directiva sobre la aprobación de vehículos a motor para que los fabricantes puedan actuar como laboratorios de ensayo, a condición de que la autoridad de homologación de tipo les reconozca la competencia necesaria.
- **Acceso al mercado y a la profesión del transporte por carretera:** Refundición de cuatro Reglamentos y una Directiva para hacer más claras, sencillas y aplicables las normas que rigen el acceso a la profesión y al mercado, incluido el cabotaje por carretera de mercancías y de pasajeros. Con la refundición se espera lograr una aplicación armonizada y económica de las normas, también en el contexto transnacional, limitando la distorsión de la competencia, protegiendo la libertad de establecimiento y mejorando la calidad del servicio y la seguridad en carretera.

¹⁷ Reglamentos de la Comisión sobre la adopción de las Normas Internacionales de Información Financiera (NIIF), de las Normas Internacionales de Contabilidad (NIC) y de las interpretaciones.

- Consolidación de los Reglamentos y Directivas técnicos de «nuevo enfoque»¹⁸ para la comercialización de productos con arreglo a definiciones coherentes, procedimientos de certificación simplificados y una cooperación administrativa más ágil, a fin de facilitar la comercialización de productos al tiempo que se protege a los fabricantes contra los productos no conformes.

1.1.3. Nuevas iniciativas que refuerzan el programa renovable de simplificación

Sobre la base del programa renovable iniciado el pasado año, la Comisión refuerza su acción de simplificación con cuarenta y tres nuevas iniciativas¹⁹ durante el período 2006-2009, con objeto de:

- estimular la innovación y reducir las cargas administrativas derivadas de los requisitos legales;
- reducir el volumen total del acervo comunitario y promover la transición hacia enfoques reguladores más flexibles.

A continuación se presentan algunas nuevas iniciativas importantes:

- Simplificación de las normas sobre los cambios introducidos en los **medicamentos** después de obtenida la licencia (los llamados Reglamentos sobre «variaciones»). A la gestión administrativa de estas normas se destina actualmente más del 60 % de los recursos humanos y financieros de los departamentos jurídicos de los laboratorios. En algunos casos, esta carga puede obstaculizar la innovación, impidiendo la introducción de cambios que serían beneficiosos para los pacientes y la sociedad. Los procedimientos serán racionalizados, para que los Reglamentos sobre variaciones sean más simples, claros y flexibles, sin comprometer la salud pública y animal.
- **Reconocimiento mutuo**²⁰ de las mercancías no cubiertas por normas comunitarias armonizadas. La Comisión está trabajando en una propuesta legislativa sobre la eliminación de obstáculos técnicos para la libre circulación de mercancías en la UE (conocida como «propuesta sobre reconocimiento mutuo»). Este instrumento definirá los derechos y las obligaciones, por una parte, de las autoridades nacionales y, por otra, de las empresas que deseen vender en un Estado miembro productos que ya se fabrican o comercializan legalmente en otro.
- Clarificación de la definición y el alcance de la evaluación de la seguridad de los **nuevos alimentos** y racionalización del procedimiento de autorización.

¹⁸ Las Directivas de «nuevo enfoque» establecen únicamente los requisitos esenciales de interés público a los que deben ajustarse los productos, en lugar de fijar requisitos detallados para esos productos. Los fabricantes pueden optar entre diversas soluciones técnicas y disponen de flexibilidad para demostrar que esas soluciones cumplen tales requisitos, por ejemplo, mediante la normalización.

¹⁹ Es decir, tres nuevas iniciativas en 2006, veintiocho, en 2007, once, en 2008 y una, en 2009.

²⁰ Esta iniciativa también contribuye a la estrategia de simplificación, aunque no está incluida en el programa permanente.

- Simplificación de la gestión de los procedimientos administrativos en el **sector agrario** mediante la aplicación de una serie de simplificaciones técnicas. Se ha establecido un plan de acción renovable para modificar las disposiciones legales que tienen un impacto inmediato en los agricultores, otros operadores económicos y las administraciones nacionales. Las enmiendas se refieren, por ejemplo, a la obligación de que los agricultores mantengan disponibles determinados documentos, las obligaciones de control de los Estados miembros, las condiciones para recibir ayudas, etc.
- Simplificación y mejora de la **política pesquera común** mediante una simplificación legal y administrativa con arreglo al «plan de acción 2006-2008» adoptado por la Comisión en 2005²¹. El plan de acción cubre determinadas disposiciones normativas relativas a la gestión y el control de las actividades pesqueras, como favorecer la legibilidad de la normativa y reducir las cargas administrativas para los pescadores y las administraciones pertinentes.
- Revisión del marco regulador de las **redes y los servicios de comunicaciones electrónicas** a fin de reducir la necesidad de regulación previa y facilitar la flexibilidad y la innovación, en beneficio tanto del sector como de los ciudadanos.
- Sustitución de las Directivas sobre **productos textiles** por un Reglamento único, a fin de simplificar los procedimientos para la adopción de nuevas denominaciones de fibras. Además, los métodos cuantitativos para medir los contenidos de fibras pasarán al proceso de normalización.
- Simplificación de la legislación vigente sobre **juguets** aclarando requisitos esenciales de seguridad y sentando las bases para un mejor enfoque común por parte de las autoridades nacionales de vigilancia del mercado.
- Limitación de los actos legislativos sobre **metrología y fertilizantes** a los requisitos esenciales mediante el «nuevo enfoque». Las descripciones técnicas detalladas se sustituirán por normas.
- Revisión del régimen comunitario de **concesión de la etiqueta ecológica**, con objeto de:
 - a) crear un sistema más favorable para las empresas haciendo participar a las partes interesadas en el proceso decisorio y teniendo en cuenta las necesidades de las PYME;
 - b) externalizar el desarrollo de criterios de concesión a un organismo de dedicación exclusiva y vincular estrechamente la etiqueta ecológica con la contratación pública ecológica.
- Refundición de una Directiva sobre la comercialización de **materiales de multiplicación de frutales** y de plantones de frutal destinados a la producción frutícola.
- Regulación de los **trastornos musculoesqueléticos** de origen laboral en un solo instrumento que integre los diversos requisitos mínimos de higiene y seguridad existentes, como los relacionados con el manejo de cargas o el trabajo con pantallas.

²¹ COM(2005) 647.

Todos los departamentos de la Comisión van a concluir el estudio de su acervo antes de 2009 a fin de comprobar la pertinencia de sus instrumentos, la elección de la técnica reguladora y las posibilidades de aplicar una de las técnicas de simplificación adoptadas en la estrategia de simplificación de octubre de 2005. Esto llevará, cuando sea necesario y oportuno, a señalar nuevas iniciativas de simplificación y actualizar el programa renovable en el futuro.

1.2. Situación de la codificación

La codificación, componente clave del proceso de mejora de la legislación de la Comisión Europea, es el proceso en el cual se reúnen las disposiciones de los actos existentes, con todas sus modificaciones subsiguientes, en un solo acto, contribuyendo así a reducir el volumen de la legislación de la UE y haciéndola más transparente, legible y jurídicamente clara.

El programa renovable de codificación (anexo 2) abarca unos quinientos actos. Un total de cincuenta y dos actos ya han pasado con éxito el proceso de codificación²² y han sido adoptados y publicados en el DO (treinta y ocho actos de la Comisión y catorce del Parlamento Europeo y del Consejo). Además, treinta y tres actos están pendientes ante la autoridad legislativa y ocho actos se encuentran actualmente en la fase de procedimiento escrito. En total, ochenta y cinco actos han sido finalizados por la Comisión Europea.

Para lograr el objetivo de concluir el programa de codificación a mediados de 2008, se han tomado medidas para acelerar la conversión de los originales acumulados a las nuevas lenguas de la UE. Esta acumulación se debe a retrasos en el suministro de traducciones a esas lenguas de los textos codificados.

También es preciso tomar las medidas oportunas para maximizar el número de textos codificados disponibles en búlgaro, rumano, irlandés y maltés, dando prioridad a la codificación de los actos para los que se han finalizado las traducciones correspondientes.

Además, se ha elaborado un programa para la adopción de los restantes actos pendientes de codificación. El objetivo es garantizar la transparencia del proceso, en especial, para que las modificaciones que se hagan en los actos sometidos a codificación sean mínimas, estabilizando así la legislación y reduciendo los retrasos. Este programa sigue siendo indicativo, ya que la finalización del proyecto de codificación depende de la disponibilidad en todas las lenguas de los actos que deban codificarse. Esto se aplicará en especial al búlgaro y al rumano. Además, la codificación tiene que aplazarse cuando están previstas nuevas modificaciones de estos actos. El orden en que figuren los actos en el programa variará atendiendo a estos dos factores.

También ha de tenerse en cuenta que la adopción por la autoridad legislativa de actos codificados está sujeta a lo dispuesto en el Acuerdo interinstitucional de 20 de diciembre de 1994 sobre un método de trabajo acelerado con vistas a la codificación oficial de los textos legislativos.

²² A 27 de octubre de 2006.

2. FACTORES DE ÉXITO

El marco regulador para las empresas y los ciudadanos europeos consta de varias capas de leyes y normas, a menudo entrelazadas, generadas a diversos niveles (internacional²³, comunitario, nacional, regional y local). Por sí solo, ninguno de estos legisladores puede mejorar decisivamente la calidad de esta red legislativa. Para una mejora concreta de la calidad del marco regulador global se requiere un esfuerzo decidido, coherente y coordinado a todos los niveles de regulación.

2.1. Una sólida base metodológica para las tareas de simplificación

2.1.1. Consulta de todos los interesados

Tanto el programa renovable de simplificación inicial como el actualizado para 2006-2009 se han desarrollado teniendo en cuenta las contribuciones de las partes interesadas y de los Estados miembros. Su experiencia es imprescindible para establecer un programa de simplificación coherente. Las consultas en profundidad de las partes interesadas, la revisión exhaustiva de ámbitos políticos, la evaluación *ex post* de los actos legislativos y los estudios realizados por expertos ayudan a los responsables políticos a localizar mejor los auténticos problemas sobre el terreno. Estos procesos también facilitan la aceptación subsiguiente por parte de los interesados de la medida propuesta.

La Comunicación sobre simplificación de octubre de 2005²⁴ anunció una serie de iniciativas específicas:

- Conforme a lo anunciado en la Comunicación de la Comisión «Simplificar y legislar mejor en el marco de la política agrícola común», se ha establecido un plan de acción, que se presentó en la conferencia titulada «*A simple CAP for Europe, a challenge for all*», celebrada en octubre de 2006. El plan de acción presenta veinte proyectos concretos de simplificación técnica (reducción de las cargas sin cambiar la política subyacente), que se prevé llevar a término para 2007. El plan de acción da inicio a un proceso continuo de simplificación. Por lo tanto, se invita a las partes interesadas y a los Estados miembros a presentar otras propuestas de simplificación.
- El plan de acción 2006-2008 para la simplificación y mejora de la política pesquera común fue adoptado por la Comisión en 2005, con el pleno apoyo de las instituciones europeas y de las partes interesadas consultadas.
- Próximamente se adoptará una comunicación sobre la reducción de la carga de respuesta, la simplificación y la fijación de prioridades en el ámbito de las estadísticas comunitarias. Esta comunicación definirá un enfoque estratégico para seguir reduciendo la carga estadística para las empresas mediante una combinación de dos elementos: simplificación de los requisitos para las estadísticas en áreas prioritarias seleccionadas y fomento de herramientas y métodos estadísticos que faciliten el cumplimiento de los requisitos estadísticos. En particular, la Comisión va a proponer un sistema de flujo único para

²³ Por ejemplo, en los ámbitos de la contabilidad, la auditoría, la contratación pública y los derechos de propiedad intelectual, algunas reglas y normas suelen acordarse o adoptarse a nivel internacional.

²⁴ Comunicación COM(2005) 535: Aplicación del programa comunitario sobre la estrategia de Lisboa - Una estrategia para la simplificación del marco regulador.

Intrastat y un programa de rediseño de las estadísticas empresariales, y continuará simplificando activamente el sistema europeo de estadísticas agrarias.

Además, el artículo 138 del Tratado dispone la consulta a los interlocutores sociales europeos en relación con las iniciativas comunitarias en el ámbito de la política social²⁵.

En ocasiones, el resultado del proceso de consulta ha llevado a los servicios de la Comisión a reconsiderar sus intenciones iniciales. Así ocurre en el caso de las revisiones de los marcos reguladores relativos al Derecho de sociedades y a los derechos de propiedad intelectual, que han dado lugar a otras iniciativas:

- Por lo que respecta al Derecho de sociedades, la Comisión tiene previsto poner en marcha antes de fin de año una iniciativa integrada encaminada a medir los costes administrativos derivados de las Directivas sobre Derecho de sociedades a fin de señalar, junto con los Estados miembros y las partes interesadas, posibilidades de reducción de esos costes. El resultado de este ejercicio se presentará en una comunicación en la segunda mitad de 2007.
- En cuanto a los derechos de propiedad intelectual, la revisión ha dado lugar a varias actividades, incluida una evaluación de la Directiva sobre propiedad intelectual de 2001 que podría, por ejemplo, indicar la oportunidad de prever excepciones a su aplicación. El resultado de este ejercicio podría preverse para el verano de 2007.

2.1.2. Análisis sectorial

En su Comunicación anterior, la Comisión señaló la necesidad de un enfoque sectorial de la simplificación para evaluar mejor el impacto del marco regulador en la competitividad sectorial.

Por ejemplo, ya se está trabajando en el ámbito de los productos de construcción. En las tareas se incluye un análisis global de los factores que influyen en la competitividad de los operadores del sector de la construcción, así como una actuación específica para simplificar la Directiva sobre productos de construcción (89/106/CEE). La consulta a las partes interesadas está en curso, y las contribuciones están siendo examinadas por la Comisión.

En el sector de los vehículos a motor, el Grupo de alto nivel CARS 21 ha examinado los principales aspectos políticos que repercuten en la competitividad de la industria europea del automóvil y ha presentado varias recomendaciones.

Paralelamente, se está estudiando la aplicación de principios de mejora de la regulación en el contexto de los nuevos foros creados a resultados de la Comunicación sobre política industrial²⁶. Ya se han iniciado actividades de cribado sectorial en foros como el grupo de trabajo sobre competitividad de las TIC y el diálogo político sobre ingeniería mecánica.

²⁵ Un ejemplo reciente es la consulta a los interlocutores sociales efectuada en 2005 sobre la simplificación de las Directivas sobre higiene y seguridad en el trabajo, particularmente en lo referente a los informes y a su aplicación práctica.

²⁶ Comunicación de la Comisión «Implementación del programa comunitario de Lisboa: Un marco político para fortalecer la industria manufacturera de la UE – hacia un enfoque más integrado de política industrial» [COM(2005) 474 final, de 5.10.2005].

2.1.3. Trabajo actual en relación con las cargas administrativas

En respuesta a las conclusiones del Consejo Europeo de junio de 2006 y en el marco de las medidas sobre competitividad de la agenda de Lisboa renovada, la Comisión va a poner en marcha a principios de 2007 un importante plan de acción para medir y reducir las cargas administrativas generadas por la legislación existente en la UE. El plan tendrá en cuenta la experiencia previa desarrollada por cuatro Estados miembros (el Reino Unido, los Países Bajos, Dinamarca y la República Checa), que ya han establecido objetivos de reducción tras completar unas amplias mediciones tendenciales. El documento de trabajo de la Comisión «Medir los costes administrativos y reducir las cargas administrativas en la Unión Europea»²⁷ presenta los resultados de un proyecto piloto sobre las cargas administrativas llevado a cabo en 2006 que examina y toma como base esa experiencia anterior. A medio plazo, este proceso debería servir al legislador europeo y a los Estados miembros para señalar, sobre la base de datos cuantificados, las áreas prioritarias donde hay nuevas posibilidades de simplificación.

En este contexto ha de tenerse en cuenta que, en el ámbito de la agricultura, se está llevando a cabo un estudio sobre las cargas administrativas para los agricultores. El estudio se refiere a la aplicación de la reforma de la PAC de 2003 y sus modificaciones posteriores. Los primeros resultados podrán consultarse en 2007.

2.2. Estrecha colaboración entre las instituciones de la UE

Si la Comisión produce propuestas legislativas de alta calidad, corresponde al Consejo y al Parlamento llevar este trabajo de simplificación a su fase final.

Veintidós propuestas de simplificación adoptadas por la Comisión están pendientes ante el Consejo y el Parlamento Europeo (anexo 3). Siete de ellas proceden de los anteriores programas de simplificación de 2003²⁸. En el anexo 3 se presenta una lista de propuestas pendientes entre las que se incluyen textos de suma importancia para la actividad empresarial, como el estudio de la sexta Directiva sobre el IVA, la modernización del código aduanero, la revisión de la legislación sobre residuos, la simplificación de la homologación de tipo de los vehículos a motor, la racionalización de las estadísticas estructurales de las empresas y la derogación de los requisitos de preenvasado. La adopción de la Directiva sobre contabilidad²⁹, que establece exenciones para las PYME, y la reciente aprobación por el Consejo de la posición común sobre el preenvasado dan testimonio del empeño compartido de las instituciones por simplificar el marco regulador.

A invitación de la Comisión, el Parlamento Europeo respondió en abril de 2006 a la estrategia de simplificación de la Comisión de octubre de 2005. Las posiciones adoptadas por las comisiones parlamentarias sobre el programa plurianual de simplificación muestran una convergencia significativa con las prioridades de la Comisión acerca de lo que se debe simplificar.

²⁷ COM(2006) 691 final.

²⁸ El marco de acción para actualizar y simplificar el acervo comunitario [COM(2003) 71].

²⁹ Directiva 2006/46/CE, adoptada el 14 de junio de 2006.

En mayo de 2006, el Parlamento Europeo adoptó varios informes sobre diversos aspectos de la mejora de la regulación, incluida la simplificación³⁰. El Parlamento Europeo propone, entre otras cosas, designar un nuevo tipo de instrumento, junto a la codificación y la refundición³¹, para tipos específicos de propuestas de simplificación que podrían sacar provecho de métodos de trabajo adaptados y de una adopción más rápida.

El Acuerdo interinstitucional «Legislar mejor»³², vigente desde diciembre de 2003, creó una plataforma para desarrollar la cooperación entre las tres instituciones. El grupo técnico de alto nivel responsable de supervisar la aplicación del Acuerdo interinstitucional ha examinado periódicamente su evolución, atendiendo a aspectos como la coordinación y programación del trabajo legislativo, la calidad de la legislación (en particular, la evaluación de impacto), la transposición y aplicación de la legislación comunitaria y la simplificación. La definición por los colegisladores de medidas concretas para dar prioridad a la simplificación y acelerar el proceso legislativo ha resultado dificultosa.

El acuerdo alcanzado entre las instituciones en diciembre de 2005 en relación con un enfoque interinstitucional común sobre las evaluaciones de impacto³³ demuestra que si hay voluntad política, el Acuerdo interinstitucional «Legislar mejor» puede lograr mejoras concretas en la aplicación interinstitucional de una mejor regulación. Con ocasión de la revisión del enfoque común en 2008, las instituciones deberían acordar que las iniciativas de los Estados miembros relativas a la cooperación policial y judicial en materia penal vayan acompañadas de evaluaciones de impacto.

La Comisión ha anunciado su intención de facilitar el proceso decisorio interinstitucional mejorando la programación y la visibilidad de las iniciativas de simplificación con las siguientes medidas:

- Integración de las propuestas de simplificación en el programa legislativo y de trabajo anual de la Comisión. Esto se ha logrado ahora en el contexto del programa para 2007.
- Pleno aprovechamiento de la exposición de motivos para explicar mejor los objetivos de simplificación perseguidos en las propuestas. En las propuestas de simplificación sujetas a evaluación de impacto, la Comisión también se esforzará por evaluar los impactos de la simplificación, particularmente en las cargas administrativas.
- Selección de algunos casos piloto de propuestas de simplificación para ensayar las posibilidades de establecer mejores métodos de trabajo interinstitucionales para la simplificación.

³⁰ Resolución del Parlamento Europeo sobre una estrategia para la simplificación del marco regulador [Ponente: Giuseppe Gargani; ref. A6-0080/2006 – PA_TA-PROV (2006) 0205]. Paralelamente a la Resolución, el Parlamento Europeo abordó también una contribución aprobada por la Conferencia de Presidentes que resumía la posición de los Comités sobre el programa permanente de simplificación, en la que también se trataba la dimensión interinstitucional de la simplificación.

³¹ El Parlamento Europeo está trabajando para cambiar las normas internas de procedimiento de la refundición y la codificación.

³² DO C 321 de 31.12.2003, p. 1 (2003/ C321/01).

³³ Anexo del documento del Consejo 14901/05, de 24.11.2005.

2.3. Incremento del recurso a la corregulación y a la autorregulación

La corregulación y la autorregulación son ejemplos de herramientas que pueden utilizarse en determinadas circunstancias para lograr objetivos políticos con una intervención limitada del legislador.

Por ejemplo, los organismos europeos de normalización y la Comisión colaboran actualmente para proponer nuevas iniciativas de normas para el sector de los servicios que se centrarían específicamente en el mercado interior. Las normas sirven para que los usuarios comparen libremente productos y precios, reforzando así la competencia y potenciando el comercio intracomunitario en el sector de los servicios. Tras amplias consultas, la definición de un plan de acción de normalización para promover la competitividad industrial y la aprobación de una decisión de financiación comunitaria van a dar dinamismo a las actividades de normalización.

En el ámbito de la autorregulación, los interlocutores sociales a nivel europeo desempeñan un papel específico, ya que tienen la posibilidad de celebrar acuerdos³⁴ que se convierten en vinculantes mediante una propuesta legislativa o se aplican de manera autónoma. La autorregulación es coherente con la política de la Comisión de promover la responsabilidad social de las empresas (RSE). Las iniciativas voluntarias llevadas a cabo al amparo de la Alianza Europea para la RSE podrían dar lugar a nuevos acuerdos sobre la autorregulación. Estas iniciativas, tomadas por las empresas de la UE en estrecha cooperación con los actores pertinentes, deberían también contribuir a una aceptación mucho más amplia de las prácticas de RSE en Europa y el mundo. Para informar mejor a los interlocutores privados que deseen crear o mejorar sistemas de autorregulación y a las instancias responsables de diseñar la corregulación, el Comité Económico y Social Europeo (CESE) y la Comisión Europea han creado una base de datos de casi un centenar de regímenes de la UE. Esta base de datos, que se espera comience a funcionar en noviembre de 2006, detalla entre otras cosas los tipos de problemas que llevaron al desarrollo de regímenes de autorregulación o corregulación en la UE, así como sus objetivos y medidas organizativas. Por lo tanto, esto facilitará mucho la tarea de discriminar entre buenas y malas prácticas.

2.4. Simplificación a nivel nacional

2.4.1. Una legislación de la UE simplificada debe también reflejarse a nivel nacional

El ejercicio de simplificación de la UE debe contar con el pleno apoyo de los Estados miembros para que las ventajas de tener un marco regulador más liviano no se vean anuladas por nuevas normas nacionales o barreras técnicas. Cada vez más Estados miembros participan en este apoyo, aunque aún hay margen para hacerlo más efectivo. Esto se pone de manifiesto en la persistencia de requisitos estadísticos a nivel nacional, aun cuando la normativa comunitaria se ha racionalizado.

³⁴

El Acuerdo sobre la protección de la salud de los trabajadores para la adecuada manipulación y el buen uso de la sílice cristalina y de los productos que la contienen, firmado en abril de 2006, es un ejemplo del éxito de la autorregulación. Se trata de un acuerdo autónomo que enumera buenas prácticas para minimizar la exposición de los trabajadores al polvo de sílice cristalina. Su propósito es contribuir a la aplicación de los diversos valores límite profesionales nacionales. Este acuerdo negociado por los interlocutores sociales de los diversos sectores afectados es el primer acuerdo autónomo multisectorial celebrado en el contexto del diálogo social europeo.

Por lo tanto, en algunas propuestas de derogación recientes, la Comisión ha introducido una disposición de reconocimiento mutuo para garantizar que no surja ningún nuevo obstáculo para el comercio tras la derogación de las disposiciones comunitarias. Por ejemplo, la propuesta sobre preenvasado pretende evitar los obstáculos para el comercio debidos al mantenimiento de requisitos nacionales.

Del mismo modo, para que la decisión de derogar la normativa comunitaria sobre clasificación de madera en bruto sea eficaz debe dársele un seguimiento uniforme en toda la UE. Las disposiciones nacionales que se refieren a la Directiva deben modificarse en consecuencia y los Estados miembros han de asegurarse de que los cambios técnicos se efectúen con rapidez y claridad.

Con demasiada frecuencia se imponen controles y procedimientos administrativos a las empresas europeas que desean operar en otro Estado miembro. En los casos pertinentes, las disposiciones del Tratado contribuyen a simplificar las operaciones en el mercado interior. La Comisión ayuda a reducir estas cargas haciendo cumplir el artículo 28 del Tratado CE, que establece la libre circulación de las mercancías, particularmente al supervisar los proyectos de disposiciones nacionales.

En 2007, la Comisión abordará la integración de los mercados de defensa con objeto de aliviar las cargas administrativas excesivas que entorpecen la competitividad de la industria de la UE en este ámbito. Los costes anuales que para la industria y las administraciones se derivan de las licencias de importación y exportación intracomunitaria para material de defensa se calculan en 238,90 millones de euros. En la práctica, estas solicitudes de licencias casi nunca se rechazan³⁵.

2.4.2. Evitar la sobrerregulación

El examen de las disposiciones de aplicación nacionales que transponen directivas comunitarias ofrece abundantes ejemplos de requisitos técnicos, obligaciones de etiquetado, plazos, procedimientos de autorización y otros requisitos administrativos que los legisladores nacionales añaden a la legislación comunitaria, lo que supone una sobrerregulación. El marco regulador de las empresas de la UE sólo puede mejorarse si las iniciativas adoptadas a nivel de la UE se completan con medidas adecuadas a nivel nacional.

Así lo confirman otras fuentes, como un estudio reciente³⁶ realizado para una federación nacional de PYME. Este estudio indica que ampliando el ámbito de aplicación inicial de las Directivas mediante disposiciones de transposición puede obstaculizarse gravemente la productividad para las pequeñas empresas, con perjuicio económico para importantes creadores de riqueza y empleo. Además, la sobrerregulación puede situar a las empresas nacionales en una situación de desventaja competitiva respecto a otros países.

³⁵ Informe final de Unisys, de febrero de 2005, sobre la circulación intracomunitaria de material de defensa.

³⁶ Federación de pequeñas empresas del Reino Unido: *Burdened by Brussels or the UK? Improving the implementation of EU Directives* (autores: Sarah Schaefer, Edward Young). Este proyecto analiza la transposición de ocho Directivas a la legislación británica. En él se señalan varios ejemplos de sobrerregulación, sobre todo en lo que respecta a las Directivas sobre blanqueo de capitales o mediación en los seguros.

De ahí el propósito de la Comisión, anunciado en la Comunicación de octubre de 2005, de aprovechar mejor las posibilidades de simplificación utilizando, siempre que es posible, reglamentos en lugar de directivas. La sustitución de la Directiva 91/414/CEE por un reglamento sobre la comercialización de productos fitosanitarios es un ejemplo concreto de este cambio en la práctica reguladora.

2.4.3. *Programas nacionales de reforma*

Los requisitos reglamentarios y las medidas de aplicación tienen su origen principalmente a nivel nacional.

Los programas nacionales de reforma (PNR) forman parte de la nueva estructura de gobernanza de la estrategia de crecimiento y empleo (estrategia de Lisboa), y definen las políticas económicas de reforma a nivel nacional sobre la base de directrices comunitarias. Por lo tanto, son fundamentales a la hora de mejorar el entorno empresarial en la UE. Todos los Estados miembros han respondido a las directrices sobre mejora de la regulación y han incluido medidas para promover esta mejora en sus programas nacionales de reforma.

Hasta ahora, nueve Estados miembros han iniciado programas de simplificación con distintos grados de ambición en el contexto de estos PNR. No obstante, es esencial que el programa de simplificación de la UE se complete con un avance de la simplificación en todos los Estados miembros y a todos los niveles de regulación. La nota para el Comité de Política Económica sobre fomento del principio «Legislar mejor»³⁷, elaborada por la Comisión Europea, y el informe sobre competitividad de 2006 enunciaron las principales conclusiones en relación con la mejora de la regulación a nivel de los Estados miembros, y describen con más detalle los logros en este ámbito hasta la fecha.

Ejemplos de iniciativas nacionales:

- Reducción de costes administrativos: En diecisiete Estados miembros, la conciencia de que es preciso analizar los costes administrativos impuestos a la actividad empresarial les ha movido a poner en marcha tareas de medición. Algunos han fijado objetivos cuantitativos para reducir los costes administrativos (por ejemplo, el 20 o el 25 % para 2010). Algunos ejemplos de iniciativas en este sentido son la administración electrónica, la ventanilla única³⁸, las oficinas centrales de registro, la reducción de la legislación fiscal, la simplificación de procedimientos administrativos para el trabajo por cuenta ajena o propia o las iniciativas intergubernamentales.
- Soluciones de administración electrónica y uso de las TIC para reducir la burocracia: creación de portales que ofrecen legislación y formularios (solicitudes, instrumentos de información, etc.), incremento de la disponibilidad de banda ancha.

³⁷ Dirección General de Empresa e Industria, Bruselas, 18 de octubre de 2006.

³⁸ En la ventanilla única pueden realizarse varios trámites administrativos en una sola operación. Esta ventanilla aumenta la eficacia, beneficia a las PYME, es transferible y permite cuantificar los resultados.

- Revisión de la legislación, para garantizar que sus objetivos siguen siendo válidos: simplificación de la normativa laboral, difusión de buenas prácticas reguladoras en toda la administración, análisis coste-beneficio de la legislación, creación de un foro de regulación empresarial donde los interesados pueden examinar las cargas impuestas a la actividad empresarial, principios generales de buena regulación, como necesidad, proporcionalidad, subsidiariedad, transparencia, responsabilidad, accesibilidad y sencillez.
- Simplificación de los requisitos, los trámites y la información en materia fiscal: en particular, con ventanillas únicas para las empresas, PYME y ciudadanos y una reforma de la fiscalidad sobre los ingresos de las empresas y del capital.
- Simplificación de los requisitos en materia de IVA: eliminación de obstáculos fiscales para las actividades transfronterizas permitiendo la desgravación de las cotizaciones a regímenes de pensiones en los Estados miembros de la UE, tanto en beneficio de los trabajadores migrantes como de los proveedores de servicios transfronterizos.
- Mejora de la aplicación de la legislación sobre mercado interior para aprovechar al máximo sus ventajas.
- PYME: Mejora del acceso a la financiación, reducción de los requisitos de información, creación de una agencia única en internet para las empresas que comiencen sus actividades.
- Fechas comunes de entrada en vigor³⁹.

Los intercambios de buenas prácticas entre los Estados miembros y las evaluaciones paritarias son de importancia crucial para mejorar el marco regulador. La Comisión contribuye a esta tarea a través del Grupo de alto nivel para la mejora de la regulación, así como mediante el proceso de Lisboa.

Debería incitarse a los Estados miembros y a las regiones a trabajar juntos en el desarrollo de buenas prácticas, por ejemplo, a través de la iniciativa BEST⁴⁰.

³⁹ Las fechas comunes de entrada en vigor pretenden ayudar a las empresas a tener en cuenta en su planificación la nueva normativa y a dar más relieve a la introducción de requisitos nuevos o modificados. Si, por ejemplo, se reducen a dos fechas las ocasiones en que puede comenzar a funcionar una nueva normativa, se espera que las empresas, al estar mejor informadas de los requisitos nuevos o modificados, logren niveles de conformidad más altos.

⁴⁰ En 1997 se creó el Grupo operativo para la simplificación del entorno empresarial (BEST). Lo componen representantes de la comunidad empresarial y de las autoridades públicas de los Estados miembros, y su mandato consiste en elaborar un informe independiente sobre los medios para mejorar la legislación y eliminar obstáculos innecesarios para el desarrollo de la actividad empresarial europea y, particularmente, de las pequeñas y medianas empresas (PYME). El Grupo de expertos BEST ha señalado iniciativas de mejores prácticas (como el fomento de ventanillas únicas o la regulación conforme a los riesgos) emprendidas en diversos países, para que otros puedan aprender de su experiencia. La regulación conforme a los riesgos pretende concentrar el esfuerzo regulador (y los costes que acarrea para la actividad empresarial) en las actividades que plantean mayores riesgos para la salud o el medio ambiente.

3. CONCLUSIÓN

La estrategia de simplificación, que está en el núcleo de la iniciativa «Legislar mejor», está dando sus primeros frutos.

La Comisión Europea está decidida a avanzar en su compromiso de contribuir a la consolidación del marco regulador mediante un programa renovable rico y ambicioso.

Para lograr nuestro objetivo común, el Consejo y el Parlamento tienen que intensificar su participación para llevar la labor de simplificación a sus etapas finales.

Los Estados miembros tienen también que hacer su parte del trabajo, intercambiando buenas prácticas y aplicando programas de simplificación.

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

	Title of action	Type of simplification action	Description of scope and objectives	Additional initiative to COM (2005) 535
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
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. 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). The objective is to - Adapt the Regulation to accommodate the increased use of electronic exchanges between the Commission and the Member States; - Revise provisions regarding the recovery interests to bring them into line with economic reality; - 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
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. The main objective of the proposal is to lay down the Euro VI limits for pollutant emissions. 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
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. 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
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 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
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
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: -Tighten and streamline the authorisation procedure for novel/new foods and thus make it more predictable for the applicants. -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. -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
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. 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. Two objectives can be identified: - To clarify and simplify the regulatory framework in which business operates; - 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
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: - modernizing and simplifying the provisions of the directive wherever possible - integrating into the directive judgements of the ECJ as well as guidelines of the excise committee - 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
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: – 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); – 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. 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
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. 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. 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
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 (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
78	Recast of two directives concerning Medical Devices and human blood and human plasma	Recast	The purpose is to recast into a Regulation:: - Directive 2000/70/EC on medical devices incorporating stable derivatives of human blood or human plasma, - 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: - Directive 90/385/EEC relating to active implantable medical devices; - and Directive 93/42/EEC on medical devices. 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 <i>acquis</i> in the field of motor vehicles with international regulations at UN_ECE level 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
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. 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
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. 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 Reduction of administrative costs	Codification 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 <i>acquis</i>	Reduction of administrative costs Revision	Revision of the accounting <i>acquis</i> to: – simplify and update accounting rules under fourth and seventh CLD's for SME's. – 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 <i>acquis</i> (8 Consumer Protection Directives)	Codification	The overall aim of the revision of the <i>acquis</i> , is to simplify and improve the coherence of the consumer regulatory framework and thus enhance legal certainty both for consumers and business. 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 <i>acquis</i> . 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. 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: - Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation - 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. The objectives are to: - Produce a consolidated text following the successive amendments of the Directive; - Improve the functioning of the Directive's system by addressing the existing shortcomings; - 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 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 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 <i>acquis</i> .	

	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: - Replace 150 pages of the Annexes containing detailed descriptions of text methods with standards - Have therefore greater compliance with WTO by use of international standards 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 of 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 carcasses 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 carcasses	
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 carcasses	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 carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses	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 on 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 gaseous 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 carcasses 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 carcasses 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 carcasses	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 jurisdiction 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 territory 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 COM(2005) 671 2005/0278/CNS 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 COM(2005) 676 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 COM(2006) 16 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 COM(2006) 390 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 COM(2003) 418 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 COM(2003) 644 2003/0256/COD 2003/0257/COD
Metrology & Packaging	Repeal of pre-packaging requirements.	25 October 2004 COM(2004) 708 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 COM(2006) 195 2006/0066/COD
Waste	Revision of the waste Directives (replaces and repeals Directives 75/439/EEC, 75/442/EEC and 91/689/EEC)	21 December 2005 COM(2005) 667 ⁴¹ 2005/0281/COD
Business statistics	Streamlining of the structural business statistics (Council Regulation (EC / Euratom) NO58/97)	20 February 2006 COM(2006) 66 2006/0020/COD
Payment services	Revised regime on payment services (Revision of Directive 97/5/EC)	1 December 2005 COM(2005) 603 2005/0245/COD

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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 COM(2004) 246 2004/0079/CNS
Customs Union	Modernisation of the Community Customs Code	30 November 2005 COM(2005) 608 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 COM(2003) 621 2003/0252/COD
Maritime Transport	Recast of the regime on port State control (Council Directive 95/21/EC)	23 November 2005 COM(2005) 588 2005/0238/COD
Maritime Transport	Recast of the regime for ship inspections and survey organisations (Directive 94/57/EC)	23 November 2005 COM(2005) 587 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 COM(2006) 396 2006/0130/COD
Plant Protection products	Proposal for a proposal on the placing of plant protection products on the market	12 July 2006 COM(2006) 388 2006/0136/COD
Food additives	Proposal for a regulation on food additives	28 July 2006 COM(2006) 428 COM(2006) 425 COM(2006) 423 COM(2006) 427 2006/145/COD 2006/0144/COD 2006/0143/COD 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 COM(2006) 557 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 COM(2006) 576 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 COM(2006) 245 2004/0154/COD