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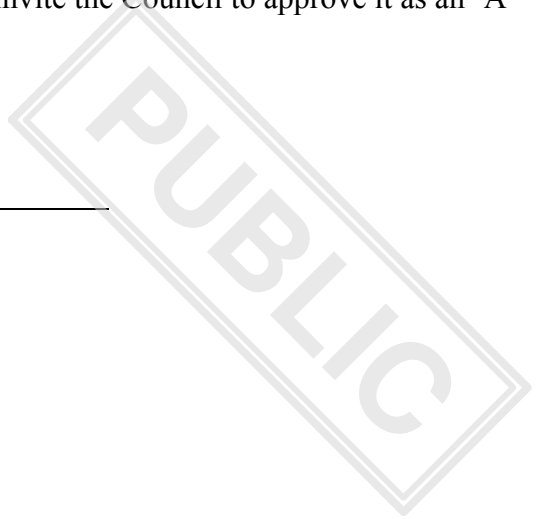
AG 189
BETREG 47

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: Conclusions on simplification and better regulation

1. The Commission work programme for 2025, presented by the Commission in February 2025, includes an implementation and simplification agenda which aims to simplify existing EU legislation through a series of Omnibus legislative proposals in an effort to boost the EU's competitiveness. The European Council reaffirmed this aim in its October 2025 conclusions by urging the Commission and the co-legislators to avoid over-regulation and the introduction of new administrative burdens.
2. In this context, the Presidency presented draft conclusions on the economic consequences of EU legislation at the Antici Group meeting of 18 November 2025. Following a written consultation and a subsequent exchange of views on the revised draft conclusions, the Antici Group reached agreement in principle on the draft text on 2 December 2025 and agreed to forward it to Coreper and Council for approval.

3. In view of the above, the Permanent Representatives Committee is invited to confirm its agreement on the text set out in the Annex, and to invite the Council to approve it as an 'A' item at one of its upcoming meetings.



**COUNCIL CONCLUSIONS ON SIMPLIFICATION
AND BETTER REGULATION**

THE COUNCIL OF THE EUROPEAN UNION:

1. UNDERLINES that EU legislation plays an important role to achieve Union policies, inter alia by protecting citizens' rights, safeguarding workers' security, ensuring prosperity, inclusion, equality and sustainable growth, as well as harmonising rules and procedures across Member States, which is vital for the Single Market.
2. TAKES NOTE of the observations in the 2024 Draghi report that EU rules can in some cases create unnecessary complexity and unjustified bureaucracy hampering the competitiveness of Europe, that the stock of legislation remains large and the flow of new legislation in the EU is growing faster than in other comparable economies, and also that efforts to reduce the stock as well of the flow have had limited impact so far.
3. RECALLS the European Council conclusions of 23 October 2025, which reaffirm the urgent need to advance an ambitious and horizontally driven simplification and better regulation agenda at all levels without undermining predictability, policy goals, high standards and the integrity of the Single Market. They also call for efforts to drastically reduce, as a matter of urgency, administrative, regulatory and reporting burdens for businesses and public authorities, and urge the Commission and the co-legislators to avoid over-regulation and the introduction of new unjustified administrative burdens, notably on small and medium sized enterprises ("SMEs"), throughout the legislative and implementation process at all levels and calls for legislative and regulatory self-restraint in line with a 'simplicity by design' approach.

4. REITERATES its responsibility, together with Commission and Parliament, in delivering high-quality Union legislation and in ensuring that such legislation focuses on areas where it has the greatest added value for European citizens, is as efficient and effective as possible in delivering the common policy objectives of the Union, is as simple and as clear as possible, avoids overregulation and unjustified administrative burdens for citizens, administrations and businesses, especially SMEs, and is designed with a view to facilitating its implementation and practical application and to strengthening the competitiveness and sustainability of the Union economy.
5. WELCOMES the efforts of the Commission through the Omnibus simplification packages to reduce the accumulated stock of burdens on businesses and citizens, and UNDERLINES the commitment of the Council to take work forward without delay.
6. HIGHLIGHTS its commitment to the Better Regulation Guidelines, ensuring the principles of transparent, evidence-based and inclusive law-making.

Monitoring costs and benefits from the flow of new EU legislation

7. STRESSES the need to complement the Omnibus simplification efforts with an effort to monitor and reduce unjustified burdens from the flow of new EU legislation, making the design of new legislation more targeted and effective, while maximising its clear benefits.
8. HIGHLIGHTS that only the burdens resulting from administrative and adjustment costs of individual legislative proposals are currently monitored, not the aggregated costs and benefits from the flow of new EU legislation.
9. AGREES, with a view to better monitor administrative and adjustment costs from the flow of new EU legislation, that:
 - a) the Presidency once per semester provides an updated overview of the economic, social, regulatory and other benefits as well as administrative and adjustment costs for businesses and public administrations from proposals currently under negotiation.

- b) Based on this overview, the Council in its ECOFIN and COMPET configurations discusses the economic, social and regulatory benefits and aggregate administrative and adjustment costs for businesses, citizens, and public administrations, also at EU level, from proposed EU legislation, without prejudice to the competencies of other Council configurations.
- c) The Council (GAC) will take these discussions into consideration, in particular in its discussions on simplification and on legislative programming.
10. CALLS on the Commission to contribute to the above, building on the past experiences of the Annual Burden Surveys and the ‘One in, one out’ approach, as well as the ‘One in, 27 out’ principle.

Impact assessment throughout the legislative process

11. UNDERLINES that high-quality impact assessments of new legislative proposals, including thorough quantitative assessments of costs and benefits for citizens, businesses and public authorities in Member States are essential for better law-making.
12. HIGHLIGHTS that most legislative proposals with expected significant impacts are accompanied by an impact assessment, however sometimes only with partial estimations.
13. CALLS on the Commission to consistently carry out thorough impact assessments of the legislative proposals expected to have significant economic, environmental or social impacts based on well-defined criteria with a view to reaching the Union’s policy goals effectively and efficiently and to better monitor the costs and benefits from the flow of new EU legislation, having due regard to the different impacts EU legislation may have in Member States’ legal systems, on regions including the specific situation of the outermost regions, Island Member States, as well as existing and upcoming Macroregional strategies, and on fundamental rights across the EU. RECOGNISES the potential of digital tools in assessing impacts of EU legislation.

14. INVITES the Commission to include in its impact assessments, where relevant, a “competitiveness test” aiming to assess the impact of the proposed legislation on the competitiveness of European businesses, particularly SMEs.
15. RECOGNISES that administrative and adjustment costs as well as other regulatory burdens of EU legislation can increase throughout the legislative process.
16. CALLS on the Commission to share all data, assumptions, and methodologies used in its impact assessments in addition to information on third parties involved in the preparatory process, prioritising public consultations over ad hoc consultations. In case of sensitive information, appropriate mechanisms for transmissions should be put in place with co-legislators.

Reducing burdens stemming from secondary legislation and implementation

17. STRESSES that the complexity of EU legislation and the resulting administrative and adjustment costs for business and public authorities also derive from an excessive use of delegated and implementing acts.
18. UNDERLINES that legislative acts (level 1) should contain all essential political choices, be clear on objectives for the adoption of delegated acts and implementing acts, and provide, where feasible and necessary, fewer such empowerments. Where relevant, the basic impact assessment conducted by the Commission should also include a preliminary assessment of the need to adopt delegated or implementing acts in order to ensure legal clarity and predictability.
19. CALLS on the Commission to adopt delegated and implementing acts only where necessary and appropriate, to justify their choices in the legislative acts on which they are based, and to refrain from introducing new costs and burdens not explicitly mandated by those legislative acts.

20. HIGHLIGHTS that delegated and implementing acts should be focused, proportionate and technical in nature, within the parameters of the empowerments, and that the essential elements of an area should be reserved for the legislative act and accordingly should not be the subject of a delegation of power.
 21. CALLS on the Commission to start and, if already started, to continue and conclude, producing its announced prioritisation of delegated and implementing acts.
 22. ACKNOWLEDGES the importance of some delegated and implementing acts for clarity, guidance, and a smooth implementation of the basic legislation. STRESSES the need for a transparent approach from the Commission, including the consultation of the Council in the planning, prioritisation and postponement of secondary legislation.
 23. RECALLS the commitment of the Commission, as a general rule, to conduct impact assessments for delegated and implementing acts expected to have significant impacts.
 24. ACKNOWLEDGES that unjustified additional burdens can arise from implementation in Member States, in particular to the transposition of Directives. STRESSES that simplification concerns both policy design and implementation, and that unjustified additional burdens should not be introduced in the implementation process. CALLS on the Commission to ensure timely publication of implementation guidelines well before the deadlines for transposition or entry into application.
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