

**“Routes to Better Regulation” -  
the Better Regulation Task Force’s report  
on alternatives to EU regulation**

Eve Salomon  
Better Regulation Commission



# BRTC European Studies

- Simplification, December 2004
- Consultation, September 2005
- Alternatives, December 2005
  - Guide for policy officials to refer to
  - List and description of all delivery options
  - Factors affecting the successful use of alternatives
  - Recommendations to facilitate their use

# Types of delivery tool available

- No action
- Information/guidance
- Market based instruments
- Social partner agreements
- Self regulation
- Co-regulation
- Commission/Council Recommendations
- New Approach Directives
- Flexible Directives

# Factors affecting the successful use of alternatives

- Risk
- Policy area
- Market considerations
  - High-tech sectors
  - Number of operators
  - Strong EU base



# Factors affecting the successful use of alternatives (continued)

- Monitoring
- Buy-in
- Incentives
- Sanctions
- Trade associations



# Recommendations

- Legal instruments which encourage flexibility -
  - Co-regulation
  - New Approach Directives used in a wider range of sectors
  - Principles-based Directives
  - Possible single legal back-stop for self-regulation
- Raise the profile of alternatives -
  - List and analysis in annual “Better Lawmaking” report
  - List of forthcoming measures in Annual Work Programme
  - Channel for stakeholders to submit proposals
- Performance review by Parliament and Council

# Priority Recommendations

- Officials to use our report and share best practice
- Only include proposals in Annual Work Programme if IA has analysed an alternative and the 'no action' option (where appropriate)
- EP and Council should review proposals and IAs submitted by Commission and return proposals where alternatives have not been considered

# Follow Up

- High-level support
- Monitoring IAs and Annual Work Programme
- Review of progress at end of year
- Joint event to assess success of 6 presidency initiative?