

## Recommendations to make better regulation

On 17 July 2018, the European Commission launched a public consultation on its efforts to improve the EU law-making process. The consultation aims to assess how well the Commission's various "better regulation" tools work in practice and to help achieve the objectives of its better regulation policy.

The consultation focuses on the changes that were introduced or updated by the Commission's better regulation package of May 2015. These include evaluation, impact assessment, stakeholder consultation, the Regulatory Scrutiny Board, the REFIT Platform and the REFIT Programme.

While Insurance Europe is positive about the steps already taken to improve the quality of regulation, it believes that more should be done to promote the better regulation agenda and achieve more tangible outcomes. In its response to the consultation, Insurance Europe makes a number of recommendations:

### General recommendations

- The Commission should be more transparent about the legislative process and timelines, including stakeholder and expert group consultations, as well as planned adoptions.
- The Commission should do more to consult stakeholders on planned initiatives systematically and in an open way.
- The Commission should place more emphasis on the justification for legislative acts, based on the right technical expertise.
- More should be done to increase the usability of the Commission's "have your say" online tool.

### Improving stakeholder consultation

- More time should be allowed for stakeholders to provide meaningful input and for policymakers to assess and consider that input.

### Evaluating existing EU laws

- Reviews under the better regulation framework should function as a quality check of existing legislation and therefore address any existing deficiencies, but never worsen the quality of the existing text.

### Assessing new Commission proposals

- The Commission should give sufficient consideration not only to the impact of a planned proposal on the sectors targeted, but also on sectors not directly within the scope of that proposal.
- The Commission should carry out a deeper and more consistent analysis to guarantee the EU principles of subsidiarity and proportionality; ticking the box is not enough.
- The Commission should conduct a more thorough legal assessment when analysing the appropriateness of the legal basis justifying a proposal. This assessment should be conducted in line with the EU principles of proportionality and subsidiarity.
- The Commission should systematically assess the cumulative impact of a planned proposal when it is combined with other existing or proposed rules.

### Scrutinising the quality of impact assessments and evaluations

- The role of the Regulatory Scrutiny Board (RSB) should be further clarified and strengthened. Proposals presented to the College of Commissioners should always first receive RSB approval.