



EUROPEAN COMMISSION

High Level Group of Independent Stakeholders on Administrative burdens

MINUTES OF THE MEETING OF THE HLG ON 15 APRIL 2008

Venue: Brussels, 15 April 2008, from 14h00 to 17h30

Present: See presence list

Excused: Mr. R. Berger, Mr. J. Murray, Mr. Padrosa; Mr. Telicka as of 16.00 hours

1) Opening

The meeting was opened by the Chair.

The draft agenda was adopted without comment.

The minutes of the meeting of 26 February 2008 have been adopted without comments.

2) FTA package 2008: Finalisation of the opinion following explanations by the secretariat

Mr. Koopman refers to how the estimates were made that these figures are low conservative estimates.

Mr. Illy, deputy reporting member on FTA, briefly outlines the final opinion and recalls the discussions during the last meeting.

The chair thanks the reporting members.

Mr. Hontelez would like to see clarified that the savings are yearly. He furthermore inquires about Mr. Murray's and their view expressed during the last meeting. According to the chair this can be done in a footnote.

Mr. Telicka would like to reduce the message on the figures. He makes a few drafting suggestions that are adopted by the group.

Mr. Potdevin raises further drafting questions. Mr. Gibbons makes some suggestions that are carried.

3) 14.50: Information from the secretariat on the contest

Mr. Koopman reports on contacts with Vice-President Verheugen who supports the idea. The Commission would like to link this to existing prizes (European enterprise award) and to the existing on-line consultation. He further outlines some technical issues.

The chair takes note of this information and asks the secretariat to report back with a detailed concept at the next meeting in May. He underlines again the basic idea of the contest which is to raise awareness.

Upon request of Mr. Ludewig Mr. Koopman clarifies the link to the European enterprise awards.

Mr. Hontelez suggests making the rules as clear as possible to ease the work of the jurors. Mr. Gibbons concurs.

Mr. Illy suggests involving stakeholders also on the regional and local levels.

The chair recalls the need to interest the press.

4) Presentation by the consortium of the results regarding the priority area "company law"

Mr. Loff (Consortium) presents the results for the area of company law. *The presentation has been sent to members beforehand.*

The chair thanks the consortium for the presentation and puts the figures in context to the overall aim of 150 Billion EUR.

5) Short statement from DG MARKT (Mr. P. Delsaux, Director, DG MARKT)

Mr. Delsaux reports on initiatives DG MARKT has already undertaken. He refers to modifications of the 3rd and 6th directive, the FTA and further modifications of the same directives later in the year.

The DG cannot give a formal and final opinion but would like to give a first reaction.

On the first proposal Mr. Delsaux recalls that the inclusion of microentreprises has benefits. He furthermore underlines that we would have to ensure that Member States don't reinstate rules on the national level. Companies might also have problems to obtain loans or deal with their suppliers and customers without any accounting.

Regarding the second proposal he questions the need to solve the problem of three Member States by EU law.

The chair underlines again that it is difficult to reduce administrative burden. He recalls the greater context of the programme and the need to achieve the final result of 150 billion EUR. Less will be impressive but nevertheless a failure.

The chair underlines the need of a common opinion.

Ms. Fritsch confirms that a preparatory meeting took place on April 14th. The group of reporting members is at the beginning of the process and has scheduled two more preparatory meetings.

The secretariat will prepare a synopsis and the five members will carry it from there.

Mr. Potdevin hints at an error in the presentation as regards the tasks of auditors. He furthermore points at the difference between internal and external cost. As regards the comparison among Member States he sees a lack of coherence. He mentions several other elements of the presentation that seem erroneous to him.

Mr. Ludewig points out that the figure of 20 billion is rather low, also in relation to figures from Germany. This needs to be clarified in the near future. He points to the importance of the principle of subsidiarity. Administrative cost in the Member States need a lot of further explanation. He suggests that the consortium joins the working meeting of the reporting members.

Ms. Fritsch would like to know details about the measurement of business-as-usual cost and would like to have the e-government proposals explained further.

Mr. Linschoten supports the issues raised by Mr. Potdevin and Mr. Ludewig. In addition he points out that the programme has to reach the micro-enterprises. Getting rid of IOs on the European level might not solve anything due to national obligations that would remain. He would like to see the results completed in that sense.

Upon invitation of the chair Mr. Loff reacts to the various remarks and questions. The consortium will contribute to giving the answers. Regarding the remarks of the reporting members the consortium will prepare more detailed reactions. As regards business-as-usual costs the final report will deal with this issue, i.e. within the next few weeks.

Mr. Koopman clarifies that the 150 billion EUR figure contains two elements: the actual cost reduction and the second-round effect. In this context the 20 billion EUR are a good part of the cost. He then refers to subsidiarity: the approach needs to be harmonised better to allow for good European legislation. He finally recalls that speed is of the essence in view of the overall timeframe.

Mr. Potdevin would like to see the "one-stop shop" proposal developed because of its positive secondary effects.

Mr. Gibbons reports that the UK experience shows that company law is a key area. He hopes that the group will come forward with a useful reaction. He recalls the need for ambition and good ideas that he sees vanishing.

Mr. Illy raises several issues in relation to effects on micro-enterprises.

The chair states that the questions raised by DG MARKT are to be discussed and answered by the Commission itself, not by the Consortium but with its support.

Mr. Delsaux answers by clarifying that questions were indeed asked to the group in its role as an adviser of the Commission. As regards the scrapping of four directives he reports that the competitiveness council, the EP and 70% of the stakeholders were against.

Mr. Loff underlines that the consortium is of the view that the numbers are solid.

Mr. Linschoten would like to have more information on how the 150 billion EUR are supposed to be reached.

The chair recalls the need to be clear about the figures and their composition. The yardstick for success will have to be whether the companies see a concrete positive result.

Mr. Koopman proposes to come back in writing to the definition.

6) Reporting members for priority areas

The chair thanks for the preparation and presents the areas.

After a short discussion Mr. Pesonen accepts to be deputy reporting member for Food safety; Mr. Ludewig accepts the same for Statistics. Mr. Corte Real accepts to report on Fisheries.

The chair will, in cooperation with the secretariat, present a timetable for the different areas.

7) Information from the secretariat

Mr. Koopman reports on the conference on June 20th which is a prime event to raise awareness of the programme. Members will be invited to participate. Company law and some but not all other priority areas will be dealt with.

He informs on national events and communication elements and invites members to raise awareness of the online consultation.

The chair informs the group that he has contacted Mr. A. Italianer as chairman of the IAB whom he invited to report on his work again in May.

The chair suggests that a press conference should be foreseen after the next meeting.

8) Treatment of proposals from members; short exchange of views)

The chair and Mr. Linschoten briefly refer to the method how to deal with proposals coming from and via members.

Mr. Koopman confirms the support of the secretariat.

Adopted by the HLG in Brussels on 29 May 2008