

## APPENDIX

### **Communication from the European Commission regarding the review of the "Small Business Act" for Europe. (COM(2011)78 final).**

#### **FINAL DOCUMENT APPROVED BY THE COMMITTEE**

The Economic Activities, Trade and Tourism Committee of the Italian Chamber of Deputies,

having examined the Communication from the Commission to the European Parliament, the Council, Economic and Social Committee and the Committee of the Regions – Review of the "Small Business Act" for Europe (COM(2011)78);

taking note of and concurring with the opinion expressed by the European Union Policies Standing Committee at its meeting of July 13 last;

whereas:

the Small Business Act (SBA) is the main EU policy initiative for small and medium-sized enterprises (SMEs); the purpose of the Small Business Act Review is to gauge the progress made in the implementation of the Act, address the major obstacles to the growth of SMEs and draw up new measures to respond to the challenges posed by the current economic situation;

the European Parliament has already expressed itself in favour of the SBA Review with a Resolution passed on 12 May last in which it underscored the importance of e-government and re-affirmed the necessity for Member States, when transposing Directives into national law, to avoid introducing supplementary regulations other than those required by EU legislation, a practice known as "gold-plating";

the Competitiveness Council at its meeting of 30 and 31 May also discussed the Communication, and identified the following core policies from the conclusions as meriting priority treatment: smart regulation, access to finance, better access to internal and international markets, enhanced enterprise capacity and stronger governance;

the Communication relating to the SBA Review remarks on the progress made by the Commission (with particular regard to the roll-out of the "SME test" in its impact assessments), on the measures taken by Member States to implement the SBA, and on the best practices adopted by Member States in complying with the ten principles of the SBA;

recalling that the objectives of the Communication are: to simplify the regulatory and administrative environment; to address the critical issues of SME funding and access by SMEs to the market; to emphasize the role of SMEs in the transition to efficient resource growth; to adopt pro-employment measures in the current situation of economic crisis;

expressing its appreciation of the concrete actions identified by the Commission to respond to the challenges resulting from the economic crisis and develop existing actions in line with the Europe 2020 strategy within the framework of a robust system of governance, to be achieved by gathering data for a sound assessment of progress made and by monitoring the competition policies of Member States,

having determined that:

the adoption of new measures for SMEs is of particular importance for the Italian economy, in which SMEs account for 81 percent of the workforce and for 71 percent of national value added;

as evidenced during the fact-finding work carried out by the Committee, the translation of the Review's guidelines into concrete actions - particularly those designed to boost SMEs and to remove some of the many constraints obstructing the competitiveness of the country's economic system - could give further impetus to SMEs;

in the policy report on Italy's participation in the EU for 2011, the Government attaches particular importance to the work connected with the Small Business Act Review and lays particular emphasis on the need to introduce the new category determiner "micro" along with "small" and "medium" enterprises as well as on the need to pay closer attention the concept of generational transition in order to improve the effectiveness with which potentially innovative enterprises are identified;

being fully in agreement with the selection of this priority, especially in light of the current economic situation;

the Economic Activities Committee has already addressed the issue of EU initiatives in favour of SMEs, by approving Resolution No 8-00042 on 5 May 2009, during consideration of the Resolution on the SBA of the European Parliament of 4 December 2008;

the resolution of the Economic Activities Committee committed the Government to making a concrete European-level contribution to the task of translating the recommendations in the Communication into specific proposals, including of a legislative nature, and to undertaking to carry out all necessary initiatives at a national level to achieve the objectives that the Communication assigns to the responsibility of Member States; the Resolution makes particular reference to: the connection between the system of education and the system of enterprise; administrative simplification; the continuity of credit to SMEs; the revision of company law relating to bankruptcy and insolvency proceedings; the introduction of reserved quotas for SMEs in public contracts and the making available of information to SMEs; the right of SMEs to access government incentives; forms of stable coordination in business agreements; the progressive elimination of the IRAP tax (regional tax on productive activities ); the absence of a law allowing companies to deduct interest charges from gross operating profit; the introduction of a tax system that rewards enterprise networks and companies that invest in innovation; subsidies for companies fulfilling EU targets for environmental and energy use targets; the recovery of accounts receivable from public authorities; the introduction of stricter rules for the assignment of labels certifying the origin of product; the effective enforcement of rules for the payment of suppliers; the possibility of setting up an Agency for micro businesses and small businesses;

acknowledging that this final document, along with the opinion of the European Union Policies Committee, needs to be transmitted promptly to the European Commission as part of the political dialogue, as well as to the European Parliament and the Council;

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#### FAVOURABLE ASSESSMENT

*and, in relation to the position to be taken during the drafting of proposals for European legislation, underlines the need to promote actions aimed at:*

- 1) supporting the Community-wide adoption of the acronym MSME (micro, small and medium-sized enterprises);
- 2) implementing the "SME test" so that every legislative provision is accompanied by an impact assessment of the costs that weigh on companies, particularly MSMEs; ensuring a corresponding reduction of other charges; applying the principle of proportionality and specificity, and postponing compliance obligations;
- 3) applying the principles of the "Smart Regulation" Communication (COM (2010) 543), by starting the process for the abrogation of the additional provisions that were included during the transposition of European Directives;
- 4) making sure that as business-to-business and business-to-public administration electronic invoicing comes into use, the banking system will recognise the electronic documents as having a certification value and offset the amounts indicated in the invoices against companies' overdraft limits;

- 5) ensuring that the measures currently being drafted regarding the exclusive use of payment systems between companies that allow traceability through the use of electronic money include a clause requiring a quota of not less than 20 percent of the fees charged by banks to be allocated to a central guarantee provision;
- 6) amending the rules on severance indemnities by making it possible for a company to retain the relevant funds if an employee opts not to use them;
- 7) Transposing before the deadline the Directive on fighting late payments in commercial transactions (Dir 2011/7/EU), and opening a discussion with the most representative Organisations with a view to drafting, in short order, proposals to solve the problem of late payments by public authorities;
- 8) favouring the participation of MSMEs in the planning of initiatives and the reviewing of tools for internationalisation;
- 9) providing specific forms of support for MSMEs in the framework of energy-efficiency policies;
- 10) implementing the SBA Action Plan recommendation that the cost of setting up a company be reduced to €100 and the time required reduced to three days by 2012, while the time to acquire a licence and operating authorisation (inclusive of environmental permits) for the exercise of a business activity be reduced to one month by 2013; and implementing also the SBA action Plan recommendation that by 2013 the rehabilitation and liquidation of the bankruptcy debts of honest business entrepreneurs, including by electronic means, shall take no more than three years;
- 11) providing forms of support for the generational transfer of businesses;
- 12) supporting the Italian system of businesses and banks within the European Union and other international forums to make sure that the roll-out of the "Basel 3" capital adequacy rules does not choke off credit to MSMEs and adversely affect Italian GDP.