



EUROPEAN COMMISSION

*Brussels, 23.10.2015
C(2015)7376 final*

Dear Chairman,

The Commission would like to thank the House of Lords for its Opinion concerning the Better Regulation Package {COM(2015) 215 and 216 final}.

The Commission is pleased that the House of Lords generally supports the Better Regulation Package adopted on 19 May 2015.

As regards impact assessments, these are designed to support and strengthen the political decision-making process, not to substitute for it.

In line with international best practice, the Commission relies on an independent scrutiny mechanism to ensure (and be reassured about) the quality of the impact assessment analysis underlying its decisions on any proposal likely to have significant economic, social or environmental impact. The Commission has decided to further strengthen the scrutiny of the quality of these assessments (and of evaluations) by establishing a new Regulatory Scrutiny Board with greater independence and capacity. As reflected in its working methods, the Commission considers a "positive" Board opinion sufficient evidence of the quality of the impact assessment analysis it requires to inform its policy decisions. Should the College decide to launch an initiative despite a negative opinion from the Board on the related impact assessment, it will publicly explain the reasons why. In this manner, the Commission remains free to take initiatives in the exercise of its tasks under the Treaty on the Functioning of the European Union, but does so in full knowledge of the advice of the Regulatory Scrutiny Board and in full transparency with outside stakeholders.

The Commission takes good note of the House of Lords' comments on the role and responsibility of national Parliaments, including on the proposal from some national Parliaments, including the House of Lords, that the Commission should give serious consideration to suggestions from national Parliaments to adopt proposals for new or amended legislation.

*The Lord Boswell of Aynho
Chairman of the European Union Select Committee
House of Lords
Palace of Westminster
UK – LONDON SW1A 0PW*

The Commission has expressed its commitment to building, within the framework provided by the Treaties, a new partnership with national Parliaments and to engaging in a closer dialogue with them, in particular on major policy initiatives. The Commission strongly encourages national Parliaments to engage in the early phases of policy formulation, for example by replying to public consultations. Furthermore, the Commission has already stated on several occasions – I last did so in my address to the COSAC Chairpersons in Luxembourg on 13 July 2015 – that the Commission would be open to consider proposals from national Parliaments for new or amended legislation provided they enjoy broad support. The Commission is currently examining the proposal from the House of Lords and 15 other chambers concerning food waste reduction.

As regards the role of national Parliaments in the preparation of the Commission Work Programme, the Commission considers that national Parliaments' views constitute valuable contributions to the debate on the political priorities of the European Union. As such, the Commission welcomes the strong interest that several national Parliaments, including the House of Lords, have already shown in the 2015 Work Programme and that they have taken up the Commission's invitation to see the Work Programme as a strategic tool.

Finally, as regards the House of Lords' call for a stronger involvement of national Parliaments in the work of trilogues, the Commission would like to point out that although it strongly supports transparency in the legislative process, it is first and foremost for the representatives in the Council to keep their national Parliaments informed about the development of legislative procedures, including on the conduct of trilogues.

The Commission hopes that these clarifications address the issues raised by the House of Lords and looks forward to continuing our political dialogue in the future.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'F' and 'T' followed by a horizontal line.

*Frans Timmermans
First Vice-President*