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The Danish Implementation Council

Paul Mollerup, June 20 2018

Peer Review on “The efficient transposition, implementation and enforcement of EU OSH legislation”, Copenhagen

# Reccomendations - The High Level Group

*How Member States can contribute to better regulation and a more competitive Europe*



Under the 2010 mandate the group was asked to prepare a report documenting Member States' best practices in implementing EU legislation in the least burdensome way by November 2011.

Best Practices

The report was adopted in Warsaw on 15 November 2011 following a year of intensive work on best practice examples sent by all EU Member States, regional and local authorities, stakeholders and others.

# Introduction

## Danish setup

- Implementation Council (business organizations, social partners and consumer organization + experts)
- Five guiding principles for transposing EU business regulation
- Target for reducing administrative burdens and economic costs

## Purpose

- To improve competitiveness
- To ensure transparency
- To high-light the political focus and political accountability

# The remit of the Implementation Council

1. Proactive political lobbying
  - Identifying *future* EU regulation, where there is a need for early and proactive action to avoid unnecessary burdens.
  
2. Transposition of new EU legislation into national law
  - Point to least burdensome ways to implement and prevent unnecessary, potentially burdensome issues to be introduced when *new* EU legislation is transposed into Danish law.
  
3. "Neighbor check" – best practice in other Member States' transposition
  - Checking *existing* implementation of EU regulation against methods used in other member states in order to identify simplifications.



- Paul Mollerup is chairman
- 3 experts
- 11 organizations
  
- Meets 4 times a year
- Members of the Council present proposals in the areas of proactive lobbying and neighbor checks to be discussed at the meetings.
- The proposals agreed upon by the Council are sent to the The Implementation Committee.

# Focus of the Council

- Gold-plating is a national problem.
- The aim is to avoid gold-plating.
- Decisions to go beyond the minimum requirements from EU must be **transparent** and derive from a **political decisions**.
- **Inefficiency** is predominantly due to the way national implementation is carried out – not to gold-plating.



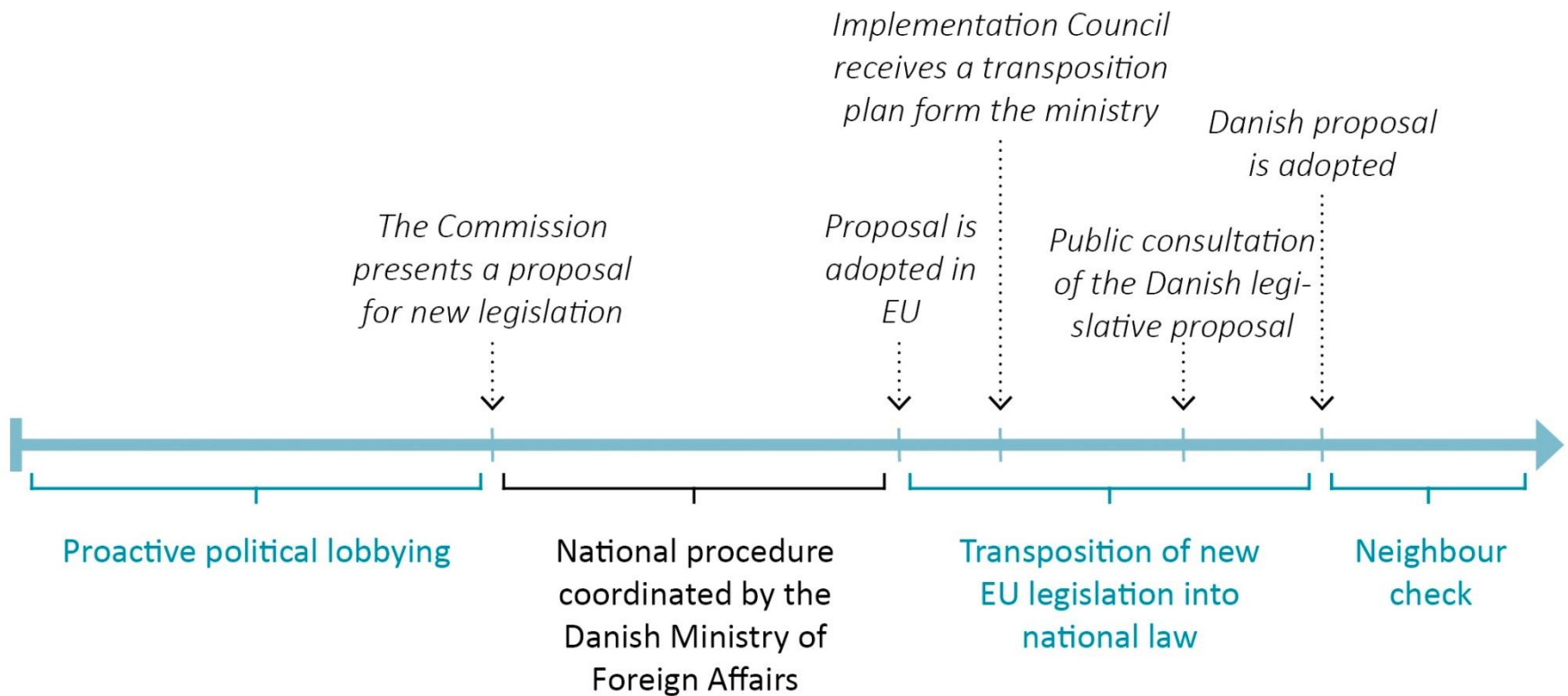
IOs. The calculation shows that approximately 28% of administrative costs can be attributed to the national level due to inefficiencies as compared to normally efficient transposition. In addition, 4% of costs stem from national obligations going beyond EU requirements.

This gives a total of 32% of all administrative costs that can be attributed to the national level.

# The five Danish principles

1. Do not go beyond minimum implementation
2. Do not put Danish businesses at a competitive disadvantage
3. Use flexibility and derogations where possible
4. When implementing, look for alternatives to regulation
5. Do not let national rules come into force before transposition deadline

# Process





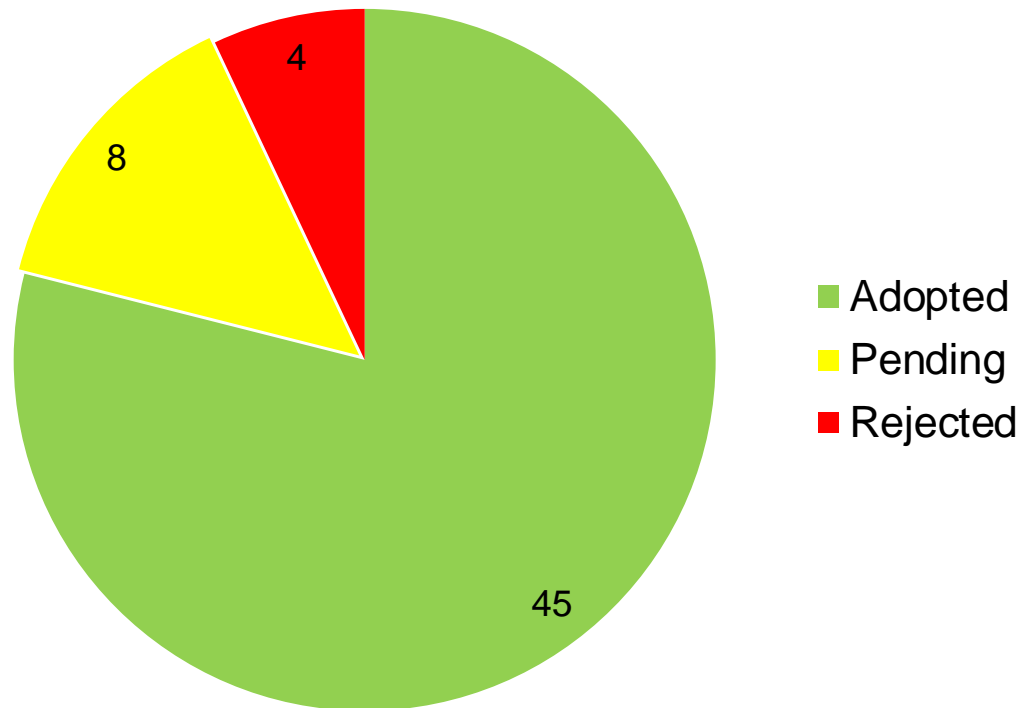
# Results I

Area	Number of recommendations
Proactive political lobbying	57
Transposition of new EU legislation into national law	24
"Neighbour check"	61
<b>Total</b>	<b>142</b>

- 118 recommendations have been discussed by the Implementation Committee
- 86 recommendations have been adopted

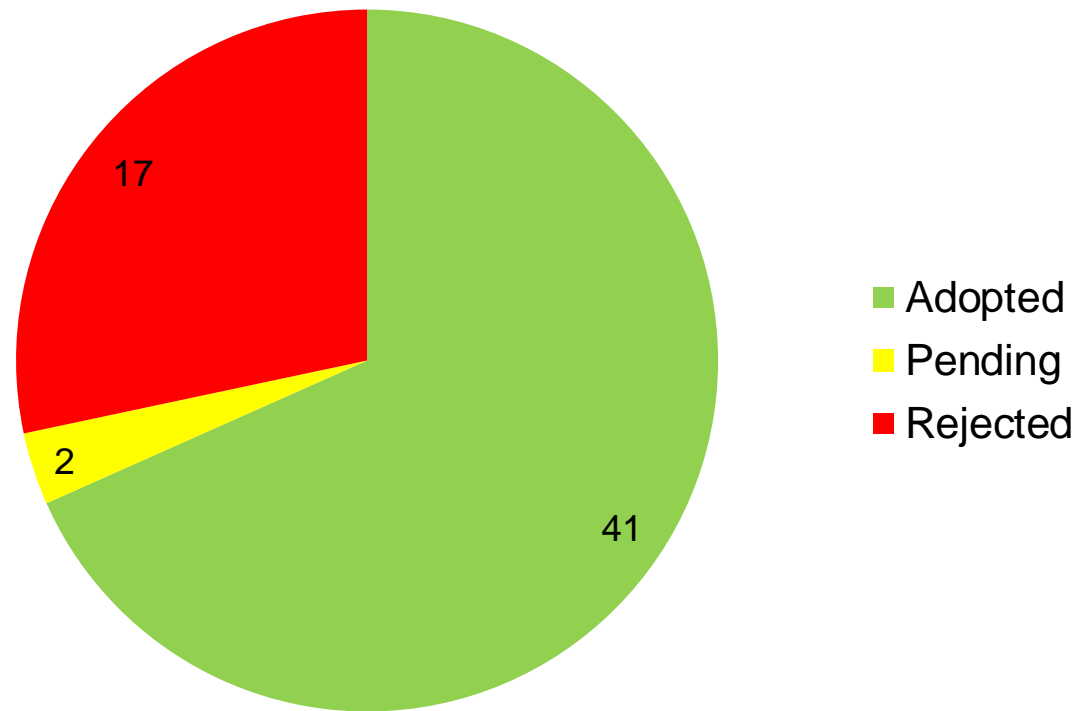
# Results II

Response from the Implementation Committee  
– Proactive political lobbying



# Results III

Response from the Implementation Committee  
– “Neighbour check”



# Proactive lobbying - examples

- Work to strengthen SOLVIT
- Work to improve the rules governing mutual recognition of products
- Work to maintain a SME definition similar to the current one

# Implementation Plans - examples

- Recommendation on the publication of guides to accompany the implementation of General Data Protection Regulation (GDPR)
- Regulation on entering the European Network of Employment Services (EURES)
- The implementation of the National Emission Ceilings Directive (NEC)

# Neighbour check - examples

- Barriers to Danish professional truck drivers diagnosed and treated for epilepsy
  - Unclear definition of what must be required in the health assessment in order for truck drivers with epilepsy to obtain or renew their driving license
  - Recommendation to the EU-Commission to implement transitional rules regarding seizure-free and treated epileptic persons

# Future Strategy

- Making the results of the Council more visible to politicians and the public
- Quantification of the results
- Lack of enforcement/implementation in other EU member states
- Comitology regulation
- Directives vs. regulations

# Contact



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