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From:	Presidency
To:	Working Party on Social Questions
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a European Labour Authority

In accordance with the guidance on Impact Assessment (doc. 16024/14), delegations will find attached the Presidency's summary of the delegations' views on the Impact Assessment on the abovementioned proposal.

Summary of the replies to the Impact Assessment (IA) questionnaire

While many delegations considered that the **legal basis and the policy context** were clearly explained in the IA, other delegations were only partly satisfied. The latter raised concerns about the explanation of the choice of legal basis, in particular relating to the coverage of third-state nationals entitled to intra-EU mobility under migration directives, the coverage of concerted and joint inspections and mediation between MS and the references to Article 48, Article 53(1) and Article 91(1) TFEU.

Most delegations were satisfied with the IA analysis on **compliance with the principle of subsidiarity and proportionality**. Some delegations stressed the need for more justification of the added value of this new agency and the possible overlaps with other actions taken or planned by the EU or by Member States.

All delegations agreed that the **problem definition** had been outlined clearly, or to some extent clearly; however, many considered that the IA did not go into enough detail about how these problems would be addressed by the proposed measures, how all the current networks, committees and institutions at national and EU level would be integrated into or work together with the ELA, how overlapping of tasks and responsibilities would be avoided, and in particular what the impact on the Administrative Commission would be. Some delegations considered that positive examples of current structures working well had not been sufficiently taken into account and that it was too early to evaluate the efficiency of Directive 2014/67/EU or the impact of the EURES regulation.

The **policy objectives** were considered by all delegations to be very, or partly, well presented. Some delegations highlighted the consistency with other initiatives, while others wanted more detailed information. Nearly all Member States were fully or partly satisfied with the presentation of the **policy options**, although some would have liked to see other options, such as the strengthening of existing networks. Delegations concurred that **stakeholders** had been identified, even though some delegations felt that the link between the stakeholders' views and the policy options could have been spelt out more clearly.

Most of the delegations considered that the **impacts** of the proposal had been analysed clearly, or to some extent clearly. However, some delegations mentioned that the analysis could have been made more specific by using more concrete empirical evidence and quantitative data.

Most delegations thought that the **impacts on competition and competitiveness** had been presented clearly, or to some extent clearly presented. The **impacts on SMEs including microenterprises**, the **social impacts**, the **regulatory costs**, the **impacts on individual Member States** and the **impacts on fundamental rights** were broadly considered to have been analysed clearly, or partly clearly.

The **opinion of the Impact Assessment Board (IAB)** of the Commission was considered to have been set out clearly, or partly clearly. As to the **measuring**, most delegations thought that the indicators were clearly, or reasonably clearly, able to measure the intended effects. Almost all the delegations recognised that **monitoring solutions** had been presented. Delegations were more divided regarding the information provided on the impact of the **transposition deadline**. Finally, the majority of delegations was satisfied, or reasonably satisfied, with the presentation of **the methodology and methodological choices, limitations and uncertainties**.