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'I' ITEM NOTE

From:	Presidency/General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. prev. doc.:	7158/1/24 REV1
Subject:	Handling of impact assessments within the Council - Annual report covering the period January-December 2023 - Endorsement

1. On 19 March 2024, the Mertens Group examined the draft annual report on the handling of impact assessments within the Council, covering the period January-December 2023. The draft report was prepared by the Presidency with the assistance of the General Secretariat of the Council.
2. COREPER is invited to endorse the resulting report “Handling of impact assessments within the Council – Annual report covering the period January-December 2023”.

**HANDLING OF IMPACT ASSESSMENTS WITHIN THE COUNCIL –
ANNUAL REPORT COVERING THE PERIOD JANUARY-DECEMBER 2023**

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I. INTRODUCTION

1. The Report on Impact Assessment (IA) within the Council endorsed by the Competitiveness Council of 29 and 30 May 2013¹, recommended that the Presidency, assisted by the General Secretariat of the Council (GSC), monitor the implementation of the measures set out in that document and report back annually to COREPER.

A. Previous reports

2. As a result, annual reports have been endorsed by COREPER², providing recommendations and comprehensive accounts of IA-related developments within the Council, including actions taken following recommendations made in these reports and in the Council Conclusions on Smart Regulation of 4 December 2014³.
3. Since 2016, the annual reports have also explored scenarios and included recommendations aimed at, *inter alia*, ensuring proper follow-up and implementation of the provisions of the Inter-Institutional Agreement on Better Law-Making (IIA) of 13 April 2016⁴, as appropriate. The reports also recommended continuing with awareness-raising measures and initiatives about the applicable procedures for the handling of IAs within the Council, including on the best use of the Guidance for the Working Party Chairs (“Handbook”)⁵, together with its indicative checklist⁶, in order to inform the Council’s decision-making process.

¹ 8406/13.

² 10882/14, 8749/15, 9786/16, 9865/1/17 REV 1, 8900/18, 10014/19, 8532/20, 9735/21 and 9633/22.

³ 16000/14.

⁴ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1–14 (“IIA”).

⁵ 6270/18. An Indicative Guidance for Working Party Chairs, including an indicative checklist, was introduced in the 2013 IA report to ensure the effective consideration of Commission IAs at an early stage of discussions on a given proposal in relevant Council Working Parties. It was first updated in June 2016 following the entry into force of the new IIA on Better Law-Making of 13 April 2016.

⁶ 6270/18 EXT 1.

4. **The 2023 annual report⁷, which covered the period from June 2022 to May 2023, emphasised**, in particular, that the proportion of legislative proposals with IAs has increased compared to previous reporting periods. It also affirmed that information contained in IAs is a vital precondition for being able to reach the objectives of the Communication “Long-term competitiveness of the EU: looking beyond 2030”⁸. The report highlighted again that the Council remains committed to actively follow the topic of IAs, which make a positive contribution to improving the quality of Union legislation, taking account of the Guidance for the Working Party Chairs (“Handbook”), which recommends in particular that Presidencies give delegations sufficient time to examine an IA using the indicative checklist.

The report invited the Commission to regularly present easily accessible quantitative information on the frequency of and the grounds for the absence of the Commission IA, as well as to clearly explain its reasons and the criteria for cases when an IA is not produced due to urgency.

In order to ensure a clear and comprehensive reporting on IAs within the Council, some delegations as well as the Commission requested in the conclusions of the 2023 annual report to have future reporting periods covering the same cycle as the Commission Work Programme, i.e. from January to December.

⁷ 10082/23 + COR 1.

⁸ 7604/23.

B. Context of this year's report

5. Based on paragraph 62 of the 2023 Annual Report, COREPER approved in January 2024⁹ that **the present report would be the first one to cover a new reporting period that runs from 1 January 2023 to 31 December 2023**. This replaces the previous reporting period running from June to May, which had been in place since June 2014¹⁰.

This report thus examines the handling of IAs within the Council throughout the entire year of 2023, including the follow-up of the provisions outlined in the IIA¹¹. It encompasses the same timeframe as the 2023 Work Programme of the Commission, which includes legislative and non-legislative proposals issued between 1 January 2023 and 31 December 2023.

The 2023 annual report already addressed the period from January 2023 to May 2023. However, this current report revisits that period and also includes the months from June 2023 to December 2023.

To provide a more comprehensive view of the longer-term progression in the area of IA, this report extends its scope back to 2014.

6. The 2023 Commission Work Programme published on 18 October 2022¹² stated “*the need for informed policymaking based on evidence and better regulation principles*.” It emphasised the importance given to competitiveness in the better regulation framework through a competitiveness check and a strengthened SME test.

⁹ 5429/24.

¹⁰ 8406/13 + COR 1, paragraph 24.

¹¹ The information set out in this report on the handling of IAs within the Council, including its annex, was collected from GSC services dealing with the relevant policy files and was used for the preparation of this report, as part of the follow-up on the handling of IAs within the Council decided by COREPER (see reports referred to under paragraphs 1 and 2).

¹² 13847/22 + ADD 1.

7. In its Communication “Long-term competitiveness of the EU: looking beyond 2030”, the Commission clearly stated that the quality of regulatory framework is crucial for the Union’s competitiveness. It continued that “*the new competitiveness check ensures that the impact assessments of legislative proposals present in an integrated manner the expected impacts of each proposal on cost and price competitiveness, international competitiveness and the capacity to innovate, and also on SME’s competitiveness.*” In the Communication, the Commission also mentioned the continued use of the “one-in-one-out” principle, and committed itself to work on how to better assess the cumulative impacts of different policy measures at the EU level with a view to develop a methodology, and to reduce administrative burdens in terms of costs of reporting requirements by 25 %.
8. Building on this Communication, the European Council, meeting on 23 March 2023, adopted its Conclusions¹³, in which it called, *inter alia*, for advancing work in a growth-enhancing regulatory environment. More specifically, it called to “*simplify the general regulatory environment and reduce the administrative burden, including by accelerating permitting procedures, carrying out competitiveness checks for new legislative proposals and considerably increasing the uptake of digital solutions and rationalising reporting requirements.*”

¹³ EUCO 4/23.

9. On 30 November 2023, the Council (Economic and Financial Affairs) adopted its Conclusions on the future of cohesion policy¹⁴, in which it invited the Commission “*to make full use of the possibilities offered by article 349 of the Treaty, and to systematically integrate the effects of its future legislative proposals on the outermost regions as a specific and dedicated criterion, as part of the respective impact assessments*”. It also invited the Commission “*to make wide use of Territorial Impact Assessments while preparing legislative proposals in order to capture the territorial impacts for territories and regions concerned*”.
10. On 16 May 2023, the Regulatory Scrutiny Board (RSB) published its 2022 annual report¹⁵, in which it highlighted in its conclusions that “*building on the positive trend already identified in last year’s report the Board noticed a further improvement in the overall quality scores of draft impact assessments and evaluations. (...) There is scope to further improve the compliance with the new requirements set out in the revised better regulation guidelines and toolbox. (...) In line with the Commission’s renewed focus on competitiveness and the strengthened mandate of the Board the assessment of competitiveness impacts will continuously feature in the scrutiny work of the Board, including the correct application of the new ‘competitiveness check’.*” In comparison to the previous year, the RSB reported that it scrutinised 70 IAs in 2022 (compared to 83 in 2021), 7 evaluations and 1 fitness check (compared to 15 in 2021); this represents an overall decrease by 20 % on the workload of the previous year.

¹⁴ 16230/23.

¹⁵ https://ec.europa.eu/info/law/law-making-process/regulatory-scrutiny-board_en#annual-reports

II. FOLLOW-UP ON IMPACT ASSESSMENTS

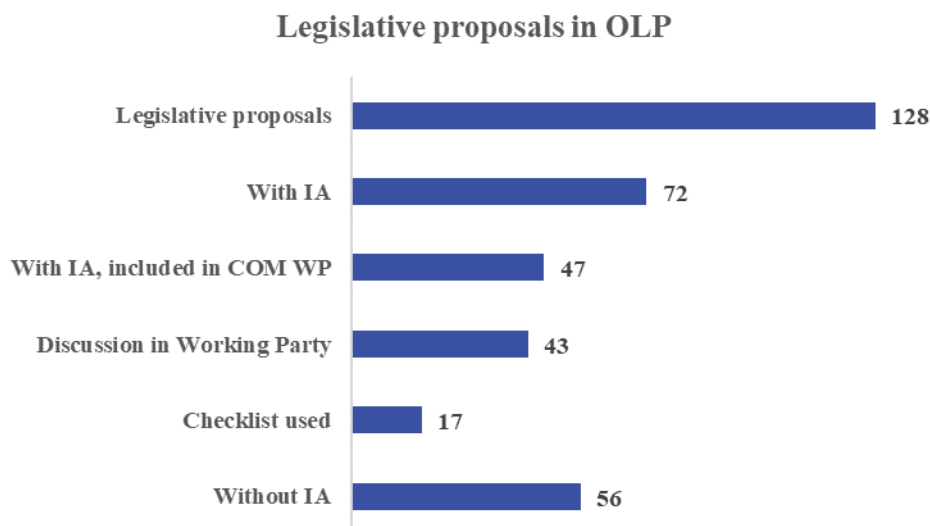
11. Under paragraph 13 of the IIA, the Commission committed to carrying out IAs of “its legislative and non-legislative initiatives, delegated acts and implementing measures which are expected to have significant economic, environmental or social impacts. The initiatives included in the Commission Work Programme or in the joint declaration will, as a general rule, be accompanied by an IA”.
12. The Commission’s Better Regulation Guidelines¹⁶ specify that an IA is required for Commission initiatives that are likely to have significant economic, environmental or social impacts or which entail significant spending, and where the Commission has a choice of policy options. The rules on derogations, e.g., due to urgency, are provided in the Better Regulation Toolbox¹⁷.
13. Under paragraph 17 of the IIA, it is stipulated that each of the three institutions is responsible for determining how to organise its impact assessment work, including internal organisational resources and quality control. The regular cooperation between the institutions is done by means of exchanging information on best practice and methodologies relating to impact assessments.

¹⁶ 14004/21.

¹⁷ https://commission.europa.eu/document/download/9c8d2189-8abd-4f29-84e9-abc843cc68e0_en?filename=BR%20toolbox%20-%20Jul%202023%20-%20FINAL

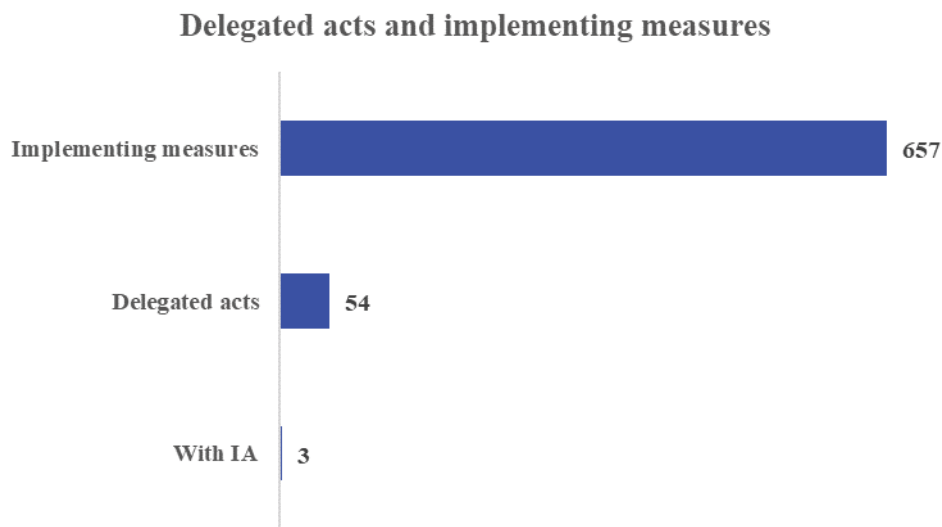
A. Overview and evolution

14. Out of 128 legislative proposals (subject to the ordinary legislative procedure (OLP)) presented by the Commission during the reporting period, 72 were accompanied by an IA¹⁸, of which 47 were included in the Commission Work Programme (COM WP). An overview including additional elements relating to the handling of IAs within the Council working parties is presented in the graph below.



¹⁸ This also applies to situations where a single IA accompanies multiple legislative or non-legislative proposals.

15. In addition, the Commission presented 9 legislative initiatives not covered by the OLP, accompanying them with an IA, namely: 3 proposals for Council directives, 1 proposal for Council decision, 5 proposals for Commission regulations.
16. In the reporting period, 711 delegated acts and implementing measures were published. 657 of those were implementing acts, 54 were delegated acts.
17. Out of these 711 delegated acts and implementing measures, 3 were accompanied by an IA. Two of these IAs were accompanying delegated acts, one was accompanying an implementing act.

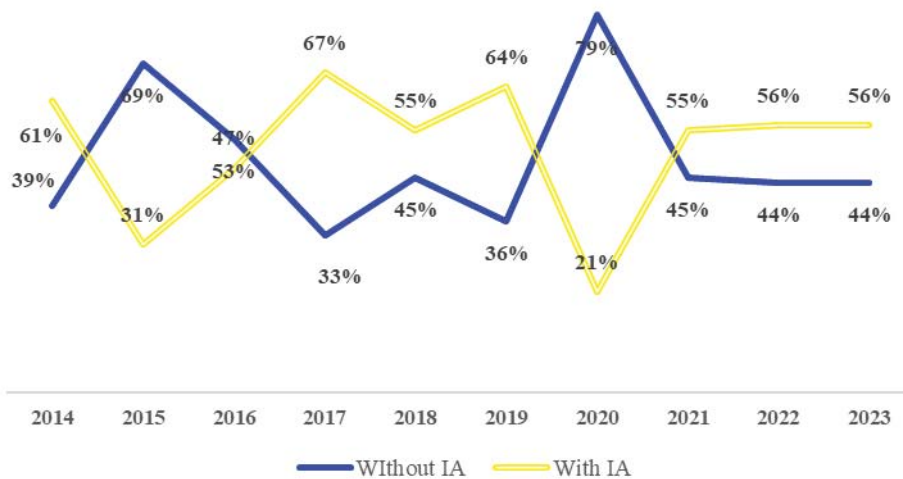


18. In addition, the Commission presented 1 IA accompanying a communication from the Commission (*see Annex III for the list*).
19. In 22 reported cases, the Commission presented joint IAs, accompanying more than one legislative or non-legislative proposal at the same time, encompassing in total 33 legislative and non-legislative proposals (*see Annex V for the list*).

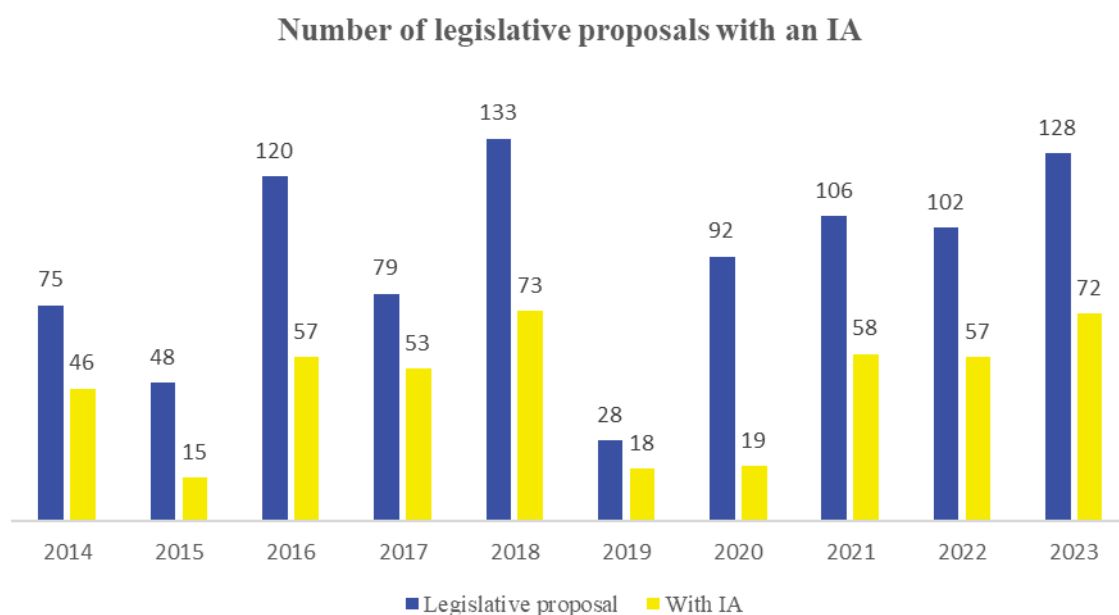
B. Proposals accompanied by an IA

20. Out of the 128 legislative proposals subject to the OLP and 711 delegated acts and implementing measures presented by the Commission to the Council during the reporting period, 72 legislative proposals, which represent 56 % of all legislative proposals, and 3 delegated acts and implementing measures (0,6 %) were accompanied by an IA during the reporting period covered by this report (*see graphs in paragraphs 13 and 16, and the annexed lists for their specific titles*).
21. As illustrated in the chart below, the proportion of legislative proposals with IAs has shown fluctuations since 2014, ranging from a peak of 67 % in 2017 to a low of 21 % in the year 2020. During the reporting period 56 % of legislative proposals included an IA, while 44 % did not. On average, over the period from 2014 to 2023, 51 % of legislative proposals in the OLP have been accompanied by an IA, leaving a proportion of 49 % of legislative proposals without an accompanying IA.

Proportion of legislative proposals with and without IA

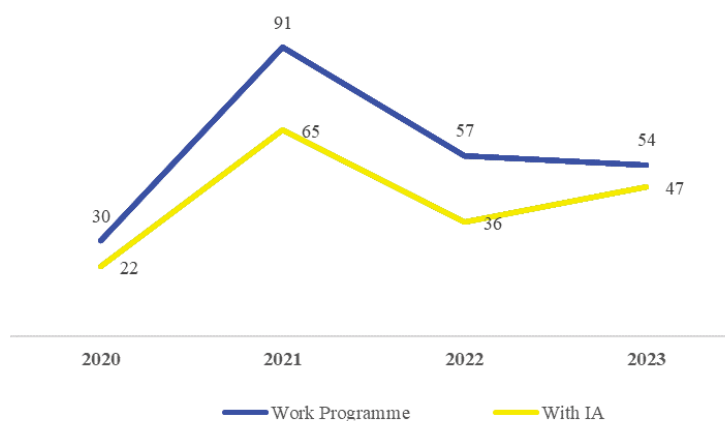


Since 2014, some 911 proposals subject to the OLP have been put forward by the Commission. 468 of these proposals were accompanied by an IA, 443 of the proposals have not been accompanied by an IA.



22. During the reporting period, out of a total of 128 legislative proposals in the OLP, 54 legislative proposals were reported to form part of the Commission Work Programme. Out of these 54 legislative proposals, 47 were accompanied by an IA, accounting for 87 % of the cases. For 3 of the proposals included in the Commission Work Programme that were not accompanied by an IA, the Commission issued – due to urgency – a staff working document within three months after the publication of the proposals. In contrast, out of 74 legislative proposals in the OLP that were *not* included in the Commission Work Programme, 25 were accompanied by an IA, which represents 32 % of the cases.

Legislative proposals included in Work Programme



C. Proposals *not* accompanied by an IA

23. Regarding the initiatives presented by the Commission during the current reporting period, 56 legislative proposals (44 %) and 708 delegated acts and implementing measures were *not* accompanied by an IA.
24. The reasons for the Commission not to accompany a proposal with an IA are set out in the explanatory memoranda of the proposals and result from the application of the Commission's Better Regulation Guidelines and Toolbox. In its explanation for the absence of an IA, the Commission refers to the principles stated in the IIA¹⁹.

¹⁹ In its Communication 'Better Regulation: taking stock and sustaining our commitment' of 15 April 2019 (https://ec.europa.eu/info/sites/info/files/better-regulation-taking-stock_en_0.pdf), the Commission reiterates the reasons why '*not every initiative ... needs to be accompanied by an impact assessment*'.

25. The main reasons presented for the absence of IAs in the current reporting period are similar to those stated in the previous IA annual report: the particular nature of the proposal (e.g. a proposal addressing specific legal needs, a recast or codification, macro- financial assistance); a proposal amending an existing legislative framework for which a previous IA had already been carried out; a proposal in relation to which an IA is already included in another proposal; the absence of direct economic, social or environmental impacts of the proposal; the urgency of the proposal. This report does not contain quantitative information regarding the frequency or grounds for the absence of IAs mentioned above.
26. In 3 reported case, the Commission presented a staff working document to provide justifications in place of a missing impact assessment, and published it within 3 months after the adoption of the proposal (*see Annex IV for the list*). The proposals did not form part of the Commission Work Programme. Additionally, there was 1 reported case, where the Commission is yet to furnish a staff working document accompanying a legislative proposal that forms part of the Commission Work Programme. The end of the prescribed 3-month period for submitting the staff working document falls outside the reporting period covered by this report.
27. In some cases where legislative proposals were not accompanied by an IA, delegations raised concerns in various instances about their absence. Furthermore, some delegations were querying whether the Regulatory Scrutiny Board could have a role in offering its opinion when IAs are not presented due to the proposed initiative not having a significant impact.

D. Other IAs or requests

Complementary IAs by the Commission

28. Under paragraph 16 of the IIA, the Commission may, on its own initiative or upon invitation by the European Parliament or the Council, complement its own IA or undertake other analytical work it considers necessary. The Council Conclusions on Better Regulation of February 2020²⁰ called on the Commission to give due consideration, *inter alia*, to this possibility, should the proposal be significantly changed in the legislative process.
29. In December 2022, the Council adopted a decision requesting that the Commission submit a study complementing the impact assessment of a legislative proposal. The Commission submitted its response in July 2023²¹ (*for further information see paragraph 47*).

Council IAs on its substantial amendments

30. The IIA stipulates that the “*European Parliament and the Council will, when they consider this to be appropriate and necessary for the legislative process, carry out impact assessments in relation to their substantial amendments to the Commission’s proposal.*” (paragraph 15 of the IIA), COREPER decided in 2017 to set up a capability for the Council to carry out its own IAs when it considers this to be appropriate and necessary for the legislative process. The potential need for the Council to carry out an IA of a substantial amendment will continue to be covered through public procurement, namely through ***ad-hoc direct contracts***, outsourced to external contractors²².

No cases were reported of requests being made by delegations or a Working Party to carry out a Council IA on a substantial amendment by the Council during the period covered by this report.

²⁰ 6232/21.

²¹ WK 9761/2023 INIT.

²² The Mertens Group was informed of the developments on 29 November 2022.

National IAs

31. Delegations are encouraged to present, on a voluntary basis, their national or regional IAs in order to complement the Commission IA that is being examined. There were no reported cases where a Member State would present its national IA.

III. USING AN IA AT AN EARLY STAGE OF THE LEGISLATIVE PROCESS

A. Use of the Guidance for Working Party Chairs

32. The Guidance for the Working Party Chairs (“Handbook”)²³, and the attached indicative checklist, remain the key reference documents for supporting work by Working Party chairs and delegations on Commission IAs. Awareness-raising measures on the guidance and the indicative checklist, addressed in particular to Working Party chairs, future Council Presidencies, delegations and GSC staff, continued during the reporting period.

B. Use of the indicative checklist

33. The 2014 IA report recommended extending the indicative checklist-based examination procedure to all IAs accompanying legislative proposals. As a general rule, delegations were informed of the upcoming IA examination and provided with the indicative checklist in advance of the scheduled Working Party meeting, in line with the 2014 IA report recommendations.
34. There were 17 reported cases of an IA being examined with the use of the indicative checklist during this period. Hence, the indicative checklist was used to support the examination of approximately 24 % of the cases in the Council’s preparatory bodies.

²³ 6270/18.

C. Handling of IAs within the Council

35. As reported in previous periods, IAs accompanying legislative proposals are presented by the Commission at Working Party level. The IAs are usually presented together with the respective Commission proposals. IAs are considered by delegations as useful and relevant for helping to better understand the choice made for a given policy option or the rationale behind the respective Commission proposals. Delegations also usually appreciate the opportunity to examine the Commission's IA at Working Party level and to use the IA to inform the discussion on the respective Commission proposal. At the same time, some delegations also consider that the Council could further improve its use of Commission's IA.
36. The IA is often a good basis for addressing delegations' concerns on specific elements of a proposal and to clarify the impact of the policy choices made.

D. Follow-up by the Working Party on Competitiveness and Growth (Better Regulation)

37. The Working Party on Competitiveness and Growth (Better Regulation) continued to actively follow the topic of IAs within the Council and within its remit, namely in three meetings: on 15 February, 20 April and 23 May 2023. It held various exchanges of views and was informed of relevant developments in relation to the handling of IAs within the Council during the reporting period, covering both cases in which Commission proposals were accompanied by an IA and cases in which they were not, as well as in relation to procedures and practices in the area of IAs on the Council's substantial amendments.
38. In particular, the Working Party on Competitiveness and Growth (Better Regulation) closely followed the Council's handling of IAs with the objective to facilitate the presentation of the draft annual report on the handling of IAs within the Council from the perspective of the implementation of paragraphs 13–15 of the IIA on Better Law-Making.

E. Examination of Commission IAs in other relevant Council bodies

39. The 2013 IA report introduced two possibilities for examining a Commission IA in a Working Party other than the one in the lead on a specific proposal:

- invitation by COREPER to a relevant Working Party to analyse specific elements of a Commission IA;
- invitation by the Presidency to a preparatory body of the Council (Competitiveness) to hold an additional discussion on a Commission IA.

During the reporting period, there was one instance of a Commission IA being presented in Council preparatory bodies other than the ones in the lead on their specific proposals.

F. Role of COREPER

40. There were no reported cases of the Commission presenting its IA to COREPER²⁴ during the period covered by this report.

²⁴ Or, *mutatis mutandis*, of the Special Committee on Agriculture.

G. Examples of the handling of IAs in the Council

41. Below there are some relevant examples provided in relation to the handling of IAs in the Council during the period covered by this report.
42. On the proposal for “**Late Payments**”²⁵ the Commission presented the IA accompanying the proposal for a regulation on combating late payment to the Working Party on Competitiveness and Growth (Internal Market). While delegations generally appreciated the aim of the initiative to combat late payments, many delegations considered the IA to be insufficient. In their view, the findings in the IA neither sufficiently demonstrated the need for the proposal nor justified the chosen policy options or the selected legal instrument. Furthermore, they criticised the IA for lacking a comprehensive analysis of significant impacts on both undertakings and Member States, in particular as regards the increased need for interim financing and the costs associated with establishing enforcement authorities.
43. On the proposal for a “**FASTER Directive**”²⁶, it was observed that the IA accompanying this proposal for a Council Directive lacked specificity in demonstrating its impact on individual Member States, relying somewhat on hypothetical scenarios. Nonetheless, these observations did not prompt a formal request for revision or update of the IA.

²⁵ Proposal for a Regulation of the European Parliament and of the Council on combating late payment in commercial transactions, 12976/1/23 REV 1.

²⁶ Proposal for a Council Directive on Faster and Safer Relief of Excess Withholding Taxes (FASTER), 10820/23.

44. On the proposal for “**Breaks and rest periods in the occasional passenger transport sector**”²⁷, some delegations underscored the importance of having a scientific study regarding the impact of the proposed measures on driver fatigue. Additionally, some delegations believed that the IA lacked specificity regarding the potential positive effects of breaks' splitting on drivers' working conditions. There was no formal request made for a revision or update of the IA.
45. On the **proposal for a “Net-Zero Industry Act”**²⁸, the Commission stated that given the urgent need to act, no impact assessment was carried out and no online public consultation was foreseen. The analysis and all supporting evidence were presented in a staff working document²⁹, published in June 2023. This document describes in more detail the rationale and justification behind the main regulatory measures being proposed. Delegations at the Working Party meeting expressed disappointment regarding the insufficient justification and data needed to adequately assess and support important elements of the proposal. These include the inclusion of certain net-zero technologies, the indicative benchmark, the choice of the legal basis, the horizon-target limited to 2023, the inclusion of a chapter on CO₂ capture and storage, and the quantification of administrative costs. While some positive aspects were acknowledged by delegations, those who took the floor shared the view that the Commission Staff Working Document failed to address all of the outstanding questions.

²⁷ Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector, 9734/23.

²⁸ Proposal for a Regulation of the European Parliament and of the Council on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act) (7613/23 + ADD 1).

²⁹ 10870/23.

46. In the case of two communications from the Commission concerning fisheries, namely **“EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries”**³⁰ and **“On the Energy Transition of the EU Fisheries and Aquaculture sector”**³¹, the Commission did not present IAs. However, despite these initiatives being non-legislative acts, delegations expressed the view that the actions proposed in the communications would necessitate an IA. This opinion was strongly conveyed during the Commission's presentation of the communications both in the Working Party and in the Council.
47. On the proposal for **“Sustainable Use of Pesticides”**³², the Council adopted in December 2022 a **Decision requesting the Commission to submit a study complementing the IA of the proposal**³³. In July 2023, the Commission provided a study³⁴ complementing the initial IA, as requested by the above Council Decision. In the study the Commission provided information on the specific aspects listed in the Council Decision. On 14 September 2023, the Commission study was presented in the Working Party on Plants and Plant Health Questions. The study was also referenced in the progress report³⁵ presented to the Council in December 2023.
48. On the proposal for a **“Child Sexual Abuse Regulation”**³⁶, the IA was discussed in the Law Enforcement Working Party following the presentation of the IA by the Commission. Later on, discussions resumed subsequent to the European Parliament's release of its own IA in April 2023, which placed emphasis on fundamental rights issues, particularly on the proportionality of detection orders. This subsequent discussion prompted some delegations to endorse a declaration, inviting others to revisit these matters during further negotiations.

³⁰ 6690/23.

³¹ 6691/23.

³² Proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115, tabled on 22 June 2022, 10654/22.

³³ 15652/22.

³⁴ WK 9761/23.

³⁵ 16044/23.

³⁶ 9068/22.

H. Increasing awareness of IA procedures

49. Measures and initiatives to raise awareness about IA procedures among Council Presidencies, delegations and GSC staff have continued during the reporting period.
50. Depending on the priorities for information and training defined in agreement with future Presidencies, the GSC provides briefings to incoming Working Party chairs on the Council's IA procedures, including procedures allowing a Working Party to request that an IA be carried out on behalf of the Council. In this context, the GSC continues to raise awareness about the Handbook and the indicative checklist for adjusting the procedures to the specific nature of each legislative proposal and about the possibility, upon invitation by COREPER or the Presidency, of IAs being examined in other relevant Council bodies. Working Party chairs are reminded of the need to take informed decisions on the use of the indicative checklist with the appropriate flexibility, using the sections that are relevant to the proposal being examined.
51. Within the GSC, measures are taken to continuously raise awareness among staff about the need to enhance and facilitate information exchange on the handling of IAs within the Council and on implementation of the Council's IA procedures. Those measures include, in particular:
- exchange of IA-related information within the network of GSC IA contact points;
 - an internal webpage containing all relevant information on the Council's IA procedures;
 - enhancing and fostering the use of the dedicated electronic platform to collect IA information within the GSC;
 - peer-to-peer training sessions on IAs;
 - information folders and documents on procedures and available tools for GSC staff.

52. The Presidency also carries out measures to raise awareness about IA procedures on a regular basis and with the assistance of the GSC. For example, the Presidency regularly communicates to Working Party chairs on the important steps to be taken when handling the IA, while also recalling the importance of the Guidance for Working Party Chairs, including the indicative checklist. There is also close collaboration with the GSC on a regular basis to improve the accessibility and visibility of relevant IA documents available to delegations on Delegates Portal.

IV. CONCLUSIONS AND WAY FORWARD

53. The Commission continues to work along its Better Regulation agenda and has made significant progress on the provision of IAs. The Council is committed to taking full account of the Commission's IAs, as stated in the IIA.
54. It is pertinent to observe that the proportion of legislative proposals accompanied by an IAs has shown fluctuating trends from 2014 to the present, culminating in an approximate average of 51 % of legislative proposals being accompanied by an IA.
55. Due attention should also be paid to IAs on delegated acts and implementing measures, which are expected to have significant economic, environmental or social impacts. The number of delegated acts and implementing measures accompanied by an IA remains low. The future rates and trends need to be continuously monitored, and further measures are needed to ensure that a greater proportion of such delegated acts and implementing measures are accompanied by an IA. When these acts or measures are not accompanied by an IA it is important that reasons are provided.
56. Committed to evidence-based policymaking, the Council will continue to actively follow the topic of IAs, which make a positive contribution to improving the quality of Union legislation. In order to allow for a proper examination of IAs in the Council working parties, it is important to note the existence of the Handbook, which recommends in particular that Presidencies give delegations sufficient time to examine IAs using the indicative checklist. Within the Council, awareness-raising activities continue, in particular towards Working Party chairs, upcoming Presidencies and the GSC staff, to encourage a more thorough examination of IAs and to promote the use of the indicative checklist.

57. The European Council on 17 and 18 April 2024 invited the Commission to provide high-quality, timely and thorough impact assessments and competitiveness checks, including of cumulative effects, for legislative proposals with significant impact.
 58. Recalling the Council conclusions of 30 November 2023 on the future of cohesion policy, the Commission has also been invited to systematically integrate the impacts of its future legislative proposals on the outermost regions as a specific and dedicated criterion.
 59. Additionally, the Commission is invited to regularly present easily accessible quantitative information on the frequency of and the grounds for the absence of the Commission IA, as mentioned in paragraph 24.
 60. The Commission is also invited to clearly explain its reasons and the criteria for not producing an IA due to urgency. IAs should not be replaced by staff working documents if this is avoidable.
 61. Informal cooperation and exchange of information with the Commission's and the European Parliament's services on IA developments and other related issues will continue, as appropriate.
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List of legislative proposals in the OLP, with an IA

– 1 January 2023 to 31 December 2023 –

1	Proposal for a Directive of the European Parliament and of the Council establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries and amending Directive (EU) 2019/1937
2	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1024/2012 and (EU) 2018/1724 as regards certain requirements laid down by Directive (EU) XXXX/XXXX
3	Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005
4	Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/2302 to make the protection of travellers more effective and to simplify and clarify certain aspects of the Directive
5	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union
6	Proposal for a Regulation of the European Parliament and of the Council on a monitoring framework for resilient European forests
7	Proposal for a Regulation of the European Parliament and the Council establishing an EU Talent Pool
8	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 92/106/EEC as regards a support framework for intermodal transport of goods and Regulation (EU) 2020/1056 of the European Parliament and the Council as regards calculation of external costs savings and generation of aggregated data
9	Proposal for a Directive of the European Parliament and of the Council amending Directive 2013/11/EU on alternative dispute resolution for consumer disputes, as well as Directives (EU) 2015/2302, (EU) 2019/2161 and (EU) 2020/1828
10	Proposal for a Regulation of the European Parliament and of the Council on preventing plastic pellet losses to reduce microplastic pollution
11	Proposal for a Regulation of the European Parliament and the Council on combating late payments in commercial transactions
12	Proposal for a Directive of the European Parliament and of the Council establishing the European Disability Card and the European Parking Card for persons with disabilities
13	Proposal for a Directive of the European Parliament and of the Council on European cross-border associations

14	Proposal for a Regulation of the European Parliament and of the Council on European labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council
15	Proposal for a Regulation of the European Parliament and of the Council on the safety of toys and repealing Directive 2009/48/EC
16	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions
17	Proposal for a Regulation of the European Parliament and of the Council on circularity requirements for vehicle design and on management of end-of-life vehicles, amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and 2005/64/EC
18	Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
19	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic
20	Proposal for a Regulation of the European Parliament and of the Council on the accounting of greenhouse gas emissions of transport services
21	Proposal for a Regulation of the European Parliament and of the Council on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010
22	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics
23	Proposal for a Directive of the European Parliament and of the Council on Soil Monitoring and Resilience (Soil Monitoring Law)
24	Proposal for a Regulation of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625
25	Proposal for a Regulation of the European Parliament and of the Council on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90 (Regulation on plant reproductive material)

26	Proposal for a Regulation of the European Parliament and of the Council on the production and marketing of forest reproductive material in the Union, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council, and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material)
27	Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste
28	Proposal for a Regulation of the European Parliament and of the Council on the establishment of the digital euro
29	Proposal for a Regulation of the European Parliament and of the Council on a framework for Financial Data Access and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010, (EU) No 1095/2010 and (EU) 2022/2554
30	Proposal for a Regulation of the European Parliament and of the Council on payment services in the internal market and amending Regulation (EU) No 1093/2010
31	Proposal for a Directive of the European Parliament and of the Council on payment services and electronic money services in the Internal Market amending Directive 98/26/EC and repealing Directives 2015/2366/EU and 2009/110/EC
32	Proposal for a Regulation of the European Parliament and of the Council on the transparency and integrity of Environmental, Social and Governance (ESG) rating activities
33	Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/18/EC establishing the fundamental principles governing the investigation of accidents in the maritime transport sector
34	Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/16/EC on port State control
35	Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/21/EC on compliance with flag State requirements
36	Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences
37	Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of measures and cooperation in matters relating to the protection of adults
38	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 561/2006 as regards minimum requirements on minimum breaks and daily and weekly rest periods in the occasional passenger transport sector

39	Proposal for a Directive of the European Parliament and of the Council amending Directives (EU) 2009/65/EC, 2009/138/EC, 2011/61/EU, 2014/65/EU and (EU) 2016/97 as regards the Union retail investor protection rules
40	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1286/2014 as regards the modernisation of the key information document
41	Proposal for a Regulation of the European Parliament and of the Council establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013
42	Proposal for a Regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulation (EC) No 648/2004
43	Proposal for a Regulation of the European Parliament and of the Council on the supplementary protection certificate for medicinal products (recast)
44	Proposal for a Regulation of the European Parliament and of the Council on the supplementary protection certificate for plant protection products (recast)
45	Proposal for a Regulation of the European Parliament and of the Council on the unitary supplementary protection certificate for medicinal products, and amending Regulation (EU) 2017/1001, Regulation (EC) No 1901/2006 as well as Regulation (EU) No 608/2013
46	Proposal for a Regulation of the European Parliament and of the Council on the unitary supplementary protection certificate for plant protection products
47	Proposal for a Regulation of the European Parliament and of the Council on compulsory licensing for crisis management and amending Regulation (EC) 816/2006
48	Proposal for a Regulation of the European Parliament and of the Council on standard essential patents and amending Regulation (EU) 2017/1001
49	Proposal for a Directive of the European Parliament and of the Council on the Union code relating to medicinal products for human use, and repealing Directive 2001/83/EC and Directive 2009/35/EC
50	Proposal for a Regulation of the European Parliament and of the Council laying down Union procedures for the authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006
51	Proposal for a Directive of the European Parliament and of the Council amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

52	Proposal for a Directive of the European Parliament and of the Council amending Directive 2014/59/EU as regards early intervention measures, conditions for resolution and financing of resolution action
53	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 806/2014 as regards early intervention measures, conditions for resolution and financing of resolution action
54	Proposal for a Directive of the European Parliament and Council amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency
55	Proposal for a Regulation of the European Parliament and of the Council on the approval and market surveillance of non-road mobile machinery circulating on public roads and amending Regulation (EU) 2019/1020
56	Proposal for a Directive of the European Parliament and of the Council amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law
57	Proposal for a Directive of the European Parliament and of the Council on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394, Directives (EU) 2019/771 and (EU) 2020/1828
58	Proposal for a Regulation of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) 168/2013, (EU) 2018/858, 2018/1724 and (EU) 2019/1020
59	Proposal for a Directive of the European Parliament and of the Council on driving licences, amending Directive (EU) 2022/2561 of the European Parliament and of the Council, Regulation (EU) 2018/1724 of the European Parliament and of the Council and repealing Directive 2006/126/EC of the European Parliament and of the Council and Commission Regulation (EU) No 383/2012
60	Proposal for a Directive of the European Parliament and of the Council on the Union-wide effect of certain driving disqualifications
61	Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences
62	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1009 as regards the digital labelling of EU fertilising products
63	Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying gigabit electronic communications networks and repealing Directive 2014/61/EU (Gigabit Infrastructure Act)

64	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1242 as regards strengthening the CO ₂ emission performance standards for new heavy-duty vehicles and integrating reporting obligations, and repealing Regulation (EU) 2018/956
65	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council as regards the limit values for lead and its inorganic compounds and diisocyanates
66	Proposal for a Regulation of the European Parliament and of the Council on European statistics on population and housing, amending Regulation (EC) No 862/2007 and repealing Regulations (EC) No 763/2008 and (EU) No 1260/2013
67	Proposal for a Regulation of the European Parliament and of the Council on passenger rights in the context of multimodal journeys
68	Proposal for a Regulation of the European Parliament and of the Council on the provision of digital euro services by payment services providers incorporated in Member States whose currency is not the euro and amending Regulation (EU) 2021/1230 of the European Parliament and the Council
69	Proposal for a Regulation of the European Parliament and of the Council on the legal tender of euro banknotes and coins
70	Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EU) No 524/2013 and amending Regulations (EU) 2017/2394 and (EU) 2018/1724 with regards to the discontinuation of the European ODR Platform
71	Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/62/EC, Council Directive 1999/37/EC and Directive (EU) 2019/520 as regards the CO ₂ emission class of heavy-duty vehicles with trailers
72	Proposal for a Directive of the European Parliament and of the Council on substantiation and communication of explicit environmental claims (Green Claims Directive)

List of legislative proposals in the OLP, without an IA

– 1 January 2023 to 31 December 2023 –

1	Proposal for a Regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability
2	Proposal for a Regulation of the European Parliament and of the Council establishing a common data platform on chemicals, laying down rules to ensure that the data contained in it are findable, accessible, interoperable and reusable and establishing a monitoring and outlook framework for chemicals
3	Proposal for a Directive of the European Parliament and of the Council laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA
4	Proposal for a Regulation of the European Parliament and of the Council on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794
5	Proposal for a Directive of the European Parliament and of the Council on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (codification)
6	Proposal for a Regulation of the European Parliament and of the Council on establishing the Reform and Growth Facility for the Western Balkans
7	Proposal for a Directive of the European Parliament and of the Council extending Directive [XXXX] to third country nationals legally residing in a Member State
8	Proposal for a Regulation of the European Parliament and of the Council laying down additional procedural rules relating to the enforcement of Regulation (EU) 2016/679
9	Proposal for a Regulation of the European Parliament and of the Council laying down conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amending Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) No 1224/2009, and repealing Council Regulation (EEC) No 1899/85 and Regulation (EU) No 1236/2010

10	Proposal for a Regulation of the European Parliament and of the Council establishing the Strategic Technologies for Europe Platform ('STEP') and amending Directive 2003/87/EC, Regulations (EU) 2021/1058, (EU) 2021/1056, (EU) 2021/1057, (EU) No 1303/2013, (EU) No 223/2014, (EU) 2021/1060, (EU) 2021/523, (EU) 2021/695, (EU) 2021/697 and (EU) 2021/241
11	Proposal for a Regulation of the European Parliament and of the Council on establishing the Ukraine Facility
12	Proposal for a Decision of the European Parliament and of the Council empowering the French Republic to negotiate, sign and conclude an international agreement on the safety and interoperability requirements within the Channel Fixed Link
13	Proposal for a Regulation of the European Parliament and of the Council on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002
14	Proposal for a Regulation of the European Parliament and of the Council on temporary trade liberalisation supplementing trade concessions applicable to Ukrainian products under the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part
15	Proposal for a Directive of the European Parliament and of the Council on combating corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the European Parliament and of the Council
16	Proposal for a Regulation of the European Parliament and of the Council on establishing the Act in Support of Ammunition Production
17	Proposal for a Regulation of the European Parliament and of the Council on the effective coordination of economic policies and multilateral budgetary surveillance and repealing Council Regulation (EC) No 1466/97
18	Proposal for a Regulation of the European Parliament and of the Council laying down measures to strengthen solidarity and capacities in the Union to detect, prepare for and respond to cybersecurity threats and incidents

19	Proposal for a Regulation of the European Parliament and of the Council on the transfer of proceedings in criminal matters
20	Proposal for a Regulation of the European Parliament and of the Council on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)
21	Proposal for a Regulation of the European Parliament and of the Council on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland
22	Proposal for a Regulation of the European Parliament and of the Council on specific rules relating to medicinal products for human use intended to be placed on the market of Northern Ireland
23	Proposal for a Decision of the European Parliament and of the Council on an authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation in civil and commercial matters
24	Proposal for a Decision of the European Parliament and of the Council on providing macro-financial assistance to the Republic of North Macedonia
25	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 178/2002, (EC) No 401/2009, (EU) 2017/745 and (EU) 2019/1021 of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks and improving cooperation among Union agencies in the area of chemicals
26	Proposal for a Directive of the European Parliament and of the Council amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency

27	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2016/1139, (EU) 2018/973 and (EU) 2019/472 as regards the targets for fixing fishing opportunities
28	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/1232 of the European Parliament and of the Council on a temporary derogation from certain provisions of Directive 2002/58/EC for the purpose of combating online child sexual abuse
29	Proposal for a Decision of the European Parliament and of the Council amending Council Decision 89/367/EEC setting up a Standing Forestry Committee
30	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/1806 as regards holders of Serbian passports issued by the Serbian Coordination Directorate (Koordinaciona uprava)
31	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism
32	Proposal for Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/2031 of the European Parliament and of the Council as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high risk plants, plant products and other objects, the establishment of procedures for the listing of high risk plants, the content of phytosanitary certificates, the use of plant passports and as regards certain reporting requirements for demarcated areas and surveys of pest
33	Proposal for a Directive of the European Parliament and of the Council amending Directives 1999/2/EC, 2000/14/EC, 2011/24/EU and 2014/53/EU as regards certain reporting requirements in the fields of food and food ingredients, outdoor noise, patients' rights, and radio equipment
34	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1379/2013, Regulation (EU) No 167/2013 and Regulation (EU) No 168/2013 of the European Parliament and of the Council as regards certain reporting requirements
35	Proposal for a Decision of the European Parliament and of the Council amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures for spatial information

36	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1092/2010, (EU) No 1093/2010, (EU) No 1094/2010, (EU) No 1095/2010 and (EU) 2021/523 as regards certain reporting requirements in the fields of financial services and investment support
37	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1011 as regards the scope of the rules for benchmarks, the use in the Union of benchmarks provided by an administrator located in a third country, and certain reporting requirements
38	Proposal for a Decision of the European Parliament and of the Council amending Directive 2013/34/EU as regards the time limits for the adoption of sustainability reporting standards for certain sectors and for certain third-country undertakings
39	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 80/2009, (EU) No 996/2010 and (EU) No 165/ 2014 as regards certain reporting requirements in the fields of road transport and aviation
40	Proposal for a Decision of the European Parliament and of the Council amending Directives 2009/12/EC, 2009/33/EC and (EU) 2022/1999 of the European Parliament and of the Council and Council Directive 96/67/EC as regards certain reporting requirements in the fields of road transport and aviation
41	Proposal for a Decision of the European Parliament and of the Council amending Directive 2014/62/EU as regards certain reporting requirements
42	Proposal for a Directive of the European Parliament and of the Council amending and correcting Directive 2005/36/EC as regards the recognition of professional qualifications of nurses responsible for general care trained in Romania
43	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008
44	Proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2017/1324 as regards the continuation of the Union's participation in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) under Horizon Europe
45	Proposal for a Regulation of the European Parliament and of the Council amending Council Decision 2009/917/JHA, as regards its alignment with Union rules on the protection of personal data

46	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/881 as regards managed security services
47	Proposal for a Directive of the European Parliament and of the Council amending Directive 2014/59/EU and Regulation (EU) No 806/2014 as regards certain aspects of the minimum requirement for own funds and eligible liabilities
48	Proposal for a Decision of the European Parliament and of the Council amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism
49	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design
50	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1227/2011 and (EU) 2019/942 to improve the Union's protection against market manipulation in the wholesale energy market
51	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/833 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation
52	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2020/2170 as regards the application of Union tariff rate quotas and other import quotas to certain products transferred to Northern Ireland
53	Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)
54	Proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2022/563 as regards the amount of macro-financial assistance to the Republic of Moldova
55	Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2017/745 and (EU) 2017/746 as regards the transitional provisions for certain medical devices and in vitro diagnostic medical devices
56	Proposal for a Regulation of the European Parliament and of the Council on temporary trade-liberalisation measures supplementing trade concessions applicable to Moldovan products under the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part

List of other non-OLP acts presented by the Commission, with an IA
– 1 January 2023 to 31 December 2023 –

1	Proposal for a Council Directive amending Directive (EU) 2015/637 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and Directive (EU) 2019/997 establishing an EU Emergency Travel Document
2	Proposal for a Council Directive establishing a Head Office Tax system for micro, small and medium sized enterprises, and amending Directive 2011/16/EU
3	Proposal for a Council Directive on Faster and Safer Relief of Excess Withholding Taxes
4	Proposal for a Council decision authorising Member States to become or remain parties, in the interest of the European Union, to the Convention of 13 January 2000 on the International Protection of Adults
5	Commission Regulation (EU) .../... of XXX on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements
6	Commission Regulation (EU) .../... of XXX on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements
7	Commission Regulation (EU) .../... of XXX implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble dryers, amending Commission Regulation (EU) 2023/826, and repealing Commission Regulation (EU) No 932/2012
8	Commission Regulation laying down ecodesign requirements for smartphones, mobile phones other than smartphones, cordless phones and slate tablets pursuant to Directive 2009/125/EC of the European Parliament and of the Council and amending Commission Regulation (EU) 2023/826
9	Commission Regulation (EU) .../... laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulation (EC) No 1275/2008 and Commission Regulation (EC) No 107/2009
10	Communication from the Commission Approval of the content of a draft for a Communication from the Commission – Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements

List of legislative proposals in the OLP, for which the Commission tabled an assessment within 3 months after the publication of the proposal

– 1 January 2023 to 31 December 2023 –

1	Proposal for a Regulation of the European Parliament and of the Council on the transfer of proceedings in criminal matters
2	Proposal for a Regulation of the European Parliament and of the Council on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794
3	Proposal for a Regulation of the European Parliament and of the Council on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)

List of joint IAs, accompanying more than one legislative or non-legislative proposal

– 1 January 2023 to 31 December 2023 –

1	<p>Proposal for a Directive of the European Parliament and of the Council establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries and amending Directive (EU) 2019/1937</p> <p>Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1024/2012 and (EU) 2018/1724 as regards certain requirements laid down by Directive (EU) XXXX/XXXX</p>
2	<p>Commission Regulation (EU) .../... of XXX implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble dryers, amending Commission Regulation (EU) 2023/826, and repealing Commission Regulation (EU) No 932/2012</p> <p>Commission Delegated Regulation (EU) .../... of XXX supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household tumble dryers and repealing Commission Delegated Regulation (EU) No 392/2012</p>
3	<p>Proposal for a Regulation of the European Parliament and of the Council on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90 (Regulation on plant reproductive material)</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the production and marketing of forest reproductive material in the Union, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council, and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material)</p> <p>Proposal for a Regulation of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625</p>
4	<p>Proposal for a Regulation of the European Parliament and of the Council on the establishment of the digital euro</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the provision of digital euro services by payment services providers incorporated in Member States whose currency is not the euro and amending Regulation (EU) 2021/1230 of the European Parliament and the Council</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the legal tender of euro banknotes and coins</p>

5	<p>Proposal for a Regulation of the European Parliament and of the Council on payment services in the internal market and amending Regulation (EU) No 1093/2010</p> <p>Proposal for a Directive of the European Parliament and of the Council on payment services and electronic money services in the Internal Market amending Directive 98/26/EC and repealing Directives 2015/2366/EU and 2009/110/EC</p>
6	<p>Commission Regulation laying down ecodesign requirements for smartphones, mobile phones other than smartphones, cordless phones and slate tablets pursuant to Directive 2009/125/EC of the European Parliament and of the Council and amending Commission Regulation (EU) 2023/826</p> <p>Commission Delegated Regulation supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to the energy labelling of smartphones and slate tablets</p>
7	<p>Communication from the Commission Approval of the content of a draft for a Communication from the Commission – Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements Commission Regulation (EU) .../... of XXX on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements</p> <p>Commission Regulation (EU) .../... of XXX on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements</p>
8	<p>Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of measures and cooperation in matters relating to the protection of adults</p> <p>Proposal for a Council decision authorising Member States to become or remain parties, in the interest of the European Union, to the Convention of 13 January 2000 on the International Protection of Adults</p>
9	<p>Proposal for a Directive of the European Parliament and of the Council amending Directives (EU) 2009/65/EC, 2009/138/EC, 2011/61/EU, 2014/65/EU and (EU) 2016/97 as regards the Union retail investor protection rules</p> <p>Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1286/2014 as regards the modernisation of the key information document</p>

10	<p>Proposal for a Regulation of the European Parliament and of the Council on the supplementary protection certificate for medicinal products (recast)</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the supplementary protection certificate for plant protection products (recast)</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the unitary supplementary protection certificate for medicinal products, and amending Regulation (EU) 2017/1001, Regulation (EC) No 1901/2006 as well as Regulation (EU) No 608/2013</p> <p>Proposal for a Regulation of the European Parliament and of the Council on the unitary supplementary protection certificate for plant protection products</p>
11	<p>Proposal for a Directive of the European Parliament and of the Council on the Union code relating to medicinal products for human use, and repealing Directive 2001/83/EC and Directive 2009/35/EC</p> <p>Proposal for a Regulation of the European Parliament and of the Council laying down Union procedures for the authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency, amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014 and repealing Regulation (EC) No 726/2004, Regulation (EC) No 141/2000 and Regulation (EC) No 1901/2006</p>
12	<p>Commission Implementing Regulation (EU) /... implementing Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings and repealing Commission Regulation (EC) No 802/2004</p> <p>Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings</p>
13	<p>Proposal for a Directive of the European Parliament and of the Council amending Directive 2014/59/EU as regards early intervention measures, conditions for resolution and financing of resolution action</p> <p>Proposal for Regulation of the European Parliament and of the Council amending Regulation (EU) 806/2014 as regards early intervention measures, conditions for resolution and financing of resolution action</p> <p>Proposal for a Directive of the European Parliament and of the Council amending Directive 2014/49/EU as regards the scope of deposit protection, use of deposit guarantee schemes funds, cross-border cooperation, and transparency</p>

14	<p>Proposal for a Directive of the European Parliament and of the Council on driving licences, amending Directive (EU) 2022/2561 of the European Parliament and of the Council, Regulation (EU) 2018/1724 of the European Parliament and of the Council and repealing Directive 2006/126/EC of the European Parliament and of the Council and Commission Regulation (EU) No 383/2012</p> <p>Proposal for a Directive of the European Parliament and of the Council on the Union-wide effect of certain driving disqualifications</p>
15	<p>Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1242 as regards strengthening the CO₂ emission performance standards for new heavy-duty vehicles and integrating reporting obligations, and repealing Regulation (EU) 2018/956</p> <p>Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/62/EC, Council Directive 1999/37/EC and Directive (EU) 2019/520 as regards the CO₂ emission class of heavy-duty vehicles with trailers</p>