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Brussels, 31/05/2011



**European Trade Union Confederation [ETUC]  
Confédération européenne des syndicats [CES]**

The ETUC has reservations about the Competitiveness Council's conclusions on smart regulation. Although we share the goal of improving EU legislation and its implementation, we do not believe that all of the tools and methods suggested are appropriate.

The action programme to reduce administrative burdens is controversial as it includes proposals that would undermine the purpose of the legislation. The action programme goes beyond reducing unnecessary administrative burdens as it also includes perceived burdens. Furthermore it fails to look at the benefits of the legislation in question.

Moreover, the Council encourages Member States to avoid so-called gold-plating (over-implementation) in transposing EU law. The bulk of EU directives are, however, minimum directives. These provide for minimum standards at EU level, but allow Member States to go further. For that reason, Member States should not be criticised for applying higher standards, but rather encouraged to do so.

Regarding fitness checks, it is too early to say whether they could actually contribute to improving legislation or whether they represent just another step towards deregulation.

"We support genuine efforts to improve EU regulation, but we cannot accept attempts to water down important pieces of legislation in the name of smart regulation", said Bernadette Ségol, General Secretary of the ETUC.

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