

Looking to the Future - The SME Perspective

Contribution by
Annette Dragsdahl, Senior Adviser, Confederation of
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to the EP Hearing on 15 September 2005:
Implementation, Impact and Consequences of Internal
Market Legislation

Implementation:

Many phases - many actors

- Proper and timely transposition into national laws
- Coherent interpretation in practice across borders (market control authorities, health & safety inspectors, notified bodies)
- Clear rules for manufacturers to prove conformity with the requirements

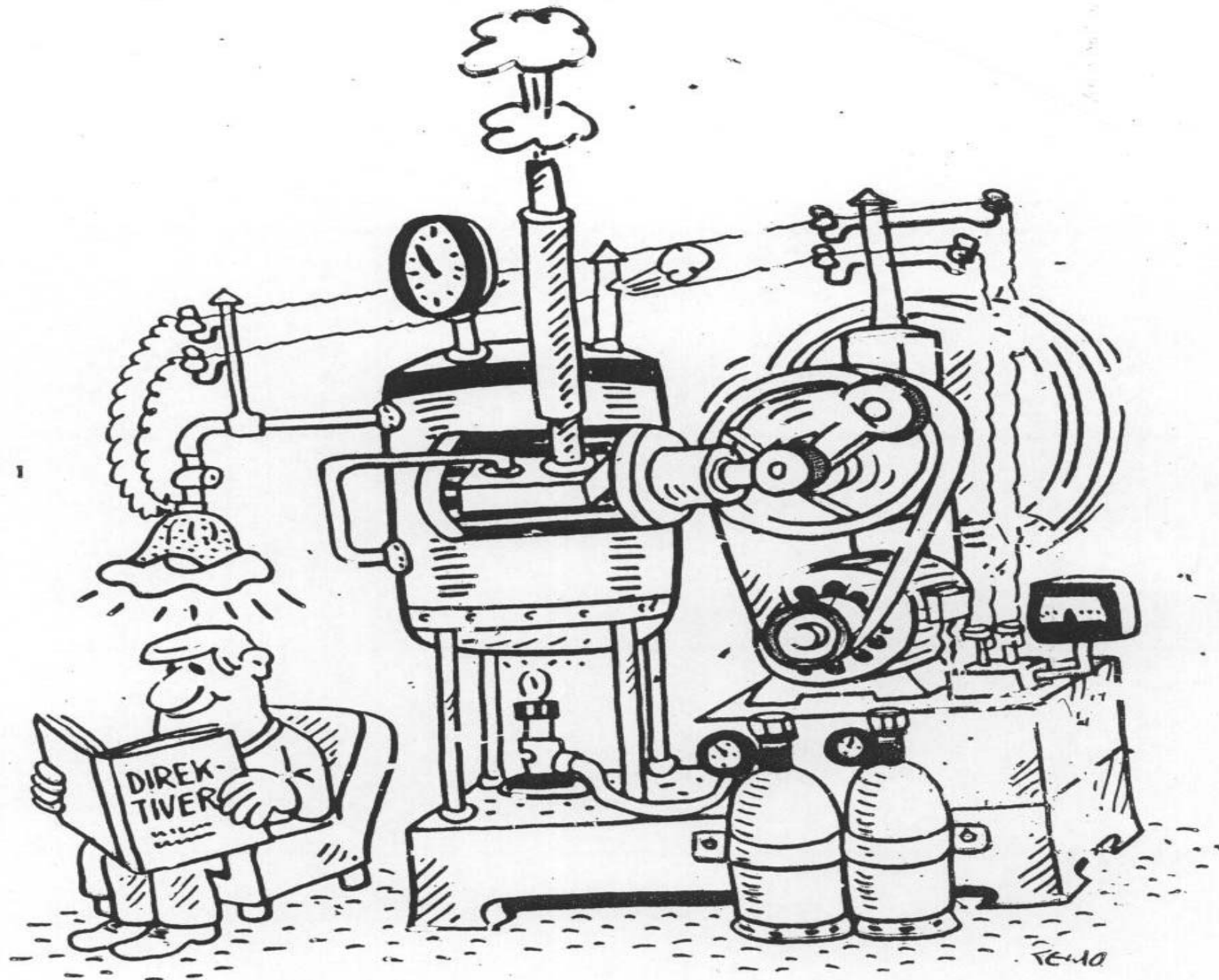
Clear and unambiguous law texts

- Avoid different national interpretations
- Avoid creating uncertainty among manufacturers and in the supply chain
- Ensure proper and uniform enforcement across borders

Case:

- ROHS directive
 - When is a product "put on the market"?
 - How to document contents of substances?
 - 1 product = 500 units = 72,000 documents

One product - many directives!



Stable legislative environment and coherent interpretation

- One product - many directives
 - Frequent revisions/changes mean extra burdens
 - Uniform procedures are hindered by different interpretations

Case:

- Pressure Equipment Directive
 - Guidelines not respected everywhere

Respect the principles of the New Approach

- Article 95 for product legislation - ensures harmonisation
- Modules of the Global Approach for conformity assessment
- Diverging principles are difficult to handle in practice

Case:

- EUP/eco-design for energy using products
 - Need for better knowledge on the principles for product safety legislation - to ensure coherence with other legislative areas

Article 175:

Not for product regulation!

- Opens for divergences in transposition and creates barriers for efficient procedures

Case:

- WEEE-directive on waste of electronic and electronic products
 - Different marking requirements
 - Different transposition dates

It's the Internal market, stupid!

A company survey on trade barriers in the
EU



- Carried out by UNICE Internal Market WG
- 200 companies interviewed, 2/3 of which are SMEs
- Objective: To 'go behind' the statistics and find examples from 'real life'
- Download from www.unice.org

For the Future:

- Ensure clear and unambiguous law texts
- Keep stable and coherent legislative environment
- Respect the principles of the New Approach
- Assess the impact on companies - Remember Lisbon goals!
- Ensure timely elaboration of clear guidelines
- Remind Member States of their responsibilities - and to think EUROPEAN!
- Require "internal market compatibility test" for all new legislation (whether national or European)
- Encourage cross-border cooperation for authorities and Notified Bodies
- Encourage quick and efficient problem-solving (SOLVIT)

Thank you for your attention!