



# 2021 Annual Work Programme

Fit for Future Platform

# FIT FOR FUTURE PLATFORM

## Annual Work Programme 2021

*“The Fit for Future Platform will play a central role in our efforts over the coming years to create a more efficient and effective regulatory system; a key ingredient in the recipe for any democratic society.”*

Maroš Šefčovič,  
Vice-President for Interinstitutional Relations and Foresight,  
Chair of the Fit for Future Platform

## 1. INTRODUCTION

President von der Leyen stressed already at the beginning of the mandate her commitment for the Commission to take necessary political decisions based on evidence and without creating unnecessary burden for citizens and business.

To respect this commitment, strengthen the Commission’s regulatory culture and ensure that it makes full use of the expertise of various stakeholders, the Commission established in May 2020, the [Fit for Future Platform](#)<sup>1</sup>. The Platform brings together Member States’ national, regional and local authorities, the Committee of the Regions, the European Economic and Social Committee and stakeholders.

It was mandated to support the Commission’s efforts to: (1) simplify existing EU laws; (2) reduce unnecessary burdens; (3) ensure that Union policies are forward looking and relevant in the light of new challenges and technological progress, including through exploiting the potential of digitalisation for burden reduction and simplification of the EU’s existing laws. The Platform will therefore look at existing legislation with the aim of making it more efficient and modern, including digital-ready and future-proof. To this end, the Platform will seek to identify solutions to minimise all unnecessary types of costs (including administrative and compliance costs) while ensuring that EU legislation is reaching its intended objectives and respecting fundamental rights.

Its work will help to ensure that Union legislation delivers maximum benefits efficiently to people and businesses, in particular to small and medium-sized enterprises but also to microenterprises including the self-employed and liberal professions.

The pandemic requires swift efforts from all stakeholders at all levels to cushion the negative consequences of the COVID-19 pandemic. The Commission is working to address the economic and social effects caused by the crisis and to help kick-start sustainable recovery, while continuing to deliver on the headline ambitions outlined in President von der Leyen’s [Political Guidelines](#) for a green deal, digitalisation and an economy that works for people<sup>2</sup>. The Platform’s work on burden reduction, simplification and modernisation will make sure that the objectives pursued by the Commission (such as the twin transition, an

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<sup>1</sup> [https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof/fit-future-platform-f4f\\_en](https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof/fit-future-platform-f4f_en)

<sup>2</sup> [https://ec.europa.eu/info/sites/info/files/political-guidelines-next-commission\\_en\\_0.pdf](https://ec.europa.eu/info/sites/info/files/political-guidelines-next-commission_en_0.pdf)

economy that works for people, etc.) are achieved without imposing unnecessary burdens on the companies and citizens who have to comply with the EU legislation.

## 2. THE PRIORITIES OF THE FIT FOR FUTURE PLATFORM

As part of the Commission's policy on better regulation, the regulatory fitness and performance programme (REFIT)<sup>3</sup> guides its burden reduction and simplification efforts. REFIT aims to ensure that EU laws deliver on their objectives at a minimum cost for the benefit of citizens and businesses. In this context, the Fit for Future Platform will contribute to the body of evidence that the Commission needs for policymaking and point out areas where simplification and burden reduction are needed. Bringing in the knowledge from the local, regional and national levels and from different groups of people who are subject to EU legislation will help to make life easier for citizens, businesses and the public sector. The Platform's work should contribute to more innovation and SME-friendly EU legislation amongst other things by ensuring that legislation is digital-by-default, future proof and easy to comply with.

In view of its mandate and the challenges described above, the Platform will focus on the following priorities:

### Digitalisation

Digital transformation is a headline ambition of the Commission. It affects a broad range of policy areas and has the potential to be essential for reducing the complexity of EU legislation. Helping businesses to take up digital solutions and accelerate the public sector modernisation has great potential to reduce the regulatory burden. The [Berlin Declaration](#)<sup>4</sup> on Digital Society points to the implementation of the [Single Digital Gateway](#)<sup>5</sup> Regulation and the 'once-only' principle as having such potential.

Accessibility and 'digital literacy' require conscious effort and these aspects need to be considered in the design process of digital solutions. Digitalisation should also work hand in hand with the green transition. Digitalisation needs coordinated approaches, stakeholder engagement and cross-border regulatory cooperation.

The Fit for Future Platform could look into the potential of common technical standards for data formats, automated processing and aligned reporting-cycles and consider whether more innovative regulatory solutions could be explored (including experimentation clauses). Existing experience with digital administrations and governance across Member States should be explored and best practices exchanged.

### Efficient labelling, authorisation and reporting obligations

Combining ease of administrative procedures with high standards of social, consumer and environmental protection, while fully respecting the Union's fundamental rights, are crucial

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<sup>3</sup> [https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof\\_en](https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof_en)

<sup>4</sup> <https://ec.europa.eu/digital-single-market/en/news/berlin-declaration-digital-society-and-value-based-digital-government>

<sup>5</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2018.295.01.0001.01.ENG](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2018.295.01.0001.01.ENG)

for recovering from the crisis. This concerns several policy areas, such as customs, health and statistics. In this effort, digitalisation will need to play a pivotal role.

With regard to **labelling**, the input of the Fit for Future Platform could look at ways to further reduce disparities across the Member States. To make labels more effective, it could also reflect on the needs and interests of the intended users, in particular consumers.

With regard to **authorisations**, the Platform could play a role in the simplification of permitting procedures, among others when it comes to investing in our future infrastructure and giving innovation space to blossom. Planning and permitting currently takes too long, so that it is important to identify possible bottlenecks and solutions to address this. The experience of local and regional authorities and of those who have to apply the authorisation procedure in this area is particularly valuable for identifying pragmatic solutions.

With regard to **reporting obligations**, while they are necessary to monitor and assess implementation, enforcement, compliance and performance of EU legislation, sometimes they can also weigh heavily on businesses, especially on the SMEs. The application of the 'once only' principle, for example in the field of statistics, can significantly reduce burden, while allowing for continued good reporting. Reporting obligations shall remain fit for their purposes while ensuring that information relating for example to fundamental rights or environment standards protection is available, as relevant.

### **Simplification of EU legislation**

Different EU laws can sometimes overlap in certain areas, creating coherence and consistency issues for citizens, businesses and the public sector. Multiple layers of legislation may also make it difficult for businesses, in particular SMEs, to have a complete overview of their obligations. The regulatory density in certain policy areas is high and the Task Force on Subsidiarity, Proportionality and 'Doing less more efficiently' concluded that legislation needed to be reviewed against the European value added and coherence.

Another important aspect of simplification is the predictability and clarity of EU laws. Whereas the legislative rationale is in most cases not questioned, ambiguous provisions can result in heterogeneous implementation, which can be particularly burdensome for citizens and businesses with limited capacity to keep track of all requirements. Additionally, digitalisation has great potential to simplify the implementation of EU legislation and help companies in their compliance efforts. The Platform could therefore also strive to identify and highlight implementation and enforcement problems as well as any digitalisation potential to allow a more efficient approach to legislating.

## **3. ANNUAL WORK PROGRAMME**

Building on the experience with the REFIT Platform<sup>6</sup>, the Commission proposed a number of novelties for the Fit for Future Platform. In particular, the Fit for Future Platform will base its work on **an annual work programme**. The Decision establishing the Fit for Future Platform provides for the following sources for the annual work programme:

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<sup>6</sup> [https://ec.europa.eu/info/publications/better-regulation-taking-stock-and-sustaining-our-commitment\\_en](https://ec.europa.eu/info/publications/better-regulation-taking-stock-and-sustaining-our-commitment_en) ;

- the Report of the Task Force on Subsidiarity, Proportionality and ‘Doing less more efficiently’;
- major evaluations and fitness checks carried out by the Commission;
- information from Member States, the SME Envoy Network, the Committee of the Regions and the European Economic and Social Committee on the most burdensome Union legislation;
- input from stakeholders and the wider public received through the web-site **Have your Say: Simplify!**.

The Platform should provide evidence-based opinions on the topics identified in the annual work programme. The Platform will work organised in four sub-groups to examine the topics in the Platform’s annual work programme.

To guide the work for the year ahead, the Platform will approve its annual work programme each year as soon as possible after the publication of the Commission’s work programme. In 2021, the Platform has approved the list of topics of its annual work programme at its second plenary meeting, on 4 March 2021.

### **Selection and organisation of topics**

In preparation of the Platform’s 2021 annual work programme, its members and the SME envoy have submitted their suggestions. After carefully studying the suggestions and consulting the relevant Commission departments, the secretariat of the Platform has made a selection of topics. This year, a majority of topics is based on initiatives in the Commission Work Programme 2021, to ensure that the Platform contributes to the core of the Commission’s work. However, this is not a pre-requisite for inclusion in the Platform programme.

The selection of topics was guided by the following considerations:

- a) *Simplification and burden reduction potential*: The 2021 Commission Work Programme lists the major initiatives that the Commission intends to deliver. In its ‘Annex II – REFIT’, the Commission work programme includes 41 initiatives that aim to keep EU law fit-for-purpose and to bring benefits for users of EU legislation at minimum costs.

‘Annex II – REFIT’ is particularly relevant for the Fit for Future Platform as it sets out the main legislative revisions, evaluations and fitness checks that the Commission will undertake in 2021 to achieve the REFIT objectives of burden reduction, simplification and digitalisation. It is the main source of information for the Commission to identify potential cost savings (in evaluations and fitness checks) and actual cost savings (in revisions). Hence, most of the selected topics are based on initiatives listed in ‘Annex II – REFIT’.

- b) *Timing*: To ensure that the Fit for Future Platform opinions provide timely input to the decision making process, the work of the Platform must be aligned with the policy cycle of the relevant initiatives. This way the opinions can contribute directly to the ongoing preparatory work of the Commission.

The selected initiatives are those for which the Commission services are currently collecting and analysing evidence. The selection also takes into consideration that the first opinions of the Platform will be adopted in Q2/Q3 2021, at the earliest.

- c) *Evidence-based approach*: The Platform's work needs to add to the evidence gathered by the Commission services through evaluations, impact assessments and stakeholders' consultations. Hence, it is necessary that the Platform focuses its resources on a limited number of topics. The selection intends to keep the workload of the Platform manageable to ensure that the delivered opinions go into the necessary depth.
- d) *Broad and balanced coverage*: The selected topics cover a broad range of sectors such as competition, finance, health, environment, statistics, transport, customs and internal market, to ensure that the Platform's work benefits as many citizens and business as possible.

In the Annex, the topics are arranged in three clusters. Each of the Platform's sub-groups will work on one of those clusters. This way each sub-group will be dealing with topics covering several sectors, including both evaluations and revisions.

The fourth sub-group of the Platform, consisting of local and regional authorities, will support the other sub-groups of the Platform by providing additional evidence from the local and regional level. It will also present one or more reports on issues where evidence from the local and regional expertise is essential at the request of the Chair. This experience on the ground provides the needed reality check and understanding of the difficulties of those who are affected most directly by the EU laws regionally and locally.

### **Involvement of the wider public**

The Platform's annual work programme and opinions will also benefit from the contributions from the public. **Citizens** and **stakeholders** can contribute on the **Have your Say: Simplify!** portal<sup>7</sup> to the work of the Platform. Suggestions can be submitted for each topic included in the Platform's annual work programme.

Relevant suggestions received by the Platform before 30 April 2021 on the topics included in the annual work programme will be considered for the Platform's opinions.

Additionally, citizens and stakeholders can also make suggestions **for new topics**, not included in the annual work programme for 2021. The Platform will consider those for possible inclusion in the next annual work programme together with any other relevant suggestions received after 30 April 2021.

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<sup>7</sup> <https://ec.europa.eu/info/law/better-regulation/have-your-say-simplify>

## ANNEX: OVERVIEW OF TOPICS OF THE ANNUAL WORK PROGRAMME 2021

Cluster 1	
Fit for Future topics	Initiatives in the Commission work programme for 2021
<b>New Legislative Framework for Products</b> <a href="#">(Decision No 768/2008/EC)</a> <a href="#">(Regulation (EC) No 765/2008)</a>	Evaluation of the 'New Legislative Framework for Products' (Decision No 768/2008/EC on a common framework for the marketing of products and the accreditation and CE marking provisions of Regulation (EC) No 765/2008)
<b>Directive on industrial emissions</b> <a href="#">(Directive 2010/75/EU)</a>	Revision of Directive 2010/75/EU on industrial emissions
<b>Computer reservation systems</b> <a href="#">(Regulation (EC) No 80/2009)</a>	Revision of Computer reservation systems
<b>Ambient air quality legislation</b> <a href="#">(Directive 2008/50/EC)</a> <a href="#">(Directive 2004/107/EC)</a>	
<b>Public procurement legislation</b> (e-procurement aspects)	

Cluster 2	
Fit for Future topics	Initiatives in the Commission work programme for 2021
<b>Directive on combating late payment in commercial transactions</b> <a href="#">(Directive 2011/7/EU)</a>	
<b>Regulation on European Fishery Statistics</b> <a href="#">(Regulation 1921/2006)</a>	Revision of the Regulation on European Fishery Statistics
<b>Directive on the single permit for third-country nationals</b> <a href="#">(Directive 2011/98/EU)</a>	Revision of Directive 2011/98/EU on the single permit
<b>INSPIRE – Directive establishing an Infrastructure for Spatial Information in the European Community</b> <a href="#">(Directive 2007/2/EC)</a>	Evaluation of Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community
<b>Eco-design Directive</b> <a href="#">(Directive 2009/125/EC)</a>	Sustainable products policy initiative including a revision of the Ecodesign Directive

<b>Cluster 3</b>	
<b>Fit for Future topics</b>	<b>Initiatives in the Commission work programme for 2021</b>
<b>Completing the Banking Union</b>	Completing the Banking Union - Revision of the bank crisis management and deposit insurance framework
<b>Guidelines on State aid to the Agricultural and Forestry Sectors and in Rural Areas and Agricultural Block Exemption Regulation (ABER)</b> ( <a href="#">Guidelines, ABER</a> )	Revision of the Guidelines on State aid to the Agricultural and Forestry Sectors and in Rural Areas and Agricultural Block Exemption Regulation
<b>Union Customs Code</b> ( <a href="#">Customs Code Regulation</a> )	Interim evaluation of the implementation of the Union Customs Code
<b>Directive on the application on patient rights in cross-border healthcare</b> ( <a href="#">Directive 2011/24/EU</a> )	Evaluation of the Directive 2011/24/EU on the application on patient rights in cross-border healthcare
<b>Directive on package travel and linked travel arrangements</b> ( <a href="#">Directive 2015/2302</a> )	