

Bilag 2: Liste med 73 forslag til forenkling af EU-reguleringen

SAMLET OVERSIGT

Ressortområde	Antal forslag	Nummer i tabel
Økonomi- og Erhvervsministeriet	48	1-48
- heraf statistik	10	1-10
- heraf søfart	7	11-17
- heraf finans	19	18-36
- heraf bygge	2	37-38
- heraf bolig	1	39
- heraf antidumping	1	40
- heraf eksport (dual use)	1	41
- heraf patent	1	42
- heraf selskabsret	5	43-47
Beskæftigelsesministeriet	4	48-51
Miljøministeriet	3	52-54
Fødevareministeriet	1	55
Ministeriet for Videnskab, Teknologi og Udvikling	4	56-59
Skatteministeriet (og Udenrigsministeriet)	9	60-68
Transportministeriet	3	69-71
Justitsministeriet	2	72-73
I alt	73	

Anm. Der tages forbehold for placeringen af de enkelte forslag på ressortområder. Placeringen er baseret på forslagsstillernes angivelse.

ØKONOMI- OG ERHVERVSMINISTERIET

1	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	COUNCIL REGULATION (EEC) No 530/1999 of 9th marts 1999	
Summary		
Need for simplification	The quality reports are based on a common template with six quality dimensions where one of the quality dimensions is coherence with other statistical areas with identical or similar variables. Documentation regarding Structural Statistics on Earnings and Labour Costs for coherence in data related to: The Labour Force Survey (LFS), Structure of Business Statistics (SBS), Labour Cost Index (LCI) and National Accounts (NA) have to be delivered on NACE sections and reasons have to be indicated if differences occur.	
Proposal for simplification	Our proposal is to cut back on the analysis of coherence to a much more aggregated level. There is definitely a need to control coherence between statistics produced in different domains. A number of the differences are due to the definitions and concepts of the statistical products. It is burdensome for Member States to explain these differences, which occur in each country and in many cases they are similar. When analysis of coherence is needed, our proposal is that Eurostat conducts it and Member States only comment on substantial differences not related to definitions or concepts.	
2	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	Council and European Parliament Regulation No 808/2004 concerning Community statistics on the information society (draft implementing regulation)	
Summary		
Need for simplification	The comments refer to the measurement of enterprises use of ICT 2006. <i>I Ordinary questionnaire</i>	

	Denmark finds that the proposed set of indicators now has reached its maximum measured both in quantitative and qualitative terms. The questionnaire is markedly longer compared to the 2003 model questionnaire that was known under the negotiation of the IS regulation. The ISS regulation states that the Implementing measures should take into consideration Member States' resources and the burden on respondents. <i>II Financial sector questionnaire</i> The special questions on the financial sector go beyond what is necessary to include this sector in the survey and has more or less developed into an independent survey with its own questionnaire. This was not foreseen in the ISS regulation.	
Proposal for simplification	<i>I Ordinary questionnaire</i> Denmark welcomes further reductions, by applying the principles on flexibility from the ISS regulation. This is done by having modules with a fixed duration. Moreover, flexibility is ensured as not all variables should be surveyed every year. At the same time we would like to emphasize that we welcome new indicators. In order to avoid increasing burden on businesses, Denmark will show maximum flexibility concerning negative priorities. <i>II Financial sector questionnaire</i> Denmark suggests that the sector is included in the survey, but with module c+d as voluntary to ease burden on businesses. The coverage of the financial sector should only be developed in conformity with the ordinary questionnaire in the future.	
3	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	COUNCIL REGULATION (EEC) No 3924/91 of 19th December 1991	
Summary		
Need for simplification	Two different production concepts are used in the PRODCOM Regulation. Statistics suggests that the same production concept should be used for all commodity groups, namely production sold during the survey period. The two different production concepts are: 1) Data concerning 82% of the 5,600 detailed industrial commodity groups in the Regulation is collected on the basis of production sold during the survey period. 2) The remaining 18% must be collected on the basis of produced industrial commodities in the reference period, including the production of intermediaries used as a production input in the enterprise itself.	
Proposal for simplification	Maintaining the two existing production concepts is contrary to the present efforts of simplifying the collection of data in order to: 1) reduce the response burden, 2) reduce the administrative statistical work and 3) increase the quality of the data (as many enterprises are not aware of the distinction between the existences of different production concepts).	
4	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	European Parliament of the Council amending Council Regulation (EC) No. 1165/98 concerning short-term statistics	
Summary		
Need for simplification		
Proposal for simplification	Denmark welcomes in general the proposal, which adds new variables, makes some statistics more frequent and shortens the transmission deadlines to develop Short Term Statistics. However, to balance this increased burden, other variables in the present Regulation have to be left out. Especially, we think that the variable "New orders in Construction and Civil Engineering" should be removed. In the amendment Regulation, the focus in the construction annex is on a change from a quarterly to a monthly production variable. This indicator, which is on the PEEL-list, will be a core variable for the construction sector. This variable together with information on building permits and business opinion surveys render the New order variables superfluous. Furthermore, the New order variables are considered to be of doubtful quality, and	

	a great number of countries have problems with delivering data.	
5	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	Council Regulation (EC, EURATOM) No 58/97 of 20 December 1996 concerning structural business statistics	
Summary		
Need for simplification	This Regulation consists of an important general annex covering all economic activities and some annexes covering specific activities. The specific annexes demand very specific statistics for enterprises within manufacturing, construction and trade.	
Proposal for simplification	Some of these specific statistics should to be abandoned. This applies, e.g. to: 20 21 0 – 20 31 0, purchases of energy products (values) divided by types of energy, which should be reported for the industry (annex 2) and for the construction sector (annex 4). 21 11 0, investment in equipment and plant for pollution control, and special anti-pollution accessories (mainly end-of-pipe equipment), which should be reported for the industry (annex 2) 21 12 0, investment in equipment and plant linked to cleaner technology (“integrated technology”), which should be reported for the industry (annex 2) 21 14 0, total current expenditure on environmental protection, which should be reported for the industry (annex 2) 23 12 0, income from subcontracting, which should be reported for the construction sector (annex 4) 17 33 0, category of sales space for retail stores engaged in retail trade, which should be reported for the distributive trade sector (annex 3) 17 34 0, number of fixed market stands and/or stalls, which should be reported for the distributive trade sector (annex 3) 16 15 0, number of hours worked by employees, which should be reported for the construction sector (annex 4) 15 31 0, value of tangible goods acquired through financial leasing, which should be reported for the construction sector (annex 4) If the variable 15 31 0 is removed, the definition of capital formation in the variables 15 12 0 - 15 15 0 should to be changed to cover assets acquired through financial leasing. This would reduce the response burden on business enterprises, as the definition corresponds to the applied accounting principles (Danish and international principles) for compiling assets.	
6	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	Commission Regulation (EC) No 642/2004 of 6 April 2004 on precision requirements for data collected in accordance with Council Regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road	
Summary		
Need for simplification		
Proposal for simplification	Denmark proposes that the statistics should be changed from quarterly to annual. Furthermore, we propose that the working party should discuss: 1) the frequency of the survey (from quarterly to yearly), 2) the list of variables, for the purpose of lowering the response burden and 3) the threshold of conducting the survey as well as the precision level.	
7	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DST
Legislation	Council Regulation (EEC) No 3330/91 and Commission Regulation (EC) No 1901/2000 laying down certain provisions for the implementation of Council Regulation (EEC) No 3330/91	
Summary		
Need for simplification	The Combined Nomenclature (concerning commodities) defines the data to be reported for each commodity, including data on the quantity being traded. For many commodities two units must be reported; the main unit being net mass in kilo-	

	grams and a supplementary unit (e.g. litre, pieces, etc.). As a result of earlier SLIM-studies, a simplification was introduced in Intrastat. A list of commodities was established. For the commodities included in the list, only a supplementary unit of quantity is to be reported and not the main unit being net mass in kilograms.	
Proposal for simplification	We propose that there should be carried out a study in order to assess further needs for excluding quantity information, but only for commodities where both units of quantity data are to be reported today.	
8	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DI
Legislation	Commission Regulation (EC) No 1901/2000, Council Regulation (EEC) No 3330/91 and Commission Regulation (EEC) No. 2256/92 Intrastat	
Summary	EU trade statistics covering all goods (in details) crossing national borders within the Internal Market.	
Need for simplification	Danish studies have revealed that Intrastat statistics accounts for <i>3/4 of the total statistical burden on companies (AMVAB, sep. 2004)</i> . The total burden caused by Intrastat on Danish companies has been estimated to 17 mio. euro/year. Especially Intrastat Import is burdensome, accounting for totally 2/3 of the total statistic burdens in Denmark.	
Proposal for simplification	When a company in one country exports to another company in another EU country the export is reported to Intrastat Export, and the import is reported to Intrastat Import. Thus the same transaction is reported to the statistical bureaus twice, so called Mirror Statistics. Therefore one of the reports should be abolished and instead for control reason substituted by reports from the exporting country's statistical bureau. For each individual European company the reporting of sales/exports of the company's own product(s) self evidently is much easier than reporting of the wide range of raw materials, intermediary products and other inputs, which the company acquires/imports and with which the company has no specialized knowledge of. The main part of the problem stem from information gathering when the invoice does not contain or is unclear about the required information. Therefore the reporting of imports is especially burdensome for companies. In each EU country statistics on exports are considered more precise than statistics on imports. Exchange of export statistics among statistical bureaus could improve the quality of trade statistics, avoid asymmetries between exports and imports and reduce the administrative burden of companies dramatically. Export statistics are superior to import statistics with respect to reliability and administrative burden on companies. Thus the best way to proceed would be to drop statistics based on imports and 'recycle' export statistics among member states.	
9	Statistics	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	DI
Legislation	Council Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States.	
Summary	Concerning the statistics relating to the trading of goods between Member States.	
Need for simplification	The nomenclatures in Intrastat, Extrastat and Prodcum are not similar, two measures of quantity (net mass in kg, and secondary measure like litres or pieces) are required for trading information on some goods, the observation percentage and frequency is too high as well as the numbers of categories. This causes too high administrative burdens for companies. The number of categories should be reduced considerably. There should not be more than 10 categories each, so that it is easy for the enterprises to cope with.	
Proposal for simplification	It is of the greatest importance that the nomenclature in Intrastat, Extrastat and Prodcum are standardized. The measures of quantity should be made meaningful, and as far as possible it should repealed since measuring the weight often cause big difficulties to the companies. Furthermore it is of greatest importance that the measures of quantity are made similar in Intrastat, Extrastat and Prodcum. The observation percentage and frequency of the reporting should be reduced.	
10	Statistics	Foreslået

		af: DI
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark	
Legislation	Council Regulation (EC, Euratom) No 58/97 concerning structural business statistics	
Summary	All enterprises contribute information toward the structural business statistics.	
Need for simplification	Many of the small enterprises have a minimal effect on the content of the overall statistics. There are too many and partially overlapping statistics.	
Proposal for simplification	Member states should have the option to make small enterprises (with less than 20 employees) exempt from statistical information requirements, since the small enterprises have a minimal effect on the content of the overall statistics. Some of the statistics should be dropped, and the rest should be reorganised to cover the necessary data. This reorganisation should also include Intrastat and the structural statistics statutory instrument.	

11	Maritime	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority	Rederi-foreninen-gen
Legislation	Directive 95/21EU On Port State Control	
Summary	Tankers, bulk carriers and Passenger vessels reporting 72 to 24 hours prior to call at a port within the community article 7 and Annex 5	
Need for simplification	Since it is only for the Port State to consider whether a mandatory inspection need to be performed, it should be possible to check with a database in stead of reporting from the vessels	
Proposal for simplification	No reporting or simple reporting to be performed e.g. IMO no. and ETA should be sufficient	
12	Maritime	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority	Rederi-foreninen-gen
Legislation	2002/59EU establishing a Community vessel traffic monitoring and information system	
Summary	Article 4 and 5 Notification prior to entry into ports of the Member States 1. The operator, agent or master of a ship bound for a port of a Member State shall notify the information in Annex I(1) to the port authority: (a) at least twenty-four hours in advance; or (b) at the latest, at the time the ship leaves the previous port, if the voyage time is less than twenty-four hours; or (c) if the port of call is not known or it is changed during the voyage, as soon as this information is available. 2. Ships coming from a port outside the Community and bound for a port of a Member State carrying dangerous or polluting goods, shall comply with the notification obligations of Article 13. Article 5 Monitoring of ships entering the area of mandatory ship reporting systems 1. The Member State concerned shall monitor and take all necessary and appropriate measures to ensure that all ships entering the area of a mandatory ship reporting system, adopted by the IMO according to Regulation 11 Chapter V of the SOLAS Convention and operated by one or more States, of which at least one is a Member State, in accordance with the relevant guidelines and criteria developed by the IMO, comply with that system in reporting the information required without prejudice to additional information required by a Member State in accordance with IMO Resolution A.851(20).	
Need for simplification	Excessive effort from shippers and shipowners to identify substances transported	
Proposal for simplification	Creation of an international database with relevant data on substances for reference	
13	Maritime	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority	Rederi-foreninen-gen
Legislation	COUNCIL DIRECTIVE 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States	

	of the Community	
Summary	<p>Article 4</p> <p>1. All persons on board any passenger ship which departs from a port located in a Member State shall be counted before that passenger ship departs.</p> <p>2. Before the passenger ship departs the number of persons on board shall be communicated to the master of the passenger ship and to the company's passenger registrar or to a shore-based company system that performs the same function.</p> <p>Article 5</p> <p>1. The following information shall be recorded regarding every passenger ship that departs from a port located in a Member State to undertake a voyage of more than twenty miles from the point of departure:</p> <ul style="list-style-type: none"> - the family names of the persons on board, - their forenames or initials, - their sex, - an indication of the category of age (adult, child or infant) to which each person belongs, or the age, or the year of birth, - when volunteered by a passenger, information concerning the need for special care or assistance in emergency situations. <p>2. That information shall be collected before departure and communicated not later than thirty minutes after the passenger ship's departure to the company's passenger registrar or to a shore-based company system that performs the same function.</p>	
Need for simplification	Very bulky demand on info, even on short routes	
Proposal for simplification	Any information other than number of pax. Irrelevant on routes transiting less than 18 hrs.	
14	Maritime	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority	Rederiforeningen
Legislation	Directive 2000/59/EC of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues	
Summary	<p><i>Article 6</i></p> <p>Notification</p> <p>1. The master of a ship, other than a fishing vessel or recreational craft authorised to carry no more than 12 passengers, bound for a port located in the Community shall complete truly and accurately the form in Annex II and notify that information to the authority or body designated for this purpose by the Member State in which that port is located:</p> <ul style="list-style-type: none"> (a) at least 24 hours prior to arrival, if the port of call is known; or (b) as soon as the port of call is known, if this information is available less than 24 hours prior to arrival; or (c) at the latest upon departure from the previous port, if the duration of the voyage is less than 24 hours. <p>Member States may decide that the information will be notified to the operator of the port reception facility, who will forward it to the relevant authority.</p> <p>2. The information referred to in paragraph 1 shall be kept on board at least until the next port of call and shall upon request be made available to the Member States' authorities.</p> <p><i>Article 7</i></p> <p>Delivery of ship-generated waste</p> <p>1. The master of a ship calling at a Community port shall, before leaving the port, deliver all ship-generated waste to a port reception facility.</p> <p>2. Notwithstanding paragraph 1, a ship may proceed to the next port of call without delivering the ship-generated waste, if it follows from the information given in accordance with Article 6 and Annex II, that there is sufficient dedicated storage capacity for all ship-generated waste that has been accumulated and will be accumulated during the intended voyage of the ship until the port of delivery.</p> <p>If there are good reasons to believe that adequate facilities are not available at the intended port of delivery, or if this port is unknown, and that there is therefore a risk that the waste will be discharged at sea, the Member State shall take all necessary measures to prevent marine pollution, if necessary by requiring the ship to deliver its waste before departure from the port.</p>	

	<p>3. Paragraph 2 shall apply without prejudice to more stringent delivery requirements for ships adopted in accordance with international law.</p> <p><i>Article 8</i> Fees for ship-generated waste</p> <p>1. Member States shall ensure that the costs of port reception facilities for ship-generated waste, including the treatment and disposal of the waste, shall be covered through the collection of a fee from ships.</p> <p>2. The cost recovery systems for using port reception facilities shall provide no incentive for ships to discharge their waste into the sea. To this end the following principles shall apply to ships other than fishing vessels and recreational craft authorised to carry no more than 12 passengers:</p> <p>(a) all ships calling at a port of a Member State shall contribute significantly to the costs referred to in paragraph 1, irrespective of actual use of the facilities. Arrangements to this effect may include incorporation of the fee in the port dues or a separate standard waste fee. The fees may be differentiated with respect to, inter alia, the category, type and size of the ship;</p> <p>(b) the part of the costs which is not covered by the fee referred to in subparagraph (a), if any, shall be covered on the basis of the types and quantities of ship-generated waste actually delivered by the ship;</p> <p>(c) fees may be reduced if the ship's environmental management, design, equipment and operation are such that the master of the ship can demonstrate that it produces reduced quantities of ship-generated waste.</p> <p>3. In order to ensure that the fees are fair, transparent, non-discriminatory and reflect the costs of the facilities and services made available and, where appropriate, used, the amount of the fees and the basis on which they have been calculated should be made clear for the port users.</p>	
Need for simplification	The captain must keep a very detailed record of waste at all times, simply to satisfy the directive	
Proposal for simplification	Directive to be discontinued.	
15	Maritime	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority	Rederiforeningen
Legislation	Regulation No 3577/92/EEC of 7 December 1992	
Summary	Cabotage-regulation	
Need for simplification	Remaining restriction on access to the cabotage markets in certain member states hampers the efficiency of maritime and intermodal transport.	
Proposal for simplification	Liberalise the market by removing the restrictions on market access.	
16	Maritime	
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority and Ministry of Transport and Energy	Rederiforeningen
Legislation	Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic	
Summary	The regulation will phase out the use of 45 feet containers by the end of 2006	
Need for simplification	The ban on the use of 45 feet containers will lead to the use of more traditional containers with more congestion on the European roads as the result.	
Proposal for simplification	Allow the continued use of 45 feet containers after 2006	
17	Maritime	
Ministry responsible	Ministry of Economic and Business Affairs, Maritime Authority and Competition Authority	Rederiforeningen
Legislation	Regulation 4056/86	
Summary	The regulation applying the general competition rules to maritime transport is under review.	
Need for simplification	If this review does not lead to a situation where the industry clearly knows which forms of cooperation are allowed and under which conditions it will hamper mari-	

	time transport.	
Proposal for simplification	The result of the review must be accompanied by clear guidance from the Commission to the industry.	

18	Financial	Foreslået af:
Ministry responsible	Ministry for Economic and Business Affairs	FT
Legislation	A codification of directive 85/611 EC, 88/220 EC, 95/26 EC, 107/2003, 108/2203 (Securities / UCITS)	
Summary	A codification is needed in order to make the text comprehensive to the business society. The increased cooperation across financial sectors makes it highly necessary to be able to find and to compare directives.	
Need for simplification	The increased cooperation across financial sectors makes it highly necessary to be able to find and to compare directives.	
Proposal for simplification	The directives should be codified (work is going on in The Committee for European Securities Supervisors).	
19	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	FT
Legislation	Insurance directives (non life insurance) – The following list may not be exhaustive: 220/87, 2002/65, 2001/17, 98/78, 92/49, 91/674, 90/618, 88/618, 88/357, 84/641, 78/473, 73/473	
Summary	Need for adoption of consolidating directive	
Need for simplification	A codification is needed in order to make the text comprehensive to the business society. The increased cooperation across financial sectors makes it highly necessary to be able to find and to compare directives.	
Proposal for simplification	A codification is needed in order to make the text comprehensive to the business society (the Commission is looking at the scope of a consolidation).	
20	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	FT
Legislation	Insurance directives – notably directive 92/49	
Summary	Notification procedures	
Need for simplification	The existing procedures when notifying cross-border activities and the setting up of branches may be simplified.	
Proposal for simplification	The present system based on letters from the supervisory authorities to the companies containing information on the content of the "general good" rules may be replaced with a reference to the homepage of the supervisory authorities.	
21	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	FT
Legislation	Directives on financial services + e-commerce directive	
Summary	Less and more coherent rules on information to be provided for the customers	
Need for simplification	The provisions on information requirements when offering a financial product are located in separate directives. The provisions are coordinated in some directives but far from in all directives.	
Proposal for simplification	Coordinate the requirements and make the rules more coherent.	
22	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	F&P
Legislation	Directive 2002/92/EC of the European Parliament and the Council of 9 December 2002 on insurance mediation.	
Summary	Intermediaries (Tied agents) who only carry on the activity of insurance mediation under the full responsibility of one or more insurance companies should not be subject to registration requirements like independent intermediaries who act on their own behalf and under their own full responsibility.	
Need for simplification	When intermediaries act under the full responsibility of one or more insurance companies there is no need for consumer protection in the form of a registration system. Insurance companies, which are fully responsible and to which consumers	

	can refer if an intermediaries do not act correctly, will not allow their products to be sold by intermediaries who do not act in a proper way.	
Proposal for simplification	Intermediaries (Tied agents) who only carry on the activity of insurance mediation under the full responsibility of one or more insurance companies should not be subject to registration requirements like independent intermediaries who act on their own behalf and under their own full responsibility.	
23	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	F&P
Legislation	Directive 2002/83/EC of the European Parliament and of the Council of 5 November 2002 concerning life assurance	
Summary	The directive imposes, among other things, several information obligations on the companies.	
Need for simplification	In a number of areas it would be possible to simplify the rules so that the information required, to a higher degree than today, reflects the needs of the customer. This also implies the possibility of applying means of digital communication, for example presenting information relevant to the customers at the internet. Besides simplification along these lines would considerably reduce the administrative burden for the companies.	
Proposal for simplification	<p>Art. 36, 1. - " Before the assurance contract is concluded, at least the information listed in Annex III(A) shall be communicated to the policy holder"</p> <p>The directive requires that the company communicate a number of information to the policy holder before conclusion of the insurance contract.</p> <p>The requirement for information <u>before</u> conclusion of the contract should be replaced by a requirement for information <u>in connection with</u> the conclusion of the contract. The important thing is to make sure that the information is communicated to the policy holder at the time when he needs the information, at the latest, for example when the policy holder is to make certain choices or back off from the contract. Furthermore, in certain insurance schemes, not least schemes where membership of the scheme is made mandatory by another contract, it is often not possible to fulfil the requirement for communication of the information before conclusion of the contract as the policy holder is enrolled in the scheme before the insurance company obtains knowledge of the policy holder's identity. The insurance company may for example not be informed on the policy holder's enrolment until the first premium payment.</p> <p><i>Art 36, stk. 2 - " The policy-holder shall be kept informed throughout the term of the contract of any change concerning the information listed in Annex III(B)"</i></p> <p>The directive should be amended so that the required time for notification of the policy holder of changes is determined by the importance of the change for the policy holder. In cases of less important changes, for example changes not concerning essential parts of the contract, the company should be allowed to postpone the communication of the information and include it in a broader publishing at a later point in time.</p> <p><i>Annex III - demand for written information</i></p> <p>The companies should be entitled to fulfil the demand for written information by making the information available at the company's website. A company should be able to assume that communication from company to customer has a digital form even if there is no specific agreement on this. However, the customer should be able to, on request, have the information in paper (active request), unless the information concerns pure web-based products. The company's digital communication must live up to certain basic principles. Among other things, confidentiality of personal information must be secured and it must be assured that the company has not subsequently changed the information.</p> <p><i>Bilag III.A.a.16 - information on law applicable to the contract</i></p> <p>The need for informing the policy holder on law should be reconsidered.</p> <p><i>Annex III.B. - during the term of the contract</i></p> <p>The obligation for the company to inform the policy holder on both changes in relation to the assurance undertaking and changes in the insurance commitment should be reconsidered. If digital communication is used it should be sufficient to present such information at the company's website (that is, no requirement for actively forwarding the information to the customer). Furthermore, information on insurance undertakings is not pivotal to the insurance contract and thus this infor-</p>	

	<p>mation should only be made available when the customer is in need of this information.</p> <p><i>Bilag III.B.3. - yearly information on the state of bonus</i></p> <p>It should be sufficient continuously to make information on the state of bonus available at the internet. There is no need also to forward the information to the policy holder annually.</p>	
24	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	F&P
Legislation	Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services	
Summary	The directive imposes very detailed information obligations which the companies must fulfil when performing distance marketing of consumer financial services (telephone sales etc.).	
Need for simplification	In order to fulfil the rules the companies must give the consumers a lot of different information regardless of whether the consumers have any use of these information. Furthermore, the rules do not render possible targeting relevant information to the individual consumer's needs.	
Proposal for simplification	The rules should be reconsidered so that the companies may fulfil the information requirements by making the information available for the customers at the company's website. Hence, each customer may seek the information he desires. Perhaps, the company must be obliged to, when marketing its products, inform the customer that he may find relevant information at the website.	
25	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	F&P
Legislation	Non-discounting of deferred taxes according to IAS 12	
Summary	Because IAS 12 on Income Taxes (as approved by the EU Commission, hence part of EU regulation) does not allow for the discounting of deferred taxes, there is a need to make an exemption from IAS 12 on this issue in the local accounting rules for insurance.	
Need for simplification	The abovementioned exemption from IAS 12 will be administrative burdensome for companies which must apply IFRS to their consolidated accounts. Different rules might have to be followed on company and consolidated level.	
Proposal for simplification	Thus, there is an urgent need to update IAS 12 to allow for the discounting of deferred taxes, not least in the context of the principle of market valuation gaining ground in the international accounting standards.	
26	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Directive 2004/109/EC of 15 December 2004 on transparency requirements	
Summary	Harmonization of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market.	
Need for simplification	Interim management statements are often misleading for the market and not necessary, because companies are always under an obligation to inform whenever important events take place. They clearly constitute an administrative burden.	
Proposal for simplification	Abolish Article 6.	
27	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Directive 2003/71/EC of 4 November 2003	
Summary	Regulates the prospectus to be published when securities are offered to the public or admitted to trading.	
Need for simplification	Under Article 10 companies are required on an annual basis to publish a summary of all information given to the public during the year. This arrangement seems rather superfluous and should be abolished. The annual report is supposed to cover all important events of the year.	
Proposal for simplification	Abolish Article 10.	
28	Financial	Foreslået

		af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Commission Regulation (EC) No. 809/2004 of 29 April 2004 on implementation of Directive 2003/71/EC	
Summary	Information to be contained in prospectuses as well as the format, incorporation by reference and publication of such prospectuses and dissemination of advertisements.	
Need for simplification	The Annex to the Directive seems rather detailed and cumbersome and a number of simplifications may be achieved.	
Proposal for simplification	Simplify the Annex to the Regulation.	
29	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Directive 2004/25/EC of 21 April 2004	
Summary	Directive on takeover bids.	
Need for simplification	The Directive should only cover the procedural aspects in connection with takeover bids. It should not contain rules which somehow influence the possible success of takeover bids. The market alone should decide whether a takeover bid should succeed or not.	
Proposal for simplification	Abolish Articles 9 and 11 of the Takeover Directive and make the necessary adjustments of the Directive.	
30	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Directive 2004/25/EC of 21 April 2004	
Summary	Directive on takeover bids.	
Need for simplification	Article 10 of the Directive requires companies to publish a number of detailed information. This article has to a large extent a bureaucratic character.	
Proposal for simplification	Modify Article 10. In particular point (j) should be abolished.	
31	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	CESR recommendations etc.	
Summary	CESR has published a large number of recommendations implementing EU financial directives.	
Need for simplification	There is a tendency in most of the recommendations to overregulation and certainly a large number of simplifications can be achieved.	
Proposal for simplification	Abolish or simplify a number of CESR recommendations.	
32	Financial	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Financial Supervisory Authority	Rederiforeningen
Legislation	Directive 2003/6/EC of 28 January 2003	
Summary	Directive on insider dealing and market manipulation	
Need for simplification	The rule in Article 6, paragraph 4 requires persons employed etc. by an issuer to notify to the competent authority the existence of transactions conducted on their own account relating to shares etc. of the issuer where such persons are discharging certain responsibilities within the issuer. There is also a follow-up directive from the Commission: Directive 2004/72/EC of 29 April 2004. To companies the rules create a lot of administrative burdens and problems.	
Proposal for simplification	Article 6, paragraph 4 of Directive 2003/6/EC and the follow-up rules in the Commission Directive should be abolished or simplified.	
33	Finance	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	Finansrådet og Børs-mæglerforenin-
Legislation	European Parliament and Council Directive 2004/39/EC Directive on Markets in Financial Instruments (MiFID).	
Summary	MiFID and especially the current CESR advice and Commission document re-	

	garding technical implementing measures should be simplified. The rule on pretrade information for systematic internalisers in article 27 is too detailed and should be subject to a cost/benefit analysis.	gen
Need for simplification	Level 2 measures should recognise and distinguish between different market structures and business models. Consideration should be taken to differences in scale, nature and complexity of business. The level of detail in the advice/proposals for level 2-measures is too extensive.	
Proposal for simplification	It should be possible to standardise information provided to clients. Article 27 should be less detailed. It should be reviewed whether the purpose of pre-trade transparency is really obtained by article 27 and the current proposals for technical implementing measures.	
34	Finance	Forelået af
Ministry responsible	Ministry of Economic and Business Affairs	Finansrådet og Børs-mæglerforeningen
Legislation	Directive 2002/92/EC on insurance mediation	
Summary	The directive should be reviewed with regard to simplification, especially regarding the registration requirements and the use of criminal records.	
Need for simplification	For instance, when a bank – being an insurance mediation – is registered with the cooperating insurance company, art 3, it seems administratively burdensome and too excessive that also the persons within the management who are responsible for the mediation business. The requirement in art 4 according to which the management and any staff directly involved in insurance mediation shall provide a clean police record and be subject to current surveillance on this issue is also administratively burdensome. The fulfilment of the principle of “good repute” should be left to the banks and should not be based on a general requirement of providing a clean police record, unless where there is reason for that.	
Proposal for simplification		
35	Finance	Forelået af
Ministry responsible	Ministry of Economic and Business Affairs	Finansrådet og Børs-mæglerforeningen
Legislation	Directive 2000/12/EC on credit institutions	
Summary		
Need for simplification		
Proposal for simplification	Art 16 on supervisory approval process concerning qualifying holdings in credit institutions should be subject to mutual recognition between Member States.	
36	Finance	Forelået af
Ministry responsible	Ministry of Economic and Business Affairs	Finansrådet og Børs-mæglerforeningen
Legislation	Directive 2000/12/EC on credit institutions	
Summary		
Need for simplification	The definition of financial institutions in Art 1 (5) also includes Undertakings for Collective Investments in Transferable Securities (UCITS). This has as a consequence that investments made by credit institutions in UCITS are weighted 100 pct (solvency ratio) according to art. 43 without regard to the underlying investments made by the UCITS. These investments may for instance consist of government bonds with weight 0. It is felt unreasonable especially with regard to the deduction rules in art. 34 (12) and (13) that investments in UCITS made by credit institutions exceeding some thresholds of ten pct. always have weight 100 although the underlying investments have a lower weight.	
Proposal for simplification		

37	Construction	Forelået af:
Ministry responsible	The Ministry of Economic and Business Affairs	EBST
Legislation	Construction Products Directive (CPD) (89/106/EEC)	
Summary	The CPD was agreed on by the Member States in 1988 and is the most complicated of the new method directives. According to the CPD products have to be in conformity with a harmonised standard or a European Technical Approval. The	

	essential requirements in the CPD relate to the finished construction work and not directly to the products. Until now less than half of the expected harmonised standards have been finished and the technical approval system has not been used as foreseen.	
Need for simplification	Yes.	
Proposal for simplification	<p><i>Explicit formulation of the rules regarding mandatory CE-marking.</i> Four Member States consider the CE-mark as voluntary, which compromise the credibility and the idea of the CE-mark. An explicit formulation of the rules concerning CE-marking would strengthen the Directive, the implementation of the CE-mark in the Member States and the realisation of free competition for construction products on the European market.</p> <p><i>Voluntary ETA's based upon guidelines</i> European Technical Approvals based on ETAG's are today mandatory. Making all ETA's voluntary would therefore constitute an administrative simplification of the Directive.</p> <p>If voluntary ETA's is not pursued it is absolutely essential that EOTA only operate within narrow scopes.</p> <p><i>New article on system standards.</i> Many Member States use references to system standards in their national regulations and only to a limited extend references to product standards. To remove barriers to trade the preparation and maintaining of these standards should therefore be added to the Directive.</p> <p><i>New article on rules of transition.</i> Addition of an article in the Directive that can regulate the period of time between the finishing of a harmonised standard and the removal of possible conflicting national regulations. The Directive has a general fault in this area, which compromise the realisation of free competition for construction products on the European market.</p> <p><i>Change of terminology for attestation of conformity (AoC).</i> Simplification and harmonisation of the current terminology in annex 3 in the Directive ('i', 'a' and '1') is not the same as the used terminology today in the Commission decisions and the mandates (1, 1+, 2, 2+, 3 and 4).</p> <p><i>Notified Bodies</i> The notified bodies should only deal with regulatory aspects, as well as transparency in the work of the notified bodies should be pursued in a simplification process of the directive.</p>	
38	Construction	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	DI
Legislation	Council Directive 89/106 of 21 December 1988 Construction Product Directive (CPD)	
Summary	The Directive needs an amendment to speed up its effective application and to resolve application problems or misuses which have been noted	
Need for simplification	See "Summary" above.	
Proposal for simplification	<p>CE-marking should be compulsory for those construction products under the scope of a harmonised European Norm and for which the CE-marking transitional period has ended.</p> <p>A transparent procedure to designate the notified bodies (NB) and approval bodies (EOTA) and evaluate their competence (e.g. by using accreditation) on a common basis.</p> <p>EOTA should only address regulatory aspects.</p> <p>The application for an (ETAG) and a CUAP should not force other manufacturers of the same product family to start using CE-marking for their products.</p> <p>The systems of attestation of conformity should be simplified.</p> <p>The main basic terms used in the Directive should be clearly defined. "Construction product", "non-series product", "kit", "market", etc.</p>	
39	Housing and Construction	Foreslået af

Ministry responsible	Ministry of Economic and Business Affairs	København Kom- mune
Legislation	Directive 2004/18/EC – 31. March 2004 on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts (public procurement)	
Summary	Public or publicly supported construction activities with costs totalling more than appr. 46 mill. Dkr. are to be put in public EU-tender.	
Need for simplification	Modern industrialized housing construction entails considerable advantages in terms of quality and cost. A precondition to achieve this is however that the end product is regarded as turn-key entity and not as a highly regulated process with tenders for the various elements. In recent years a need to mix various kinds of ownerships in one building scheme has arisen. This kind of development is next to impossible to carry out because this only can be done economically and efficiently if the total scheme is seen as one. If this is done today a private developer can carry out the construction of the whole scheme and then sell part of it to a public supported building association. The present regulation of this requires that the private developer complies with regulations concerning public supported construction and EU-tender. This requirement is not conducive to effective and cost efficient construction. The process shall have more emphasis on effectiveness than on process.	
Proposal for simplification	As an alternative to public tendering of individual elements there should be an option for public tendering of the turn-key housing incl. a publicly supported part. In short, we should buy houses like we buy cars.	

40	Anti dumping	Foreslået af:
Ministry responsible	The Ministry of Economic and Business Affairs	DI
Legislation	Regulation concerning antidumping	
Summary	The objective of the antidumping rules is to protect against price dumping, which means that a country's exporters deliberately sell their goods on another country's market at a price that is lower than on the home market. Thus, the purpose of antidumping duty is to maintain fair competition in trade.	
Need for simplification	Antidumping is one of the most generally used tools among legal and protective measures. The number of antidumping investigations has increased significantly since the 1990s. The rules must be changed so that antidumping measures are limited only to cases where it is an established fact that dumping takes place.	
Proposal for simplification	Antidumping measures should be limited to cases where it is an established fact that dumping takes place with a view to achieving market power, i.e. in cases where the dumping enterprise already has a dominant position. It could be done in antidumping cases by making use of a number of the conditions that are used in competition cases. In addition, it must be a precondition that analyses of the costs and gains of introducing antidumping duty are carried out, in order to ensure that the measures are not exclusively in favour of the producers. The measures must also take the consumers and the enterprises utilising the products into consideration.	

41	Export	Foreslået af:
Ministry responsible	The Ministry of Economic and Business Affairs The National Agency for Enterprise and Construction	DI
Legislation	1334/2000/EC Control of exports of dual-use items and technology.	
Summary	The revision is enforced by UN 15-45. The objective of the control of dual-use items and technology is to ensure that the products are not used for military or terrorist purposes.	
Need for simplification	Control list is too long and outdated (controls massmarketed technologies, whilst other strategically relevant technologies remain uncontrolled).	
Proposal for simplification	In implementing the convention the EU should not interpret it in a stricter sense than other countries. Further the Commission should pay much attention to what is actually possible to control and implement the controlsystem in a fashion there is less bureaucratic for the private businesses. One should bear in mind that controlling EU import in many respects will be futile, as the products already exists	

	within the EU. The Commission should be cautious about implementing a control system of transport of dual-use products as such a system would be very costly and bureaucratic. At the same time the system will not be very effective in controlling the actual transport.	
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42	Patents	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	DI
Legislation	1997/0356/COD Harmonization of legal protection of patents.	
Summary	Harmonization of legal protection of patents.	
Need for simplification	The current system is expensive and inadequate. A patent in the EU is three times as costly as a patent in Japan- and five times the price of a patent in the USA. The high costs are largely a result of translation demands.	
Proposal for simplification	<ul style="list-style-type: none"> - It should be possible to attain a patent in the EU by one application. - The demands of translation should be reduced as much as possible. - A central European court of patents should be established. This will ensure a common practice and will mean a concentration of the best qualifications. 	

43	Company law	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	DI
Legislation	78/855/EEC, 89/667/EEC, 2000/46/EC, 95/46EC and 2001/107/EC	
Summary	Regulation concerning company law	
Need for simplification	Contradictions in directives and too many administrative burdens for the private enterprises.	
Proposal for simplification	The contradictions should be eliminated and the regulation simplified.	

44	Company law	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs	F&P
Legislation	Increasing levels of information required in the accounts	
Summary		
Need for simplification	There is an ongoing pressure for releasing more and more information in the statutory accounts. Information - for policyholders, the public, investors and other interested parties - is, of course, considered useful, but any marginal additional information does not necessarily add value. Increasing the level of information, the details of information and demanding more frequent release of information does not always increase transparency. On the contrary, in the context of the often long term nature of the underlying insurance business, releasing more and more information might not be meaningful and might actually leave the end user more confused than enlightened.	
Proposal for simplification	Therefore, there is scope for reducing the administrative burdens of producing more information to the statutory accounts while actually yielding a benefit to end users of insurance company accounts.	

45	Company law	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Denmark	EOGS
Legislation	Third Council Directive 78/855/EEC of 9 October 1978 based on Article 54 (3) (g) of the Treaty, concerning mergers of public limited liability companies	
Summary	According to the directive the member states are obligated to provide detailed rules on merger between national public limited companies. The purpose of these rules is to protect the interest of creditors, employees and shareholders of the companies involved in a merger.	
Need for simplification	The directive needs to be simplified in order to ensure the conformity with related directives and to ensure that the directive is not unnecessarily administratively burdensome.	
Proposal for simplification	A general review of the directive.	
46	Company law	Foreslået af:

Ministry responsible	Ministry of Economic and Business Affairs, Denmark	EOGS
Legislation	Sixth Council Directive 82/891/EEC of 17 December 1982 based on Article 54 (3) (g) of the Treaty, concerning the division of public limited liability companies	
Summary	The directive leaves it as an option for the member states to provide rules on division of companies. If member states do so, the provisions of the directive are to be followed. The purpose of the directive is to protect the interest of creditors, employees and shareholders of the companies involved in a division.	
Need for simplification	The directive needs to be simplified in order to ensure the conformity with related directives and to ensure that the directive is not unnecessarily administratively burdensome.	
Proposal for simplification	A general review of the directive.	
47	Company law	Foreslået af:
Ministry responsible	Ministry of Economic and Business Affairs, Denmark	EOGS
Legislation	Eleventh Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State	
Summary	The directive provides rules where a company of one member state establishes a branch in another member state. The directive is a technical implementation of the right of establishment and lays down principles concerning disclosure requirements in respect of branches	
Need for simplification	The establishment of a branch can be administratively burdensome for companies and leads to requirements of making the same information public in more than one member state at the same time.	
Proposal for simplification	A general review of the directive in light of the recent development of disclosure of company information in the EU.	

BESKÆFTIGELSESMINISTERIET

48	Employment	Foreslået af:
Ministry responsible	Ministry of Employment	BM
Legislation	Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship	
Summary	The directive prescribes that the employer has an obligation to inform employees of the conditions applicable to the contract. However, ECJ jurisprudence has made it less obvious to fulfil the obligations of the legislation because the employer has to consider each employment relationship and assess if special circumstances apply instead of just fulfilling the 10 item of article 2	
Need for simplification	The Danish government proposes an amendment of the directive in order to simplify the administrative burden for the employer	
Proposal for simplification	Amendment of the directive in order to secure that the list regarding the employer's obligations is exhaustive as originally intended. Transfer of enterprises: Accepting that information about the new employer can be given to the employees without changing the document concerning their employment or being certain that the amendment is stapled to the document. The employer is liable for the methods used to inform the employees about the new situation. Changes in an existing employment relationship: Only an obligation to bring the document up to-date if the employee requires an update.	
49	Health and Safety at work	Foreslået af:
Ministry responsible	Ministry of Employment	BM
Legislation	Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment	
Summary	According to the directive there are some minimum requirements for <ul style="list-style-type: none"> ▪ The equipment such as display screen, keyboard, work desk, work chair ▪ The environment such as space, lightening, reflection and glare, noise, heat, radiation and humidity ▪ Operator/computer interface 	

Need for simplification	The requirements in the directive are very detailed and have their roots in a somewhat outdated technology. The detailed requirements are inexpedient compared to the technological progress that has been and will come in the field of computers. The technology has improved so much that technological solutions which do not fulfill the requirements of the directive, should be accepted because they are no danger to the safety and health of the employee. Eg. it should be allowed to work at a lab top. A lab top does not fulfill the requirements from directive 90/270/EEC	
Proposal for simplification	The annex of the directive should be simplified and the requirements should not be as detailed as they are now.	
50	Employment	Foreslået af:
Ministry responsible	Ministry of Employment	Rederiforeningen
Legislation	Directive 2002/14/EC of 11 March 2002	
Summary	Establishing a general framework for informing and consulting employees in the European Community.	
Need for simplification	The issues dealt with by this Directive should be left to be regulated by national law. There are probably a number of different systems in Member States dealing with information and consultation. Such systems are not abolished as a consequence of the Directive, but the Directive simply adds to what is already established on a national level. Thus to a large extent the Directive constitutes over-regulation at least in some countries. Furthermore, the issues dealt with by the Directive should not be regulated on EU-level, but should be left to the Member States to regulate. The various national rules are tailor-made to the national circumstances, the different traditions etc. and we very much doubt that in this area it is appropriate to have EU-regulation.	
Proposal for simplification	The Directive should be modified or entirely abolished.	
51	Workers	Foreslået af:
Ministry responsible	Ministry of Employment	DI
Legislation	Directive 90/394/EEC Protection of workers from the risk related to exposure to carcinogens at work and extending it to mutagens	
Summary	Regards the protection of workers from the risk related to exposure to carcinogens at work and extending it to mutagens	
Need for simplification	The directive leaves its mark on the fact that it was prepared at a time where the focus was based on the toxicity class of the drugs and not on the evaluation of the risks, and where the thoughts were aiming towards an establishment of protection-strategies/preparations, towards the "traditionally" very dangerous chemical drugs. Due to the fact that wooden dust from the hard woods was subjugated the directive, a need for efficient interpretations of the directives decisions to avoid the unintentional substitutions from the hard woods. Similar situations can be expected to appear in the future.	
Proposal for simplification	The assessment is, that there is a well-marked need for a radical revision of the directive. As a model for the prospective regulation, the principles of the current Danish regulation can be recommended. In Denmark the regulations are based on fundamental decisions which are existing for the entire area supplied by a number of special demands which in variation of extents can be used towards single drugs or groups of drugs.	

MILJØMINISTERIET

52	Waste	Foreslået af:
Ministry responsible	Ministry of the Environment	DI
Legislation	Council Directive 75/442/EEC of 15. July 1975 on waste	
Summary	The directive on waste contains an unclear distinction between recycling and waste. Inconsistent use of terminology and annex does not include all reuse and disposal methods.	
Need for simplification	The unclear definition and distinction between different waste handling options lead to bureaucratic handling of waste related questions at local and governmental level. This is especially true for the area import/export of waste. For methods not mentioned in the annexes to the directive it is extremely time consuming for the	

	industries to obtain permission or approval from the municipalities and the EPA.	
Proposal for simplification	<p>It should be clearly underlined that the waste hierarchy is only advisory, and that in specific cases other handling options may be the best solution from as well an environmental as a cost-benefit analytical point of view.</p> <p>The annex II A and B should be rewritten, so they are not closed lists, but rather broad conditions for the treatment technologies in the various categories. The effect of this will be a must smoother administration for industries and municipalities, and the possibility to direct waste for the optimal treatment environmentally. E.g. incineration with heat and power production may be more optimal than recycling with long transports and limited benefits for the environment.</p>	
53	IPP	Foreslået af:
Ministry responsible	Ministry of the Environment	DI
Legislation	Council Directive 96/61/EC of 24. September 1996 concerning Integrated Pollution Prevention and Control (IPPC).	
Summary	The directive on IPPC has caused bureaucracy to a degree that is out of proportion with the environmental benefits.	
Need for simplification	<p>The implementation of the IPPC scheme has become overly bureaucratic in a number of areas. Overlaps between IPPC, EIA, EMAS as well as a number off sector-specific directives result in unnecessary bureaucracy.</p> <p>Extensive measurement programmes are required under the current legislation. Environmentally insignificant changes to installations often require a formal application to the environmental authorities. Though this has no environmental benefit, it still entails significant bureaucracy.</p> <p>The list of installations in annex is partially unclear and covers installations with environmental impacts that are insignificant or do not require an integrated approach.</p> <p>This causes unnecessary administration and too large differences in the implementation of the directive among member states.</p> <p>Companies with an environmental certification in accordance with ISO14001 find little acknowledgement of this voluntary effort in the regulation. IPPC should hold incentives for companies to seek environmental certification.</p>	
Proposal for simplification	<p>The relationship of IPPC with EIA, EMAS as well as a number off sector-specific directives needs to be resolved.</p> <p>Principles for assessing the needed amount of measuring should be included in the directive. The revised directive should also envisage a possibility for replacing direct measurements of emissions with verified calculations based on operating parameters such as load, temperature etc.</p> <p>The directive needs to define clearly a lower threshold limit for when changes to installations require an application to the environmental authorities.</p> <p>The list of installations in annex needs to be revised and clarified.</p> <p>Requirements in IPPC should be reduced for EMAS or ISO14001 certified installations.</p>	
54	Maritime and environment	Foreslået af:
Ministry responsible	Ministry of the Environment	Rederiforeningen
Legislation	Directive 2004/35/EC of 21 April 2004	
Summary	Environmental liability with regard to the prevention and restoration of environmental damage.	
Need for simplification	<p>Some exceptions have been included in the Directive as far as liability for environmental damage for ships is concerned. However, a more clear cut solution creating greater certainty would be to exclude ships entirely from the scope of the Directive. The liability for environmental damage caused by ships is already regulated in a very detailed way by IMO conventions and there is no need to introduce on an EU-level further regulation as far as shipping is concerned. It creates great uncertainty and thereby also a number of administrative problems etc. where the EU attempts to improve on, modify or add to conventions already agreed within IMO and acceded to by a large majority, if not all Member States of the EU.</p>	
Proposal for simplification	The Directive should be modified so as completely to exclude ships from the scope of the Directive.	

MINISTERIET FOR FØDEVARER, LANDBRUG OG FISKERI

55	Food	Foreslået af:
Ministry responsible	Ministry of the Food, Agriculture and Fisheries	DI
Legislation	200/13/EC The laws of the Member States relating to the labelling, presentation and advertising of foodstuffs	
Summary	In the field of food legislation 90% of the legislation originates from the European Union. The Community's current legal basis for food labelling is defined in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs. This Directive codified the earlier Directive 79/112/EC that established general requirements for food labelling, applicable to all foodstuffs and pre-packaged food.	
Need for simplification	<p>The challenge is how to diminish burdens on industry while maintaining the high level of information and protection of the consumer.</p> <p>European industry and consumers' organization both call the current label into question; it appears that it bears too much information. Since the introduction of the labelling directive, the amount of information on the label has increased considerably. For those consumers that need specific information, it may be more convenient if they could find more information in an easy way. It does not seem realistic to expect that the need for information about food is reducing in the future. In relation to the increased knowledge about food and individualisation of the consumer, the demand for specific information by consumers is increasing. However, any discussion of a review of the EU labelling legislation being relevant in a Europe of 25, soon 27, has to take into account three core elements of all food labelling legislation, namely consumer information, consumer education and user needs with regard to practicability/feasibility. Those core elements of the discussion are interlinked and should be regarded in conjunction.</p>	
Proposal for simplification	<p><i>Consumer information</i></p> <p>The food industry is committed to providing responsible consumer information. Labelling is the most important way of communicating with the consumer. It should be recognised that other means of consumer information have been promoted to offer more detailed information off pack in the review process given the complexity of the legislative provisions and limited label space. Labelling, especially mandatory labelling is only one of many ways of ensuring consumer information. Offpack consumer information has throughout the last years become an essential tool for consumer information and needs to be respected as such by legislators.</p> <p>Consumer information interests can accordingly be served on and off pack and the food industry urges stakeholders to respect all routes of consumer information when reviewing mandatory labelling legislation – all consumer interests can certainly not be satisfied through mandatory labelling.</p> <p><i>Consumer education</i></p> <p>Consumer education is essential to make best use of the information provided by manufacturers. A joint effort is needed in partnership between public authorities and food manufacturers to ensure information about food is respected, however experience shows that a lot of the information provided is not used, because consumer education on essential food information is missing. What is needed, is not ever more information on the labels, but a joint initiative on consumer education in which industry, consumer organisations and government organisations provide the necessary consumer education.</p> <p><i>Respecting "user needs"</i></p> <p>There is an urgent need for better consultation of and co-operation with "users" when drafting EU labelling legislation. Shared interests concern amongst others</p> <p>Accessibility: Labelling legislation must be easy to find, clearly drafted etc</p> <p>practicability: Avoid frequent label changes, and multiple implementation dates, it is extremely costly to the European food industry partnership in regulatory process to ensure compliance, feasibility, readability and understandability.</p> <p>Other points of concern are regularly consolidation of legislation, synchronised labelling implementation dates every two or three years where no safety issues are</p>	

	concerned, recognition of a common market (multi-lingual packs, the use of IT systems applicable for consumer information on essential items to be discussed and decided, space needed for cooking instructions and other pieces of consumer information and education).	
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MINISTERIET FOR VIDENSKAB, TEKNOLOGI OG UDVIKLING

56	Research	Foreslået af:
Ministry responsible	Ministry of Science, Technology and Innovation	DI
Legislation	COM(2005)119 final Seventh framework programme of the European Community for research, technological development and demonstration activities.	
Summary	Proposal for a decision of the European Parliament and of the Council concerning the seventh framework programme of the European Community for research, technological development and demonstration activities.	
Need for simplification	There is a great need to introduce new flexible instruments in order to make the seventh framework programme successful.	
Proposal for simplification	<i>New instruments</i> A new funding instrument - a 1-1 cooperation - which allows for a company to engage in a cooperation with another company or research institution under the condition that the companies or research institutions origins in at least two different countries. <i>Reducing bureaucracy</i> There are three specific areas in particular in which reforms of the current procedures will contribute to a reduction of the bureaucracy of the framework program: - Reducing the cost of applying - A changed funding model (flat rate system or grant based) - Fewer participants in each project	
57	Technology	Foreslået af:
Ministry responsible	Ministry of Science, Technology and Innovation	DI
Legislation	1999/5/EC Telecom	
Summary	Article 6.4 states that manufacturers of radio equipment should notify the authorities about the product.	
Need for simplification	The main part of the businesses does not comply with the regulation, which is a leftover from the days of strict regulation of radiobroadcast. The regulation is obsolete with the present level of technology, where other means can be used to prevent "noise" on the broadcast bands for radioproducts.	
Proposal for simplification	The regulation should be abolished	
58	E-commerce	Foreslået af:
Ministry responsible	Ministry of Science, Technology and Innovation	DI
Legislation	2000/31/EC E-commerce	
Summary	Regulation of electronic commerce.	
Need for simplification	To make sure that there is no contradictions in the different directives regulating E-commerce.	
Proposal for simplification	The directive should be brought in accordance with other directives regulating E-commerce.	
59	Communication	Foreslået af:
Ministry responsible	Ministry of Science, Technology and Innovation	DI
Legislation	New Regulatory framework. Directives: 2002/19/EC, 2002/20/EC, 2002/21/EC, 2002/21/EC, 2002/58/EC, 2002/77/EC and regulative: 2887/2000	
Summary	Regulation of the market of communication and its 18 submarkets.	
Need for simplification	The regulation of the market in different sectors is not up to date with reality. New technology makes it possible to offer different services from the same platform. For example internet-, television- and telephoneservices can now be distributed by the same cables and thereby offered by the same operators. This means that regulation should view the market as unified and not as different submarkets.	

Proposal for simplification	There is a need for a new unifying framework which focuses on innovation and growth in the business.	
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SKATTEMINISTERIET (OG UDENRIGSMINISTERIET)

60	Customs	Foreslået af:
Ministry responsible	Ministry of Taxation (Central Customs and Tax Administration)	Skat
Legislation	Community legislation re customs in general – e.g. Community Customs Code – regulation (EC) 2913/92 and implementing regulations – Commission Regulation 2454/93	
Summary	A critical analysis on the functioning and efficiency of the customs procedures etc is needed in order to modernize and simplify the Customs rules of EC	
Need for simplification	Many of the present rules and procedures in the Customs area are no longer “up-to-date” – procedures originally designed to ease the burden of customs duties for EC Companies are - due to the decreasing customs tariffs in general – no longer economical efficient (the costs of maintaining and using them exceeds or are close to exceed the advantage of the procedures them self).	
Proposal for simplification	An – if possible – independent critical analysis of costs and benefits of the existing customs rules should be conducted to identify areas that should be modernized (or even abandoned!).	
61	Trade policy	Foreslået af:
Ministry responsible	Ministry of Foreign Affairs	Skat
Legislation	All regulations etc that include tariffs	
Summary	Abandoning of low customs tariffs	
Need for simplification	Many resources are used in relation to collect and control duties paid – especially resources used to collect and control declarations relating to low tariffs are not in proportion with the duties collected.	
Proposal for simplification	Tariffs under a certain level could be abandoned (e.g. 2 or 5 percent).	
62	Trade policy/customs	Foreslået af:
Ministry responsible	Ministry of Foreign Affairs and Ministry of Taxation – Central Customs and Tax Administration	Skat
Legislation	Preferential Rules of origin (PRO) – GSP and agreements between EU and 3. countries – Commission regulation 2454/93 and the individual agreements	
Summary		
Need for simplification	Present rules are very complex and difficult to understand. The usage of the systems with tariff preferences is therefore not used as widely as intended.	
Proposal for simplification	Clear, simple and transparent PRO that meets today’s criteria for EC-policies - e.g. development. Simple list rules.	
63	Trade policy/customs	Foreslået af:
Ministry responsible	Ministry of Foreign Affairs and Ministry of Taxation (Central Customs and Tax Administration)	Skat
Legislation	Non-preferential rules of origin – Regulation (EC) 2913/92 and Commission Regulation (EC) 2454/93	
Summary	Simplify non-preferential rules of origin	
Need for simplification	The set of Non-preferential rules of origin is at present very complex. The rules are used in relation to mainly statistics etc, and have only little tariff implication. Within WTO a standardisation exercise have been going on for ages – only creating the rules more and more complex. At EC level the Customs Code only contains few rules in this area - but interpretation of the rules include the work conducted by WTO (and WCO), which makes things very complex.	
Proposal for simplification	From the EC side work for real simplification of these rules – and thereby minimise the use of “special rules”	
64	Trade Policy/Customs	Foreslået af:
Ministry responsible	Ministry of Foreign Affairs and Ministry of Taxation (Central Customs and Tax	Skat

	Administration)	
Legislation	Customs Tariff - Regulation (EC) 2658/87	
Summary	A simpler Customs Tariff (with fewer positions) could be achieved by only letting the Customs Tariff include tariff positions that are actually being used and which are necessary and justifiable.	
Need for simplification	The Customs tariff includes many positions that have no use – or have no customs use. This makes the tariff very comprehensive and very complex to use.	
Proposal for simplification	Simple “cleaning out” of positions that are not used would be a beginning. A more comprehensive and ambitious proposal is to join together positions that is no longer necessary and justifiable to keep apart (e.g. because they have approximately the same tariff rate etc).	
65	Customs/Trade Policy	Foreslået af:
Ministry responsible	Ministry of Taxation (Central Customs and Tax Administration) and Ministry of Foreign Affairs	Skat
Legislation	Regulations on temporally tariff suspensions and autonomous quotas - Regulation (EC) No 2505/96 and Regulation (EC) No 1255/96	
Summary	Tariff positions with low tariff rates could be automatically suspended and instead of quotas tariffs could be lowered.	
Need for simplification	In general costs exceed benefits in relation to the system of suspensions/quotas in relation to tariff positions with low tariff rates.	
Proposal for simplification	Tariff positions with low tariff rates (e.g. 5 %) covered by a suspension or quotas, could be automatically replaced by a tariff rate of 0 %.	
66	Trade policy/Customs	Foreslået af:
Ministry responsible	Ministry of Foreign Affairs, Ministry of Economic and Business Affairs Ministry of Ministry of Taxation – Central Customs and Tax Administration	Skat
Legislation	Quotas (regulations in general)	
Summary	Abolish quotas in areas where customs tariffs are low.	
Need for simplification	In general costs exceed benefits in relation to maintaining a system of quotas in relation to tariff positions with low tariff rates.	
Proposal for simplification	Quotas could automatically be abolished for tariff positions with low tariff rates (e.g. 5 %) and be replaced by at tariff rate of 0 %.	
67	Customs	Foreslået af:
Ministry responsible	Ministry of Taxation (Central Customs and Tax Administration)	Skat
Legislation	Community Customs Code – Regulation (EC) 2913/92	
Summary	Security payment relating to Customs could be abandoned	
Need for simplification	National VAT are – at least in Denmark – not covered by rules on security payment – and accounts for a much higher value than customs duties. Many resources are used – both by administrations and economic operators in relation to security payments relating to customs duties. With decreasing customs duties costs to set up security payments become even more and more out of proportion.	
Proposal for simplification	Abandon rules on security payment in relation to Customs duties.	
68	Tax	Foreslået af:
Ministry responsible	Ministry of Taxation	Finans-
Legislation	Sixth Council Directive (77/388/EEC) of 17 May 1977	rådet og
Summary	The VAT legislation concerning the financial sector needed to be updated and revise to achieve a more simple system with more legal certainty and VAT-neutrality.	Børs-
Need for simplification	Concerning the financial sector the application of VAT across the EU is inconsistent. There is a need for revise and update the definition of VAT exempted services and transaction (art. 13(B)(d)). When it comes to financial groups operating in more than one EU-country VAT very often prevent their opportunity to cooperate, integrate and centralize their functions – concerning the financial sector there is a need for a more VAT neutral system. Any attempt to achieve synergies and improve efficiency is blocked due to the cascading effect of VAT.	mægler-
Proposal for simplification	The directive should be updated.	foreninen

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TRANSPORT- OG ENERGIMINISTERIET

69	Transport	Foreslået af:
Ministry responsible	Ministry of Transport and Energy	Færdselsstyrelsen
Legislation	Council Regulation 11/98 of 11 December 1997 amending Regulation (EEC) No.684/92 on common rules for the international carriage of passengers by coach and bus	
Summary		
Need for simplification	Experiences from the practical work issuing authorizations for regular services have shown that the procedure of submitting the applications to the Member States whose territories are crossed without passengers being picked up or set down is unnecessary and time demanding. The proposed amendment will make the application procedure more flexible and involve less Member States in the consulting procedure.	
Proposal for simplification	According Regulation 11/98 amending regulation 684/92 authorizations for regular services shall be issued in agreement with the authorities of all Member States in whose territories passengers are being picked up or set down. The authorities shall forward to such authorities – as well as to the competent authorities of Member States whose territories are crossed without passengers being picked up or set down – a copy of the application, together with copies of any relevant documentation and its assessment. Denmark proposes that the procedure is simplified so that <i>the member states whose territories are crossed without passengers being picked up or set down</i> will not receive information about the application and assessment of the authority. Since no passengers are being picking up or set down in these member states territories, we see no need for the member states to be involved in the process at this stage. We find that it would be sufficient if the member states whose territory is crossed without passengers being picked up or set down are getting a copy of the authorization for their information only.	
70	Transport	Foreslået af:
Ministry responsible	Ministry of Transport and Energy	Færdselsstyrelsen
Legislation	Council Regulation (EEC) no. 881/92 of 26 th March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or mere Member States.	
Summary		
Need for simplification	Many road haulage operators established in Denmark are performing international road haulage as well as national road haulage. From the authorities point of view it would be easier if the weight limit were the same both for national and international road haulage.	
Proposal for simplification	Council Directive 98/76 of 1 st October 1998 amended Directive 96/26 on admission to the occupation of road haulage operator and road passenger transport operator etc., so that the directive now applies for undertakings engaged in the occupation of road haulage operator by means of motor vehicles or combinations of vehicles with the maximum authorised weight of 3,5 tonnes or more. According to Council Regulation 881/92 carriage of goods in international transport within the Community is exempted from a community licence when the carriage of goods are performed in motor vehicles were the permissible laden weight, including that of trailers, does not exceed 6 tonnes or the permissible payload including that of trailers, does not exceed 3,5 tonnes. It is suggested that Council Regulation 881/92 is amended so that the weight limits are similar to the ones in national transport of goods according to Council Directive 98/76.	
71	Transport	Foreslået af:
Ministry responsible	Ministry of Transport and Energy	Færdselsstyrelsen
Legislation	Council Regulation 881/92 of 26 th March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or mere Member States, Council Regulation (EEC) no. 684/92 of 16 th March 1992 on common rules for the international carriage of passengers by coach and bus (as amended in Regulation (EC) no.	

	11/98 of 11 December 1997)	
Summary		
Need for simplification	When planning checks regarding undertakings and issuing permits/licences it would be easier for the authorities if the validity period of the permits/licences are the same as well as the requirements regarding checks.	
Proposal for simplification	It is proposed that the Council Regulation 881/92 and Council Regulation 684/94 (as amended in Regulation 11/98) is amended so that the wording is the same as in Council Directive 98/76 amending Council Directive 96/26 regarding the period in which a licence is valid and when the requirements for obtaining a licence/permit shall be checked.	

JUSTITSMINISTERIET

72	Justice	Foreslået af:
Ministry responsible	The Ministry of Justice	F&P
Legislation	Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data (95/46/EC)	
Summary		
Need for simplification		
Proposal for simplification	The directive should be re-examined. In the light of the development of the technology, the general exchange of information in the society of today and the customer's general opinion on what data can be processed, stored and exchanged, the directive in general appears to be too restrictive.	
73	Justice	Forelået af
Ministry responsible	Ministry of Justice	Finansrådet og Børs-mæglerforeningen
Legislation	Directive 2002/65EF of 23 September 2002 concerning the distance marketing of consumer financial services.	
Summary	The directive on distance marketing of consumer financial services has been implemented in Denmark since 1 October 2004. Therefore Danish banks have already experienced that the rules concerning information requirements to the consumer in the case of voice telephony communications are very burdensome.	
Need for simplification	The rules in article 3, section 3 in the case of voice telephone communications are all too complicated. The supplier (the bank) has to give the following information: <ul style="list-style-type: none"> - the identity of the supplier - the commercial purpose of the call - the identity of the person in contact with the consumer - a description of the main characteristics of the financial service - the total price to be paid by the consumer to the supplier for the financial service including all taxes paid via the supplier - notice of the possibility that other taxes and/or costs may exist that are not paid via the supplier or imposed by him - the existence or absence of a right of withdrawal It is not possible in practice to give all that information when using voice telephone communication and these rules should therefore be simplified.	
Proposal for simplification	The rules concerning voice telephone communication when offering consumers financial services could be simplified with due respect that the supplier in every case shall provide the full information (all the information mentioned in article 3, section 1, 2 and 3) if a contract has been concluded using voice telephony communication (see article 3, section 3 in fine referring to article 5) and that the consumer has a right of withdrawal from the contract. On these grounds it should be enough that the supplier is obliged at the beginning of any conversation with the consumer to mention the identity of the supplier.	

Bilag 2: Forenklingsforslag fra november 2004, som stadig ønskes fremsat

1	Transport Statistics
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark
Legislation	Directive 95/64
Need for simplification	
Proposal for simplification	The Council Directive on statistical returns in respect of carriage of goods and passengers by sea was adopted in 1995. These statistics account for the smallest user requirements among the statistics on transport, and from a Danish point of view the compilation of the statistics can be discontinued.
2	External trade, Intrastat
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark
Legislation	Council Regulation (EEC) No 3330/91 and Commission Regulation (EC) No 1901/2000 laying down certain provisions for the implementation of Council Regulation (EEC) No 3330/91
Need for simplification	
Proposal for simplification	The Commission (Eurostat) is at the moment working with a project to revise the Intrastat system by 2005, including a rewriting of the Regulation. The main objective is to simplify the Regulation and to change its impact with reference to the statistical needs of the Community. A draft for a new Regulation is to be presented in March 2003 at a meeting in the Committee on <i>Statistics Relating to the Trade of Goods Between Member States</i> . In this connection, several suggestions have been put forward, but it is still too soon to predict the outcome. Nevertheless, attention has been focused on the question of statistical thresholds. Different thresholds are used in Intrastat, which exclude minor companies from reporting and enable some transactions to be reported on a less detailed basis. A suggestion could be to increase one or more of the thresholds, taking into consideration the continued assurance of the quality of the external trade figures (both on an aggregate and detailed level).
3	External trade, Intrastat
Ministry responsible	Ministry of Economic and Business Affairs, Statistics Denmark
Legislation	Council Regulation (EEC) No 3330/91 and Commission Regulation (EC) No 1901/2000 laying down certain provisions for the implementation of Council Regulation (EEC) No 3330/91
Need for simplification	
Proposal for simplification	On earlier occasions the introduction of a one-flow system in Intrastat has been suggested (in short, the system is based on the principle that each Member State involved only collects data on either import or export and consequently receives data on the opposite trade flow on the basis of data collected by the other Member States). In November 1999 the item was on the agenda at the 35th meeting in the Statistical Program Committee. Denmark still supports the idea of introducing a one-flow system, but several conditions have to be fulfilled: - The quality of the resulting statistics for each individual Member State (i.e. both flows) must at least be maintained. - Timeliness in connection with the collection and dissemination of data has to be guaranteed and for some Member States must be improved significantly compared with the situation today. - The inclusion of new Member States in the European Union must be taken into account in respect of the above-mentioned conditions.
4	Food Safety
Ministry responsible	The Danish Veterinary and Food Administration
Legislation	Regulation 1760/2000 (Parliament and Council regulation) and Regulation 1825/2000 (Commission regulation)
Need for simplification	
Proposal for simplification	The registration of out- and incoming meat in the retail trade, where there is no kind of cutting and repacking of meat seems needless. The Danish Veterinary and Food Administration has already mentioned the proposal for the Commission earlier.
5	Inviting tenders for ferry services: prolongation of the period of concession
Ministry responsible	The Danish Ministry of Transport
Legislation	97/C 205/05 part 9
Need for simplification	

tion	
Proposal for simplification	Extension of period from 5 to 10 years
6	Sale of goods on ferries in passage between EU-countries
Ministry responsible	The Danish Customs and Tax Agency (The Danish Ministry of Taxation)
Legislation	Council Directive 92/12/EEC Council Directive 92/83/EEC Council Directive 95/59/EC of Sixth Council Directive 77/388/EEC
Need for simplification	
Proposal for simplification	Simplification on the differences of rules in the Member states