

# Position Paper

## UEAPME<sup>1</sup> position on Top 10 most burdensome legislative acts for SMEs.

### Explanatory Note

In the list below we have indicated all legislations that were listed by our members as burdensome. At the end of this position paper you can find a list of 11 legislations that have been indicated by the majority as most burdensome (on top most burdensome).

#### *Consumer protection*

- General product safety - Directive 2001/95/EC
- Food hygiene - Regulations (EC) No 852/2004 and 853/2004**
- Materials and articles intended to come into contact with food - Regulation (EC) No 1935/2004
- Provision of food information to consumers - Regulation (EU) No 1169/2011
- Approximation of the laws of the Member States relating to food supplements - Directive 2002/46/EC
- Laying hen cages and protection of pigs sow stalls - Directives 1999/74/EC and 2008/120/EC
- Marketing standards for eggs - Regulation (EC) No 589/2008
- Certain aspects of the sale of consumer goods and associated guarantees - Directive 1999/44/EC
- Unfair business-to-consumer commercial practices - Directive 2005/29/EC
- Misleading and comparative advertising - Directive 2006/114/EC
- Pharmaceuticals - Directive 2001/83/EC
- Traditional herbal products - Directive 2004/24/EC
- Other

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<sup>1</sup> UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative. Our ID number is [55820581197-35](#).

UNION EUROPEENNE DE L'ARTISANAT ET DES PETITES ET MOYENNES ENTREPRISES

EUROPÄISCHE UNION DES HANDWERKS UND DER KLEIN- UND MITTELBETRIEBE

EUROPEAN ASSOCIATION OF CRAFT, SMALL AND MEDIUM-SIZED ENTERPRISES

UNIONE EUROPEA DELL'ARTIGIANATO E DELLE PICCOLE E MEDIE IMPRESE

### **Customs**

- Modernised Customs Code - Regulation (EC) No 450/2008
- Other

### **Employment and Social Affairs**

- Measures to encourage improvements in the safety and health of workers at work - Council Directive 89/391/EEC
- Minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) - Directive 2002/44/EC
- Protection of workers from the risks related to exposure to carcinogens or mutagens at work - Directive 2004/37/EC
- Posting of workers in the framework of the provision of services - Directive 96/71/EC
- Working time directive - Directive 2003/88
- Temporary agency work - Directive 2008/104/EC
- Implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC - Council Directive 2010/18/EU
- Other


### **Environment**

- Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) -Regulation (EC) No 1907/2006
- Shipments of waste - Regulation (EC) No 1013/2006
- Waste framework directive -Directive 2008/98- and List of waste -Decision 2000/532/EC-
- Packaging and packaging waste - Directive 94/62/EC
- Restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS) - Directive 2011/65/EC
- Waste electrical and electronic equipment (WEEE) - Directive 2012/19/EU
- Rules for harmonised free allocation of emission allowances - Decision 2011/278/EU
- Fluorinated greenhouse gases - Regulation (EC) No 842/2006

- Habitat directive - Directive 92/43/EEC
- Making available on the market and use of biocidal products - Regulation (EU) No 528/2012
- Illegal timber - Regulation (EU) No 995/2010
- Other

Which ones ?:

### ***Sectoral product safety legislation***

- Medical devices - Council Directive 93/42/EEC
- Machinery - Directive 2006/42/EC amending Directive 95/16/EC (recast)  
(revision proposed with Com/2011/0763 final)
- Electrical equipment designed for use within certain voltage limits - Directive 2006/95/EC 
- Safety of toys - Directive 2009/48/EC
- Gas Appliances - Directive 2009/142/EC
- Cosmetic products - Regulation (EC) No 1223/2009
- Construction products - Regulation (EU) No 305/2011
- Other

### ***Services***

- Services in the internal market - Directive 2006/123/EC
- Recognition of professional qualifications - Directive 2005/36/EC
- Other

### ***Business environment***

- Procurement procedures of entities operating in the water, energy, transport and postal services sectors - Directive 2004/17/EC
- Procedures for the award of public works contracts, public supply contracts and public service contracts - Directive 2004/18/EC
- European order for payment procedure - Regulation (EC) No 1896/2006  
(revision proposed with Com(2012)11 final)

- Data protection - Directive 95/46/EC
- Anti-dumping duty on the import of plastic bags - Regulation (EC) 1425/2006
- Other



### **Statistics**

- Statistical thresholds for trade statistics between Member States - Regulation (EC) No 1901/2000
- Statistics relating to the trading of goods between Member States - Regulation (EC) No 638/2004
- Other

### **Taxation**

- Common system of value added tax - Council Directive 2006/112/EC**
- Refund of value added tax to taxable persons not established in the Member State of refund but established in another Member State - Council Directive 2008/9/EC
- General arrangements for excise duty - Council Directive 2008/118/EC
- Framework for the taxation of energy products and electricity - Directive 2003/96/EC
- Other

### **Transport**

- Recording equipment in road transport for driving and rest periods - Council Regulation (EEC) No 3821/85  
  
 (revision proposed with Com/2011/0451)
- Social legislation relating to road transport - Regulation (EC) No 561/2006 
- Safety rules and standards for passenger ships - Directive 2009/45/EC
- Other

## Most burdensome legislations: TOP 11

The following legislations were indicated as most burdensome by the majority of the respondents:

- Waste framework directive -Directive 2008/98- and List of waste -Decision 2000/532/EC-
- Measures to encourage improvements in the safety and health of workers at work - Council Directive 89/391/EEC
- Working time directive - Directive 2003/88
- Common system of value added tax - Council Directive 2006/112/EC
- Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) -Regulation (EC) No 1907/2006
- Recognition of professional qualifications - Directive 2005/36/EC
- Food hygiene - Regulations (EC) No 852/2004 and 853/2004
- Posting of workers in the framework of the provision of services - Directive 96/71/EC
- Shipments of waste - Regulation (EC) No 1013/2006
- Services in the internal market - Directive 2006/123/EC
- Procedures for the award of public works contracts, public supply contracts and public service contracts - Directive 2004/18/EC

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**For further information on this position paper, please contact:**

Luc Hendrickx  
 Director Enterprise Policy and External Relations  
 Email: [l.hendrickx@ueapme.com](mailto:l.hendrickx@ueapme.com)