

Position Paper

UEAPME¹ 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

¹ 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

Brussels, 20th December 2012

For further information on this position paper, please contact:

Luc Hendrickx
 Director Enterprise Policy and External Relations
 Email: l.hendrickx@ueapme.com