

The Implementation Council's statement on the Commission communication on a Simpler, Clearer and Better Enforced EU rulebook

1. Mandate of the Swedish Implementation Council

The Swedish Implementation Council's mandate is to support the Government in strengthening the competitiveness of Swedish companies by avoiding implementation beyond the minimum requirements, counteracting unjustified regulatory burdens, and reducing administrative and other compliance costs when transposing EU legislation into Swedish law. The Council's work is to be based on a business perspective.

The Council shall provide input and recommendations to the Government, both as contributions to Swedish positions in EU negotiations and on how EU legal acts can be transposed into Swedish law in a manner that is not more far-reaching from a business perspective than what the acts require.

The Council has also prioritised reviewing the present Communication on a simpler, clearer and better enforced EU rulebook, given the significant impact of EU legislative activity on the regulatory burdens and competitiveness of Swedish companies.

This opinion is intended as a contribution to the Government's explanatory memorandum and Sweden's positions ahead of discussions on the Communication at EU level. The Council's key messages are presented in section 7.

2. EU legal act concerned

European Commission Communication on a simpler, clearer and better enforced EU rulebook, COM(2026) 380.

3. Objectives and purpose of the communication according to the commission

In a time of profound global change, the Commission considers an effective and fit-for-purpose regulatory framework essential for European competitiveness. EU legislation must become more modern, clearer, simpler and more effective, be evidence-based, and be better tailored to the needs of citizens and businesses. This, in turn, should unlock economic potential and promote a more dynamic and integrated Single Market.

According to the Communication, the Commission will act in five main areas:

- EU legislation designed to be simple, easy to understand, apply and enforce.
- Strengthening the Better Regulation framework by increasing transparency, stakeholder engagement and effectiveness.
- An action plan for deep cleaning of existing legislation in twelve priority areas.
- Tackling over-regulation at Member State level.
- Faster and more robust enforcement.

4. Status of the Communication

The Communication was adopted by the Commission on 28 April 2026. It will be discussed at the Competitiveness Council on 28 May.

5. Responsible ministry

Ministry of Climate and Enterprise.

6. Analysis by the Swedish Implementation Council

Overall message

The Implementation Council fully supports the Commission's ambition as set out in the Communication, to ensure that EU legislation becomes clearer, simpler and more effective, is more evidence-based, and is better adapted to the needs of citizens and businesses. The Communication sends a clear political signal on the importance of fit-for-purpose rules that are better aligned with business's needs.

At the same time, the Council considers that the starting point should always be whether regulation is needed at all, or whether non-regulatory alternatives could be equally effective. This fundamental consideration is missing from the Communication.

Reducing the overall regulatory burden and the cumulative compliance costs for companies is a top priority for Swedish businesses. Representatives of Swedish industry describe a situation in which the regulatory burden in Europe has become so high that companies increasingly consider relocating production outside the EU. Some companies even close operations because they are unable to continue operating profitably under current regulatory conditions.

1. Simplicity by design

Regulatory discipline

The Council agrees on the need to focus EU rulemaking on areas involving the greatest challenges and risks. The ambition to avoid overly long, complex and costly regulations is also important.

However, the Council stresses that stricter regulatory discipline must also focus on avoiding unjustified and costly administrative burdens and on applying the "*think small first*" principle. Swedish companies, especially small ones, experience that burdensome and extensive reporting requirements divert attention from achieving the actual objectives of legislation. For example, small companies report that extensive reporting and complex documentation requirements linked to sustainability reporting reduce their ability to work proactively on sustainability issues¹. The

¹ Svenskt Näringsliv, Hållbara småföretag – ohållbara krav (april 2026). Företagarnas report "Den gröna djungeln - Hållbarhetsredovisning och dess påverkan på små och medelstora företag" (juni 2024).

Communication gives surprisingly little attention to how EU legislation should be designed to minimise administrative burdens.

The Council welcomes the Commission's ambition to carefully consider the design of mandates for implementing and delegated acts so that they do not go beyond what is strictly necessary. The Council also stresses that such acts must be limited to non-essential elements of a legal act, such as technical details, and not address political matters.

Future-proof and adaptive regulation

Regarding the design of rules that promote innovation and are future-proof, the Council emphasises the importance of avoiding overly detailed regulation and instead limiting legislation to essential requirements. This allows companies to determine *how* to best to meet the requirements, providing room for innovation and technological development and ensuring that legislation remains relevant over time. The use of harmonised standards developed by standardisation organisations as a voluntary means of demonstrating conformity, as in the product legislation framework, should remain a strong and central concept.

The Council is positive towards the proposed use of *sunset clauses* if they focus on review and evaluation, as this contributes to predictability for companies. However, sunset clauses of a "guillotine" nature should be avoided, as they create significant regulatory uncertainty. Sunset clauses must always be part of a well-designed structure where evaluation is essential and sufficient time is allowed to draw lessons from implementation. They are not suitable for all legislation, and their use must be carefully assessed from a business perspective. There are also risks that national complementary legislation is not repealed or revised accordingly, leading to continued fragmentation of the Single Market. They may also disadvantage companies that have already adapted to the legislation, resulting in additional costs.

Leaner and more accessible legislation

The Council fully supports the need for greater coherence between legal acts and the importance of avoiding overlaps. This ambition should also apply to reporting obligations to different databases or other documentation requirements, in line with the "*once-only*" principle highlighted in the Communication. Companies today often report the same or similar information to several EU-mandated databases. For example, reporting to

the SCIP database overlaps significantly with existing obligations under chemicals legislation, particularly REACH, leading to double reporting and inefficient information flows in supply chains.²

Realistic transposition and implementation deadlines

The Council fully supports the need for realistic transition periods that allow companies to adapt. Adaptation periods of 2–4 years may be required for product development processes or supply chains, and the specific situation of small companies must be considered. Much longer transition periods may be needed in areas such as chemicals or pharmaceuticals. Flexibility and the possibility to revise entry-into-force dates may also be necessary when implementation leads to unforeseen and unmanageable consequences, as seen in the case of the Consumer Empowerment Directive.

It is also important that transition periods consider the time needed to prepare and adopt delegated and implementing acts.

Tapping into technological progress

The Commission presents new IT tools intended to facilitate the preparation, accessibility and predictability of EU legal acts. This is welcome but given the rapid development of AI and other technologies, the Commission could aim higher. EU legislation should also be designed with a view to enabling companies and other actors to use IT, including AI, to efficiently meet reporting, registration or data-transfer requirements. This could include facilitating alignment between reporting requirements and data points in EU rules and companies' internal data systems.

Enforcement by design

The Council agrees on the need for mechanisms ensuring that Member States take necessary implementation measures—such as designating national competent authorities—early enough. In some implementation processes the Council has examined, companies have experienced problems because the responsible authority was not designated early enough to begin preparing secondary legislation or provide guidance.

² See the Implementation Council's Statements on the Environmental Omnibus. [20260216TillganglighetsanpassadImplementation-Council-Opinion-Environmental-Omnibus.pdf](#) and [Addendum-to-the-Implementation-Council-previous-statement-on-the-environmental-omnibus.pdf](#)

The Council also highlights the importance of notification mechanisms for new national legislation. These mechanisms contribute to transparency and allow companies to comment on proposed rules.

2. Further improving the better regulation framework

More and focused impact assessment

The Council stresses the importance of high-quality and fit-for-purpose impact assessments for new legislative proposals. The Council therefore considers that the Commission's work on impact assessments must be improved and strengthened and questions the weakened role that the Regulatory Scrutiny Board (RSB) risks having for targeted initiatives.

The Commission states that impact assessments should focus on the most important aspects: assessing key economic, social and environmental impacts. The Council assumes that the economic assessment will thoroughly cover impacts on companies in terms of regulatory burdens, competitiveness and administrative costs.

It is also important that impact assessments are fully up to date and reflect changes made late in the Commission's internal consultation process. Where possible, it would be valuable for Member States if impact assessments referred to national data when available and used as input³.

The Commission announces that the Better Regulation Guidelines and Toolbox will be reviewed in line with the Communication's ambitions. The Council notes that these documents have become extensive and difficult to navigate due to successive amendments. They should be streamlined and simplified without compromising the objective of evidence-based policymaking. A timeline for their review would be desirable.

The Council sees a clear risk that the role of the RSB will in practice be weakened compared to today and questions whether this is the right direction. Business stakeholders call for a strengthened RSB and for more impact assessments to be submitted to the Board, not fewer. Since the Commission itself most likely will determine what constitutes a targeted initiative, there is a risk that more initiatives will be classified as such and thereby avoid full RSB scrutiny. Recent Omnibus proposals would likely fall under this category, meaning the RSB would issue only recommendations

³ See [RWE Opinion on Granularity of EU Cost Calculations - RegWatchEurope](#)

rather than opinions with stronger steering effect. Based on the Council's experience with several Omnibus proposals, even limited revisions may require thorough consideration and impact assessment; otherwise, they risk being ineffective and may even create new burdens and adjustment costs for companies.

Minimum requirements for accelerated pathways

The Council agrees that Europe must be able to act quickly in exceptional situations but stresses the importance of applying clear criteria to identify situations requiring urgent legislative action, to avoid overuse of accelerated procedures. Accelerated processes often require compromises on the evidence base, which may later lead to unintended consequences for those affected. It is also important to consider whether existing legislation and better enforcement could be an alternative to proposing new rules.

The Council assumes that assessments of accelerated legislation will include an evaluation of impacts on business and competitiveness.

A smarter and more flexible consultation system

The Commission proposes changes to consultation deadlines. Excluding public holidays is positive, but shortening consultation periods to six weeks in some cases is not. If companies are expected to engage and provide input, consultation periods must be sufficiently long, especially for small companies. Consultations are an important tool for gathering concrete experience and suggestions from those affected by legislation.

Assessing significant amendments

The Council agrees on the need to revise impact assessments continuously considering changes made during negotiations and supports the Commission's ambition to strengthen cooperation with the Council of Ministers and the European Parliament in this regard. However, the Council fears that this will not be sufficient unless the Interinstitutional Agreement is revised. Impact assessments should be treated as living documents to ensure a fit-for-purpose outcome. From a Swedish perspective, the Implementation Council's opinions can contribute to such revisions during the process.

The Council notes that the Commission discusses the need to assess compliance costs and use the Standard Cost Model during negotiations to calculate significant amendments. The Council considers that similar

assessments should be made in the Commission's initial impact assessments and misses such discussion in section 2 on better impact assessments.

The Council would like to highlight its own cost-calculation model which is currently developed, intended to enable relatively simple calculations of administrative costs and impacts on Swedish growth⁴. The model is expected to become a tool for quickly estimating costs associated with amendments for example during negotiations.

3. Regulatory deep cleaning

The Council agrees on the need to review legislation to ensure that it is up to date and coherent. Removing obsolete legislation should also be considered, however this is not mentioned in the Communication's list of possible measures.

From a business perspective, frequent revisions of the same regulatory area are undesirable, especially when earlier revisions have not yet entered into force before new ones are announced. Companies need predictability; otherwise, working conditions and investment incentives are negatively affected. Thorough evaluations must precede any revisions, and implemented changes must be given time to take effect before new revisions are initiated.

The Commission proposes a new Simplification Platform as a forum for dialogue between authorities and stakeholders on regulatory simplification. The Council welcomes such a forum but stresses the importance of learning from previous initiatives such as *Fit for Future* and REFIT, and ensuring a bottom-up approach with strong involvement of business representatives, including SMEs. The mandate must not be too broad. The Council recommends that reducing regulatory burdens for companies and strengthening Europe's competitiveness should guide the Platform's work.

Regarding Annex I and the twelve areas selected for deep reviews, the Council notes that many measures have already been announced in the Commission's work programme. The Council calls for clarity on next steps and how the Commission intends to go beyond already communicated reviews.

⁴ Read more about the Implementation Council's cost-calculation model here, [Database of Swedish Businesses and Competitiveness Approximation Model](#)

4. Tackling regulatory gold-plating

The Council supports the Commission's active role in monitoring and assisting Member States in implementing EU law, particularly Single Market legislation. National over-regulation—or the retention of outdated national rules—continues to fragment the Single Market and negatively affects business opportunities.

In the Council's experience, some gold-plating in Sweden arises through government agency regulations and the design of various permit procedures at local level. It is therefore important that the Commission's monitoring and support also target these levels of the regulatory and implementation chain.

The Council welcomes the Commission's ambition to develop a Toolkit of Best Practice and criteria to help Member States identify and avoid gold-plating. The Council's experience can contribute to this work. For example, the Council has developed guidance for Swedish negotiators of EU legal acts⁵ and has adopted principles and criteria for defining over-implementation⁶.

The Commission rightly notes the increasing use of regulations rather than directives. It would be valuable if the Commission analysed how this shift has affected the occurrence and nature of gold-plating.

5. Better implementation and robust enforcement

Speeding up enforcement of EU law

The Council supports the ambition to reduce the number of long-running infringement cases so that resources can instead focus on more effective monitoring and support for Member States in ongoing implementation work, particularly in the Single Market area.

Working with Member States to achieve better compliance

As noted above, the Council supports a stronger focus on correct implementation and application of EU legal acts at national level. Notification mechanisms for new national legislation are also important

⁵ Read the guidance here, [Vagledning-foretagshansyn-i-EU-rattsakter-slutlig-rev-feb-2026.pdf](#)

⁶ The principles and criteria are presented in the council's report [Implementeringsradets-delredovisning-2026.pdf](#)

tools for companies, enabling them to stay informed and provide comments on proposals.

7. Summary of the Council's Key Messages

The Swedish Implementation Council recommends that the Government highlight the following points in its positions and discussions on the Communication:

- The Commission's ambition to make EU legislation clearer, simpler and more effective, based on solid evidence and better adapted to the needs of citizens and businesses, is highly welcome.
- The first question in any rulemaking should be whether regulation is needed at all; non-regulatory measures may be equally effective. This perspective is missing from the Communication.
- A stronger focus is needed on avoiding unjustified and costly administrative burdens and on applying the "*think small first*" principle.
- Implementing and delegated acts must be limited to non-essential elements, such as technical details, and not address political matters.
- EU legislation should avoid excessive detail and instead set out essential requirements.
- The proposed use of sunset clauses is positive when focused on review and evaluation.
- Greater coherence between legal acts and fewer overlaps are essential; this should also apply to reporting obligations and documentation requirements.
- Realistic entry-into-force and transition periods are crucial and must consider the time needed to prepare delegated and implementing acts.
- EU legislation should be designed with a view to enabling companies to use IT, including AI, to efficiently meet reporting and data-transfer requirements.
- The Commission's work on impact assessments must be improved and strengthened. There is a risk that the RSB's role will be

weakened if too many initiatives are classified as targeted initiatives; its role should instead be strengthened.

- Clear criteria are needed to identify situations requiring urgent legislative action, to avoid overuse of accelerated procedures.
- Impact assessments must be updated to reflect late changes in the Commission's internal consultation process.
- The Better Regulation Guidelines and Toolbox need review; they have become too extensive and difficult to navigate.
- Consultation periods should not be shortened; sufficient time is needed for companies, especially SMEs, to participate.
- Impact assessments must be revised continuously during negotiations; the Implementation Council supports strengthened cooperation between the institutions in this regard.
- Continuous reviews of existing legislation are needed. The Implementation Council calls for clarity on next steps, how the Commission intends to go beyond already communicated reviews. However, too frequent revisions should be avoided. Furthermore, removing obsolete legislation should be considered as part of deep cleaning measures.
- The Council supports the Simplification Platform but calls for a clear mandate focused on reducing regulatory burdens and strengthening competitiveness.
- The Commission's monitoring and support role must cover the entire regulatory and implementing chain, including local level.

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Decided by the chairman of the Implementation Council, Anders Johannesson on 6 May 2026.

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