

*Implementation and administrative
costs - how to improve the regulatory
environment for companies*

October 2003

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Executive Summary

The pilot project was carried out by 5 Member States to contribute to the better regulation agenda. Nearly 1000 businesses took part in a survey about the administrative burdens placed on them by their Member State's implementation of European legislation.

This report contains a useful insight into the measurement of administrative burdens. The main conclusions relate to the potential of the methodology for identifying good practice in the implementation of EU legislation, finding suggestions for legislative simplification, and avoiding administrative burdens in new legislation.

Four case studies were carried out, in which 80% of respondents considered administrative tasks a burden, particularly in relation to employment and working conditions. In two cases, the data gathered enabled a comparison of administrative burdens across the Member States, with good practice in implementation having a possible impact on the results.

The study also highlighted some of the challenges of carrying out this type of project. In particular, ensuring a sufficient response rate in order to draw firm conclusions was difficult. But, in spite of this we can conclude that there are differences in implementation methods across the Member States, and that these are likely to have led to differences in burdens. Guidance for officials involved in this implementation would assist in making it more efficient, by promoting the use of derogations, ensuring companies are given adequate guidance, and facilitating the provision of information using IT.

Further studies are recommended at both national and European level, building on the method piloted in this study, and taking on board some its suggested methodological improvements.

1. Introduction

The issues of better regulation and simplification have become high-priority topics on the European political agenda.

Many Member State Governments have an ambitious agenda on easing the administrative burdens on businesses. Typically, Governments have made a comprehensive effort to avoid unnecessary administrative burdens resulting from new legislation, to promote digital administration and to simplify existing legislation.

A group of EU Member States (Austria, Denmark, Ireland, the Netherlands and UK) discussed the potential for easing the administrative burdens on businesses by focusing on their implementation of European legislation. European Directives often offer a degree of flexibility in terms of national implementation. A comparison of the different ways Member States implement European Directives can therefore promote good practice across Member States, and also highlight suggestions for the simplification of European legislation itself, if it is seen to be the root cause of unnecessary burdens.

With this aim, five Member States decided to commit themselves to carrying out an informal Pilot Project. *The overall purpose* of the Pilot Project was to contribute to the better regulation agenda, by developing and testing a survey method focusing on the administrative consequences for businesses of complying with European legislation.

This method has not been used before. Previous studies have systematically analysed Member State implementation of EU Directives, on an empirical basis, with the aim of assessing the administrative consequences.

Consequently the study has been pioneering work, where it has been necessary to develop a method, to test it and then learn by experience.

It must, therefore, be underlined that *the report should be read as a pilot study*, which aims to demonstrate the potential of the method for future surveys.

The participants in the Pilot Project were representatives from:

Unit for Better Business Regulation – Danish Commerce and Companies Agency
European Affairs – Regulatory Impact Unit – Cabinet Office, United Kingdom
Federal Ministry of Economic Affairs and Labour, Austria
Enterprise and Trade Policy Division – Forfás, Ireland
Ministry of Economic Affairs, Directorate for Administrative Burdens, the
Netherlands

The survey and the report were prepared by the above project group in cooperation with a Danish consultancy firm, PLS RAMBOLL Management Ltd. (PLS RAMBOLL).

The Pilot Project lasted a year – from July 2002 to July 2003.

The report is structured as follows:

Chapter 2 starts by outlining the relationship between European legislation, national implementation, and administrative consequences for businesses. It then outlines the methodology for examining the administrative burdens on businesses of European regulation. In appendix 1 there is a more detailed methodological discussion.

Chapter 3 gives a description of the results of the four case studies. Each case study is analysed according to three different themes: potential administrative burdens arising from European legislation, the nature of national implementation, and an assessment of the administrative burdens on businesses.

Chapter 4 presents the results and recommendations

2. Methodology and data sources

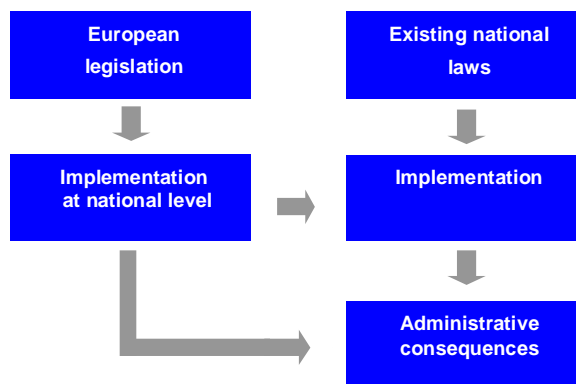
The correlation between European regulation and administrative consequences

The project focuses on the following:

- *Incorporation of European legislation into national law*
- *National authorities' guidance on implementation of EU legislation*
- *Administrative consequences for business of compliance*

In some cases national legislation already exists, for instance when the Directive is a harmonisation of national legislation across Member States.

Fig. 2.1 European regulation and administrative consequences for businesses



Three European Directives and one European Regulation were selected for this study cf. box 1, page 8.

Themes to be studied

Based on the model above, the study concentrates on the following four themes:

European legislation: European Directives generally give flexibility to Member States to implement in the way that best suits them, for instance

by introducing minimum compliance requirements. One example would be the option to exempt groups of smaller companies from the legislation or to require less information from smaller companies. This would have an impact on the number of companies affected by the legislation and, therefore, on their assessment of administrative burdens. Although the implementation of European Regulations offers much less flexibility, it is still possible to apply similar minimum compliance requirements, which is why it was decided to include a Regulation in the pilot study.

National implementation: This theme focuses on the incorporation of European Directives into national law. Member States can choose to follow the minimum requirements given in the Directive or to introduce stricter ones. Stricter requirements will normally result in higher administrative burdens to business.

This theme also focuses on *if* and *how* Governments ensure that companies are informed and given guidance about complying with new legislation implementing EU requirements. The study also took into account whether special digital or other services exist to ease the companies' efforts to comply with their administrative obligations.

Administrative consequences: Assessing administrative consequences for businesses in the participating Member States was the key part of the pilot project. Survey results are presented, gauging business views, and different responses across Member States are explained by a comparison of variations in implementation.

Selection of EU legislation i.e. Directives or Regulations

The choice of Directives/Regulations for the study was based on the following criteria in order to maintain a broad scope in the project:

- The Directives/Regulations should affect different legislative areas
- The Directives/Regulations should have major administrative consequences for businesses

- One of the Directives/Regulations should affect a wide variety of enterprises, and another Directive/Regulation should affect enterprises in a certain sector.

Based on those criteria the following Directives/Regulations have been selected:

Box 1: Selected EU legislation for the study
1. Council Directive 89/391 EEC on the introduction of measures to encourage improvements in the safety and health of workers at work - the Directive on Health and Safety at Work.
2. Council Regulation EEC 3330/91 on the statistics relating to the trading of goods between Member States (Intrastat)
3. Council Directive 96/26 EC on admission to the occupation of road haulage operator and road passenger transport operator (The Transport Admission Directive)
4. Directive 85/337 EEC on the assessment of the effects of certain public and private projects on the environment (the EIA Directive)

The table below gives an overview of affected enterprises and the administrative requirements:

Directive	Affected enterprises	Activities
Health and Safety Directive	All companies with employees	Statements, calculations, assessments, reportings, make information available for authorities
Intrastat Regulation	All companies with import/export above given levels	Statements, reportings
EIA Directive	Everyone constructing major facilities	Statements, analyses and assessments of environmental impacts, elaboration of EIA report
Transport admission Directive	Goods haulage contractors and personal transport occupations	Documentation of own capital, courses, exams

Data collection method

A questionnaire was designed to assess the administrative consequences for business resulting from each piece of legislation.

The following themes were included in the questionnaire:

Themes	Purpose
Questions on whether the company is affected by the legislation and which activities they carry out in order to meet the obligations from it	<ul style="list-style-type: none">• Measuring share of affected companies• Sort out non-affected companies• Assess the validity of the response
Questions on the quantitative impact of the legislation	<ul style="list-style-type: none">• Measuring impact on time spent on administrative work, payment for external assistance and payment to education all in order to comply with the law
Questions regarding structural differences across countries	<ul style="list-style-type: none">• Measure cross-country differences in administrative set-up• Explain cross-country and cross-sector differences• To eliminate the impact of company size and administrative set-up when conducting international comparisons
General assessment of administrative burdens	<ul style="list-style-type: none">• Validates the cross country comparisons

For a more detailed explanation of the questionnaire see appendix 1.

The data collection method evolves in three steps. The first step, selecting the target group, is a critical element in the survey of administrative burdens. The selection shall ensure that:

1. the right population is indeed being sampled (to address the questions of interest)
2. all members of the population being studied are covered, so they have a chance to be sampled¹.

¹ AAPOR, 2002: Best Practices for Survey and Public Opinion Research

The target group is *all enterprises affected by the directive*. The directives will in some cases be cross-sectoral and targeted at the total population of companies in the member state, and in other cases be targeted towards a specific group of companies (e.g. a specific sector, size etc.).

The second step is to decide how many companies to contact, called the sample size. The minimum requirement is that the sample is sufficient to estimate the general level of administrative burdens of a given regulation. Based on the experiences from the Danish Focus Panels², it was decided to choose a sample of 400 enterprises in each participating country.

The third step was to invite companies to participate in the survey through a letter containing:

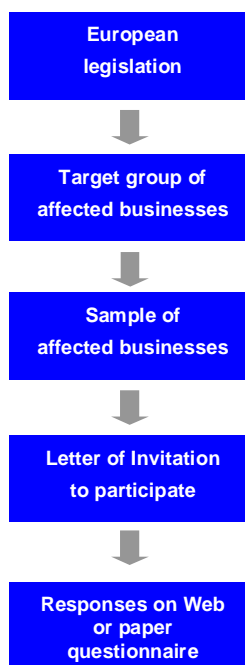
- An introductory note to the survey
- Information about the specific legislation.
- An Internet address with an unique access code
- A paper-based questionnaire

The enterprises returned their responses either via the Internet or by returning the paper-based questionnaire to the participating authorities.

The concept of assessing the administrative burdens is outlined in the figure below:

² The Focus Panels is a method for measuring the administrative consequences for businesses originating from Danish legislation. The method is based upon the companies' perceptions of administrative consequences. Essentially it is the same method that has been applied in this survey.

Fig. 2.2 Data collection method



Having received the filled out questionnaires on the Internet, data is saved directly in a database.

In order to ensure as high a response rate as possible a reminder letter was sent to the enterprises that had not answered within two weeks. The reminder letter included a postal questionnaire and an envelope for the enterprises. A small enterprise, that may not yet be an Internet user, was thereby given the opportunity to participate.

Comparability across countries

In order to explain differences in the administrative burdens across countries, it is necessary to isolate the different factors that influence the burdens. If this is not achieved, this could result in inaccurate conclusions, for instance, regarding the efficiency of the public administration. This is covered in more detail in the Annex on Methodology.

The applied method isolates structural differences and internal differences in the enterprises across countries by asking specific questions on these topics in the survey cf. page 8.

Nevertheless, measurement errors can occur when collecting data. For instance, enterprises can confuse administrative burdens arising from regulation with other administrative activities, they can lack precise knowledge of the administrative consequences being sought, and they can be biased by political agenda and media focus etc.

This must be taken into account when comparing data across countries.

Data sources

The primary data source presenting national facts on implementation in the four case studies is a Danish study on differences and similarities in implementation of EU legislation in different Member States, published in September 2003. Data is available for all participating countries, except for the Directive on Admission as a Transport Operator.

As for the assessments carried out in the four case studies, in total, nearly 6,000 enterprises were contacted in the survey, cf. table 2.1 below.

With the exception of the EIA directive, 400 enterprises were contacted in each country. The sample in the EIA survey was drawn from public registers on enterprises that had carried out an EIA during the last two years. It was not possible to obtain a complete list in all countries.

Table 2.1 Sample size and response rate in the surveys on EU-legislation

	<i>Transport</i>	<i>EIA</i>	<i>HS</i>	<i>Intrastat</i>	<i>Total</i>
Target group	1.600	342	2.002	2.000	5.944
Net-target group	1.547	310	1.966	1.948	5.771
Number of responses	346	116	349	587	1.398
Response rate	22%	34%	18%	30%	24%
Interview on administrative burdens	187	106	172	386	851
Interview rate	12%	31%	9%	19%	14%

Note: The net-target group is obtained after eliminating enterprises, where the contact information is incomplete or the answers are incomplete, from the target population.

The overall response rate in the four surveys is 24 %, which is satisfactory, but with large differences across directives. The response rate varies between 18 % on the Health and Safety directive to 34 % in the EIA directive.

The differences in response rate are probably due to differences in the precision by which the target population is identified: If only a minor part of the enterprises in the target population are actually affected by the legislation, the response rate will be low as the enterprises will have no interest in participating. Comparing the response rate between, for instance, the Health and Safety directive and the EIA directive supports this explanation: The target group in the former is a random sample among all enterprises, the latter is identified using public registers on EIA projects as describes above.

For a more in-depth discussion and description of the method and data sources see appendix 1.

3. The four case studies

Five Member States: Austria, Denmark, Ireland, the Netherlands and UK participated in September 2002 to December 2002 in an assessment of the administrative consequences of the EIA directive and the Health and Safety directive.

In the period from February 2003 to May 2003 the same Member States excluding Ireland participated in assessment of the administrative consequences of the Intra-stat Regulation and the Transport Admission directive.

The results are presented in the following four sections³ supplemented with findings on implementation from a Danish study on differences and similarities in implementing directives in different EU Member States.

3.1 The Directive on Health and Safety at Work

The directive has the objective of improving the workplace environment across Member States. The administrative consequences are due to the legal requirement for all companies with employees to carry out Health and Safety Assessments (HSA). All private and public enterprises are included, comprising industry, agriculture, commerce, administration, services, teaching and cultural activity.

³ Reading the tables on cost of external assistance and cost of training administrative personnel it should be noted, that in the questionnaire, the enterprises were given the opportunity to answer the question on external costs both as an exact number and as an interval.

A part of the enterprises have only stated the costs in intervals. As the same nominal intervals was used, but in different currencies, it is necessary to make some assumptions in order to divide these enterprises into comparable intervals measured in EUR.

Thus, the companies in the UK that stated they spent between 1 and 9.999 GBP have been placed in the 1-9.999 EUR interval. Enterprises in Denmark having spent less than 100.000 DKK are also placed in the 1-9.999 EUR interval. In both countries, the other intervals are changed correspondingly. This transformation constitutes a minor margin of error, but does not significantly influence the overall picture.

The direct administrative consequence of a HSA is an increased workload for the employer in connection with:

- Identification and mapping of the company's working environment conditions
- Description and assessment of the company's problems with working environment
- Prioritisation and elaboration of an action plan for assessment of these problems
- Elaboration of guidelines for follow-up action.

The Directive opens up the possibility that the individual Member States can limit the scope of Health and Safety Assessments for smaller enterprises.

Implementation

There were some derogations built into the Directive, giving flexibility during implementation. Denmark, Austria and the Netherlands gave small enterprises exemption from the legislation for a certain period of time. In the UK, enterprises with fewer than five employees are exempt from undertaking a written Health and Safety assessment, which is the normal assessment method.

Two cases differ from the other Member States in implementation. The Netherlands introduced a model whereby all enterprises with more than one employee must finance a certified "Occupational Health and Safety Service" examination that also approves the written Health and Safety Assessment. It can be done by independent consultants or by an internal division that is certified to undertake such an audit.

In Denmark 60 sector-specific checklists have been developed, where enterprises, especially those with less than 10 employees, are able to make a written assessment via a tick-box system. The checklists are available on the internet.

Assessment of the administrative consequences

As mentioned in chapter 2, the results from the survey are based on a very low number of respondents in some of the Member States. Therefore it is not possible to draw any robust conclusions, but the following observations can be made.

Time spent on administrative work

The results suggest that Denmark and Austria seems to be the least affected countries both in terms of time spent on administrative work, cost of external assistance and cost of training in order to comply with the directive cf. the tables below.

Almost three quarters of the enterprises in the two countries spent less than 100 hours on administrative work during the last year cf. table 3.1.1

Table 3.1.1 Time spent on administrative work as a result of the regulation during the last 12 months, broken down by time and country.

	<i>Ireland</i>	<i>The Netherlands</i>	<i>Austria</i>	<i>United Kingdom</i>	<i>Denmark</i>	<i>Total</i>
0 hours	0%	0%	0%	0%	2%	1%
1-99 hours	52%	66%	71%	43%	71%	65%
100-999 hours	48%	24%	29%	42%	23%	28%
1,000-9,999 hours	0%	10%	0%	7%	4%	4%
10,000 hours or more	0%	0%	0%	9%	0%	1%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	12	17	18	17	80	144

It also seems that enterprises in Ireland and United Kingdom are the most affected. Respectively 48 % and 42 % have spent between 100 and 999 hours, and in United Kingdom, 16 % of the enterprises spent in excess of 1.000 hours.

Cost of external assistance

As shown in the table 3.1.2 below, 96 % of the participating enterprises in The Netherlands had *external assistance costs* to help with the Health and Safety Assessment during the last year.

The results probably reflect the national regulation, as Health and Safety assessments (as mentioned earlier) can only be performed by a certified "Occupational Health and Safety Service", which, in most cases, means

that the enterprises are forced to hire a private firm to comply with the regulations.

In Denmark, all enterprises answered that costs were less than 10.000 EUR – and 67 % had no costs at all. The low costs to external assistance could be due to the facility for small enterprises to fill out a simple questionnaire through the Internet – thus reducing the need for external assistance to a minimum.

Table 3.1.2 Costs of external assistance to help with the HSA during the past year, broken down by cost and country.

	<i>The</i>		<i>United</i>		<i>Denmark</i>	<i>Total</i>
	<i>Ireland</i>	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>		
EUR 0	43%	4%	44%	26%	67%	49%
EUR 1-9,999	29%	71%	48%	51%	33%	42%
EUR 10,000-99,999	29%	25%	8%	19%	0%	9%
EUR 100,000-999,999	0%	0%	0%	4%	0%	1%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	10	19	19	18	81	147

The figures in table 3.1.2 suggest that the cost of external assistance is low in Austria as well. 92 % of the enterprises experience costs of less than 10.000 EUR.

The United Kingdom is the only country where enterprises are represented in the interval 100.000-999.999 EUR, as *one* enterprise experienced costs of that magnitude. It was not within the scope of this study to discover whether this result, and other similar results involving one or two companies, was due to information being entered incorrectly in the questionnaire or being over-estimated, although this is the likely reason.

Cost of training

The cost of training administrative personnel seems to differ among the countries, cf. table 3.1.3 below. In Ireland, Austria and Denmark, the costs are relatively low. The fraction of enterprises with costs less than 9.999 EUR is in all countries above 95%.

The figures suggest that in Denmark and Ireland, at least half of the companies did not have any costs at all. In The Netherlands and United Kingdom, the costs are larger. Approximately one quarter of the enterprises (29% in The Netherlands, 26% in United Kingdom) paid in excess of 10.000 EUR during the last year to train administrative personnel.

Table 3.1.3 Cost of training administrative personnel in the company, broken down by cost and country.

	<i>Ireland</i>	<i>The Netherlands</i>	<i>Austria</i>	<i>United Kingdom</i>	<i>Denmark</i>	<i>Total</i>
EUR 0	50%	0%	33%	0%	54%	37%
EUR 1-9,999	50%	71%	63%	73%	42%	53%
EUR 10,000-99,999	0%	29%	4%	22%	4%	10%
EUR 100,000-999,999	0%	0%	0%	4%	0%	1%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	9	19	18	17	78	141

3.2 The Intrastat Regulation

The Intrastat Regulation concerns statistics relating to the trading of goods between Member States. The Regulation includes an obligation to report to Intrastat and applies to all EU countries, but the degree of information may vary.

The following information must be reported for each type of goods:

- The Member State of consignment / Member State of destination
- The quantity of goods, in net mass and supplementary units
- The value of the goods
- The mode of transaction

Apart from this, the Member States can choose to require any of the following information:

- The country of origin
- The region of origin/destination
- The delivery terms
- The presumed mode of transport
- The statistical arrangement

The Regulation does not include private persons and certain smaller businesses. This, combined with specified threshold values, means that the Regulation only has consequences for the group of enterprises with EU trade above the thresholds.

The assimilation threshold must be above 100.000 EUR and the threshold value for use of the product code must not be more than 100 EUR. The thresholds can vary across countries as long as the data quality requirements are fulfilled.

The Member States have, cf. the regulation, certain (but small because of strict requirements to data quality) degrees of freedom in determining the threshold values and in deciding which information should be reported. Thereby the countries to a certain extent have the possibility of influencing the regulation's administrative consequences, including the number of involved companies.

The administrative work for the involved companies consists of registering trade with other Member States, as well as the monthly reporting of this information. This work is the administrative consequence of the regulation, and can be interpreted as an extra burden for the companies, insofar as these activities would not have been carried out if it had not been a requirement of the regulation

The table below gives an overview of how many enterprises are affected by Intrastat.

Table 3.2.1 Enterprises affected by Intrastat per country

	Denmark	Netherlands	Austria	UK
Estimate of how many companies are affected by the legislation:	C.10.000	C.35.000	C.20.000	C.30.000

Implementation

The assimilation thresholds differ across countries cf. table 3.2.2 below. UK has the highest threshold set at 233.000 GBP (corresponding to 370.000 EUR) for both import and export, while Austria has the lowest threshold set at 200.000 EUR for both import and export. Enterprises in UK and Austria doing EU trade of a value below these thresholds are completely exempt from reporting information.

Denmark has the highest threshold value of 400 EUR for use of the product code for goods of minor value. If the trade is below this value the enterprise can report its trade under the same product code.

Table 3.2.2 Assimilation thresholds values

	Denmark	Netherlands	Austria	UK
Assimilation thresholds values in EUR	Import: 200.000 Export: 333.000	Import: 225.000 Export: 225.000	Import: 200.000 Export: 200.000	Import: 370.000 Export: 370.000
Threshold value for use of the product code for goods of minor value in EUR	400	100	100	125

There is a great similarity in the way the legislation is enforced in each country. For instance all countries have established systems to ensure that the companies are informed when changes are made to the law. The reporting to Intrastat can be done electronically in all countries and in all countries enterprises can receive guidance on the interpretation of the content of the legislation.

Assessment of the administrative consequences

Results from the survey measuring the administrative consequences in enterprises show that the enterprises in Austria and Denmark have the lowest time consumption related to comply with the law. Respectively 83 %

and 84 % of the enterprises have used less than 100 hours during 12 month to comply with the law cf. table 3.2.3

The Netherlands seems to have the highest consumption of time, as 44% of the enterprises spent between 100 and 999 hours.

Table 3.2.3 Time spent on administrative work as a result of the regulation during the last 12 months, broken down by time and country.

	<i>Ireland</i>	<i>The Netherlands</i>	<i>Austria</i>	<i>United Kingdom</i>	<i>Denmark</i>	<i>Total</i>
0 hours	0%	0%	1%	4%	1%	1%
1-99 hours	79%	56%	83%	68%	84%	77%
100-999 hours	21%	44%	15%	27%	14%	21%
1,000-9,999 hours	0%	0%	0%	2%	2%	1%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	33	52	79	52	150	365

When it comes to costs of external assistance enterprises in Ireland, United Kingdom and Denmark answer to a large degree that they do not have any external costs, cf. table 3.2.4 below. The fractions are 74 %, 83 %, and 72 % respectively.

In The Netherlands, the fraction of enterprises with no external costs is lowest, namely 30%. The Netherlands is also the only country with companies, paying in excess of 100.000 EUR during the last 12 months.

Table 3.2.4 Costs of external assistance to help with the regulation during the past year, broken down by cost and country.

	<i>Ireland</i>	<i>The Netherlands</i>	<i>Austria</i>	<i>United Kingdom</i>	<i>Denmark</i>	<i>Total</i>
EUR 0	74%	30%	56%	83%	72%	65%
EUR 1-9,999	17%	57%	38%	15%	27%	31%
EUR 10,000-99,999	9%	9%	6%	2%	1%	4%
EUR 100,000-999,999	0%	3%	0%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	29	50	71	52	142	344

As far as cost of training administrative personnel, enterprises in Denmark and Ireland seem to have very low costs cf. table 3.2.5. Respectively 85% and 84% had no costs at all during the last 12 months.

Table 3.2.5 Cost of training administrative personnel in the company, broken down by cost and country.

	<i>The</i>		<i>United</i>		<i>Denmark</i>	<i>Total</i>
	<i>Ireland</i>	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>		
EUR 0	84%	64%	56%	71%	85%	74%
EUR 1-9,999	16%	33%	44%	29%	14%	25%
EUR 10,000-99,999	0%	3%	0%	0%	1%	1%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	31	49	68	51	140	339

In Austria, there is the largest fraction of enterprises with training costs, as 44 % of the enterprises faced costs between 1 and 9.999 EUR during the last year. A relatively considerable fraction of enterprises in The Netherlands and United Kingdom experienced costs in that interval as well, cf. table 3.2.5 above.

Without wanting to over-interpret data it nevertheless appears that enterprises in The Netherlands have the highest administrative cost pertaining to the Intrastat Regulation.

However, the findings of this survey are not consistent with a survey performed by the Dutch government where it was concluded that the amount of time spent by enterprises on work related to the Intrastat equalled the amount spent in Denmark. But it should be noted that the largest differences between the two countries in the current survey is on the external cost and cost of training. One explanation could be the methodological differences between the two studies.

Trying to explain the difference by comparing implementation across countries there seems to be no logical explanation for this result. The approach in the Netherlands seems to be consistent with that of the other countries.

Another explanation could be the nature of the business structure in the Netherlands, for instance the large number of respondents from the agriculture, forestry and fishing sector.

It could also be that several other factors such as administrative efficiency in enterprises, the political agenda etc. could have influenced the results. More in-depth studies will be necessary to try to explain the results from the Netherlands.

3.3 The Transport Admission Directive

The aim of the Directive is to continue the process of harmonising national requirements and the mutual recognition of qualifications in the goods and passenger transport sector. This should increase competition, increase trust in the occupation in general, improve traffic safety and decrease the environmental impact from the occupation.

The directive mentions a series of specific requirements to be met by companies wishing admission to the occupation of goods haulage/road personal transport must meet. The directive says the companies must:

- Be of “good repute”
- Be of a suitable economic capacity
- Meet the requirements with regard to professional skills

“Good repute” means that the companies must not have committed any criminal offence, and are capable of performing the road transport occupation according to existing legislation. It is up to the individual Member States to assess whether the individual transport company complies with these standards.

Additionally, the companies must possess capital and reserves of an amount not less than 9.000 EUR if only using one vehicle, and 5.000 EUR for each added vehicle.

The requirement of professional skills means that the haulage operator/manager of the haulage undertaking in question must possess

adequate knowledge within fields that are specifically mentioned in one of the annexes of the directive. This knowledge must be documented by a mandatory, written test.

The most important administrative consequences are the one-off efforts to become qualified for carrying out the road transport occupation. As soon as the authorities have assessed whether the applicant is qualified to receive the license to carry out transport, there is no extra administrative work associated with the directive. However, the license must in some countries be renewed within a given period.

There may be considerable work associated with qualifying for the occupation, partly connected with complying with the financial requirements, but primarily in obtaining the necessary skills. To assess professional skills it is required that you pass a written exam on the most significant aspects. In some countries there is a mandatory course requirement related to this exam.

Individual Member States have certain degrees of freedom in the national implementation of the EU directive. First and foremost the individual country can extend the scope of the directive, since the law can be made applicable to motorised vehicles with a permitted total weight below 3,5 tonnes. On the other hand, the Member States may also choose wholly or partly to exempt companies that only perform local transport, which has a limited importance to the transport market.

The Member States may also choose to extend the requirements for applicants who wish to be approved for road transport operations. The Member States are already partly responsible themselves for defining the concept of good repute. Furthermore the requirements for financial capabilities and professional skills may be intensified at national level.

The Member States can thus influence the directive's administrative consequences themselves.

The table below gives an overview of how many companies are affected by the Transport admission directive.

Table 3.3.1 Enterprises affected by the Transport admission directive per country

	Denmark	The Netherlands	United Kingdom
Estimate of how many companies are affected by the law:	App. 6300 goods haulage contractors App. 1000 bus owners	App. 12.000 haulage contractors in total	App. 60.000 goods haulage contractors App. 7400 bus owners

Implementation

Since the directive is a codification of older directives, most of the countries had as a starting point fulfilled the directive’s requirements already before the directive’s drafting date. However, most of the countries have also made some legislative amendments in connection with the implementation of the directive.

Only the Netherlands has extended the number of involved haulage contractors, since the national regulation applies to all contractors with vehicles of a carrying capacity above 500 kg. In the other countries the national regulation applies to contractors with vehicles with a weight above 3,5 tonnes, which is the directive’s minimum requirement.

In Denmark the national regulations that implement the directive have been intensified, compared to the other countries. Thus it has been made mandatory to take a course, to renew the occupational licenses and additional requirements have been stipulated on the qualifications of haulage contractors. The course length in Denmark is 110 hours for passenger transport and 117 hours for road haulage transport.

The highest minimum requirements for the own capital and reserves have been set in Denmark. Here the authorities require a capital of 20,000 EUR for the first two vehicles, before approving the contractor's application. This sum is almost 7,000 EUR higher than in United Kingdom, which has the lowest minimum threshold cf. table 3.3.2.

Table 3.3.2 Minimum requirements to the own capital and reserves

	Denmark	The Netherlands	UK
Minimum requirements to the own capital and reserves in EUR	20,000 Euro for two first approvals Hereafter 5,400 Euro per approval	18,000 Euro for two first approvals, 1,000 Euro for the third Hereafter 5,000 Euro	8,600 Euro for first approval Hereafter 4,800 Euro per approval

There are examples of good practice in Denmark and in the United Kingdom when it comes to implementation. In these countries it is possible to download guidelines and application forms from the homepage of the Danish Road Safety and Transport Agency respectively and the Traffic Commissioners respectively. However, the completed forms must be submitted by conventional mail. From 1st of May 2003, this information can be submitted electronically in Denmark. In the United Kingdom and the Netherlands, they are likewise working on elaborating an Internet service, where applications can be sent electronically.

Assessment of the administrative consequences

As mentioned earlier the administrative consequences are mainly related to the start up of a new transport enterprise. Thus the survey results are mainly the administrative burdens of a one time operation.

With the exception of Denmark only a few enterprises participated in the assessment of the administrative consequence of the directive. Therefore no firm conclusions can be drawn by comparing data across countries.

Table 3.3.3 Time spent on administrative work as a result of the regulation during the last two years, broken down by time and country

	<i>The</i>				<i>Total</i>
	<i>Netherlands</i>	<i>Austria</i>	<i>United Kingdom</i>	<i>Denmark</i>	
0 hours	0%	0%	9%	2%	2%
1-99 hours	75%	83%	64%	74%	74%
100-999 hours	13%	8%	27%	23%	22%
1,000-9,999 hours	13%	8%	0%	1%	2%
Total	100%	100%	100%	100%	100%
Number of respondents	8	12	11	132	163

Table 3.3.4 Costs of external assistance to help with the regulation during the last two years, broken down by cost and country

	<i>The</i>		<i>United</i>		<i>Total</i>
	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>	<i>Denmark</i>	
EUR 0	33%	8%	40%	18%	20%
EUR 1-9,999	33%	85%	60%	81%	77%
EUR 10,000-99,999	33%	8%	0%	1%	3%
Total	100%	100%	100%	100%	100%
Number of respondents	9	13	10	136	168

Table 3.3.5 Cost of training administrative personnel in the company, broken down by cost and country

	<i>The</i>		<i>United</i>		<i>Total</i>
	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>	<i>Denmark</i>	
EUR 0	38%	42%	50%	39%	40%
EUR 1-9,999	50%	58%	40%	61%	59%
EUR 10,000-99,999	13%	0%	10%	0%	1%
Total	100%	100%	100%	100%	100%
Number of respondents	8	12	10	135	165

From a methodological point of view this case has been very interesting as it shows how critical it is to select the right target group.

In Denmark the sample was found in cooperation with the Danish authorities responsible for the implementation and drawn from the population of transport enterprises having applied for admission as

transport operator during the last year. The result was a relatively high response rate at 48 %.

To compare the sample of enterprises in the Netherlands, Austria and UK was drawn from the total population of enterprises involved in transport activities. It must be assumed that for a lot of enterprises in this population, this survey was irrelevant. This seems to be the main explanation for the low response rates in these countries.

3.4 The Environmental Impact Assessment Directive

The objective of the directive is to prevent contamination or disadvantages from projects, as well as to create equal market conditions on the internal market by harmonizing environmental policies in the Member States. The directive introduces common principles for assessment of environmental impacts which need to be verified before permission may be given to any public or private project expected to have substantial impacts on the environment.

The EIA procedure ensures that environmental consequences of projects are identified and assessed before a permit is issued. It covers the types of projects in need of an EIA, procedures to be followed and relevant information to include in the assessment. Information regarding the EIA may be supplied by the developer or the authorities. The authority can voice its opinion, and all different kinds of input must be considered before a project can be approved. The public is then informed of the results.

The administrative consequences of the EIA directive vary, depending on the project's size and character. If the project is not likely to affect the environment in a substantial way, no EIA needs to be carried out. For projects which fall under the scope of this directive, there are two types of administrative costs connected with the preparation of an EIA:

The first type of cost can be characterised as "direct costs", namely the work to be done to prepare an adequate EIA. Depending on the size of the project, there may be costs connected with collecting relevant data, elaborating the required analyses, list alternatives, etc., as prescribed by

the directive. These expenses have to be covered by the developer. The national administration can choose to make these procedures more comprehensive than prescribed by the EU directive which would further add to the aforementioned costs.

The second type of cost relates to the time aspect. Before a project can be carried out, the EIA must have been finalised and approved. As this procedure can be time-consuming, it might delay the whole project. By choosing to include EIA procedures in other national approval procedures, the national Administration can reduce administrative burdens in this respect.

Implementation

The implementation of the directive in the national legislations varies.

Annex 1 of the directive lists projects requiring EIAs. In Denmark and the Netherlands, this list has been extended. In Denmark it was chosen to move a series of projects, primarily within agriculture and infrastructure, from Annex 2 of the directive (see below) to Annex 1, thus making EIAs obligatory for these projects.

In the Netherlands, EIAs are also being required for military training facilities and golf courses above a certain threshold value. These project types are not mentioned in the EU directive, neither in Annex 1 nor Annex 2.

Annex 2 of the directive lists projects requiring a so called "screening". Based on this procedure it is then estimated whether an EIA is needed or not.

The rules regarding screenings are very different from country to country. Ireland has established quantitative threshold values for all projects of annex 2 to determine whether a screening needs to be carried out (e.g. tonnes of hazardous waste accumulated during the construction of a chemical facility, length of runways of an airport, etc). However, in its ruling dating back to September 21, 1999, the European Court of Justice decided

that a triviality limit in the form of purely quantitative threshold values was not acceptable.

The following countries have added projects to annex 2:

- The Netherlands (military training facilities and golf courses above a certain threshold values)
- The UK (golf courses)
- Austria (particle accelerators as well as plants for genetic modification of micro-organisms).

Annex 4 to the EIA directive is listing various types of information the developer is required to supply during the EIA process. The following countries have decided to extend these requirements beyond those given by the directive:

- Denmark: Stricter requirements on investigating project alternatives, assessment of an additional parameter ("Access to nature").
- The Netherlands: Additional requirements on investigation of project alternatives, obligatory post-project evaluation.

In some countries (e.g. Denmark), a public consultation round has been inserted at the beginning of the EIA process, where the scope of the EIA in question can be discussed ("scoping").

In the Netherlands, the "scoping"-phase consists of a hearing by an expert group at the beginning of the EIA process. This group also assesses the final review of the developer before the decision is finally taken.

The number of EIAs and screenings differ between countries cf. table 4.4.2 below. Denmark elaborates a very high number of EIA screenings per year (app. 3,000). One reason for the high Danish figure could be variations in rules regarding the screening procedure⁴. Another is probably the special

⁴ For further information on variations in screening procedures between the countries, please refer to: EU Commission, 2003: Draft report, Five years report to the European Parliament and the Council on the Application and Effectiveness of the EIA Directive ENV.B.3/SER/2002/0003rg

Danish business structure with a large agricultural sector, since the figures cover many screenings and Environmental Impact Assessments in the field of agriculture. It must be added that the figures vary from year to year, and that part of the agricultural screenings are connected with relatively few administrative burdens on the part of the developer.

Table 3.4.2 Number of EIAs and screenings per country.

	Denmark	The Netherlands	Austria	The UK	Ireland
How many environmental impact assessments have been carried out during 2001?	85	67	11	600 (year 2000)	200
How many project screenings have been carried out per year in relation to whether an EIA should be elaborated?	2500-3000 *	61	40	No available data	No available data

* PLS's estimate on the basis of information from The Danish EPA and Ringkoebing County

Integrating the whole EIA-process within other national approval procedures may help to minimise administrative burdens. In Denmark, the EIA system is an integrated part of environmental regulation / regional planning. Austria has integrated EIAs into other approval procedures as well. In Austria, EIAs constitute integrated parts of the "plant operating permission" system, where the applicant receives all necessary documents from one relevant authority only. In the remaining countries there is also some degree of integration of the different approval systems, including quite often, however, individual assessments (case-by-case basis) and separate approvals

Today, all countries have established procedures and systems for informing the companies on EIAs and on amendments of regulations. Most countries have a range of brochures, guidelines and webpages to assist in the interpretation of the EIA legislation.

It is important to highlight the following initiatives for giving information and guidance to companies :

- One-day theme courses, as well as annual courses, in co-operation with various interest- and trade organisations (Denmark)
- Guidance and assistance from an independent consultant, paid by the Ministry of the Environment (Netherlands)
- Workshop on directive amendments in 1997 (Austria)
- Pro-active information to companies on new regulations through newspapers (Ireland)
- Establishment of special agencies for projects regarding industrial and agricultural processes (Regional Office for Industry and Environment, the UK). The task of these agencies is e.g. to guide the companies in the elaboration of the EIA.
- Collection of all Environmental Impact Assessments on microfilm (Ireland).

Assessment of the administrative consequences

With the exception of Denmark only a few enterprises participated in the assessment of the administrative consequences of the directive. Therefore no firm conclusions can be drawn by comparing data across countries. With that in mind, the results are presented below as they came out.

In Denmark, 90% of all enterprises assess that complying with the EIA legislation has increased administrative work by less than 1.000 hours. Based on few respondents this pattern seems to be the same in the Netherlands and United Kingdom where respectively 10 and 6 enterprises also spent less than 1.000 hours in order to comply with the law. The picture looks different in Austria where 5 enterprises have spent more than 1.000 hours. The table below summarises the results.

Table 3.4.3 Time spent on administrative work as a result of the regulation, broken down by country.

	<i>The</i>		<i>United</i>		<i>Denmark</i>	<i>Total</i>
	<i>Ireland</i>	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>		
0 hours	50%	0%	0%	0%	9%	7%
1-99 hours	0%	20%	0%	50%	21%	21%
100-999 hours	0%	80%	17%	50%	60%	57%
1,000-9,999 hours	50%	0%	83%	0%	9%	15%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	2	10	6	6	43	67

In Denmark, 62% of all enterprises have used external assistance at a cost of less than 10,000 EUR cf. the table 3.4.4 below. Two enterprises in Austria have spent more than 1.000.000 EUR and thereby experienced the highest external cost of all participating enterprises.

Table 3.4.4 Costs of external assistance (EUR) to help with the regulation, broken down by country.

	<i>The</i>		<i>United</i>		<i>Denmark</i>	<i>Total</i>
	<i>Ireland</i>	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>		
EUR 0	0%	10%	17%	0%	8%	8%
EUR 1-9,999	100%	20%	0%	67%	54%	47%
EUR 10,000-99,999	0%	30%	17%	17%	27%	25%
EUR 100,000-999,999	0%	40%	33%	17%	10%	17%
EUR 1,000,000 or more	0%	0%	33%	0%	0%	3%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	2	10	6	6	48	72

When it comes to cost of training administrative personnel 96 % of the Danish enterprises have no cost at all. As table 3.4.5 indicates cost of training is apparently not a common administrative task when complying with the EIA regulation.

Only three enterprises in the participating countries have paid in excess of 10.000 EUR.

Table 3.4.5 Cost of training administrative personnel in the company, broken down by cost and country.

	<i>The</i>		<i>United</i>		<i>Total</i>	
	<i>Ireland</i>	<i>Netherlands</i>	<i>Austria</i>	<i>Kingdom</i>		
EUR 0	100%	82%	83%	40%	96%	89%
EUR 1-9,999	0%	9%	0%	60%	2%	7%
EUR 10,000-99,999	0%	9%	17%	0%	2%	4%
Total	100%	100%	100%	100%	100%	100%
Number of respondents	2	11	6	5	49	73

4. Results & Recommendations

The main part of the questionnaire used in the data collection is identical and it is therefore possible to estimate some general results based on an aggregation of data from the four surveys, thus making the results more statistically reliable.

Generally, the participating enterprises consider administrative tasks a burden, cf. table 4.1 below. In particular, this is the case for the Netherlands where 47 % answers to a large extent. In Ireland the fraction is only 24 %.

In all countries – based on answers from 846 enterprises - it is clear though that more than 80% of enterprises consider administrative tasks a burden.

Table 4.1 To what extent do you think administrative tasks in general are a burden to the company? (Broken down by country)

	Ireland	NL	Austria	UK	Denmark	Total
To a large extent	24%	47%	32%	32%	29%	31%
To some extent	60%	48%	55%	57%	51%	53%
To a low extent / Not at all	13%	5%	10%	9%	15%	12%
Don't know	3%	0%	3%	3%	5%	4%
Total	100%	100%	100%	100%	100%	100%
<i>Number of respondents</i>	52	97	139	94	464	846

When isolating enterprises who find administrative tasks are a burden *to a large extent* (266 enterprises or 31 %) there are only small differences when the figures are broken down into small, medium sized and large enterprises.

Compared across countries there are some differences when data is broken down to size-classes. For instance Ireland has the highest percentage - 50 percent - of large companies (with more than 250 employees), who find administrative tasks a large burden. In Austria this figure is 7%.

Denmark and UK have the lowest percentage – 28 and 26 percent respectively - of small enterprises (with between 10 and 50 employees), who find that administrative tasks are a major burden.

When asked which areas are the most burdensome, 29 percent of all enterprises point to employment and working conditions as generally imposing the largest administrative burdens. This is especially true in the Netherlands, where a large percentage (66 percent) of enterprises selected this category.

Table 4.2 In which of the following areas do administrative tasks in general impose the largest burden on your enterprise? (Broken down by country)

	IRL	NL	Austria	UK	DK	Total
Employment and working conditions	42%	66%	43%	23%	17%	29%
VAT payments and refunds	19%	8%	15%	9%	16%	14%
Procedures regarding taxes not including VAT	1%	8%	10%	4%	10%	9%
Product conformity, certification or approval	17%	7%	12%	21%	11%	12%
Environment	5%	2%	3%	10%	13%	9%
More than one of the above	0%	0%	0%	6%	8%	5%
Other	16%	10%	17%	28%	23%	20%
None	0%	0%	0%	0%	2%	1%
Total	100%	100%	100%	100%	100%	100%
<i>Number of respondents</i>	53	96	137	90	444	820

Methodological experiences

In general the experience is that it is a very difficult task to carry out a cross-country survey measuring administrative consequences in enterprises in order to comply with European legislation.

Sample selection: target group

Selecting the target group was a very critical element in the survey, especially when it came to directives that have administrative consequences for a line of businesses or a special type of enterprises.

In some cases it has been possible to isolate the population of affected enterprises in cooperation with the responsible authorities and to draw the sample from this population. For instance, that was the case in Denmark where the sample was drawn from the population of transport enterprises having applied for admission as transport operator during the last year. The result was a response rate at 48 %.

In comparison the sample of enterprises in the Netherlands, Austria and UK was drawn from the total population of enterprises involved in transport activities. It must be assumed that, for a lot of enterprises in this population, this survey was irrelevant. This could be one explanation for the relatively low response rates of between 12 and 17 % in these countries.

In general it appears that the measuring of administrative consequences in enterprises is easier when the legislation affects all or many enterprises. This was the case with the Intrastat Regulation and the Health and Safety directive.

Another experience is that there has been a relatively high number of participating enterprises in Denmark compared to the other countries. A possible explanation is that the four surveys were carried out by a Danish consultancy firm, which is very well known by Danish enterprises. Furthermore it can be assumed that Danish enterprises are to a larger extent used to these kinds of surveys. For several years it has been an established procedure to ask enterprises to assess the administrative consequence of new and existing regulation (in the so-called “enterprise panels” and “model enterprises”).

Finally, it is possible that the target group of affected enterprises in general has been more precise in Denmark, while the data source was a Danish company. As for the other countries the data source was an international company – Dun & Bradstreet.

Sample selection: size

Based on the experiences from the four cases the sample size must be carefully considered in future studies. A suggested sample size could be at least 500 enterprises in each participating country. With a response rate of

20 %, it will provide responses from approximately 100 enterprises. This should be enough to compare data across countries.

A critical element has also been that a lot of enterprises prefer to answer a paper based questionnaire. Roughly estimated between 5 and 15 % of the enterprises used the internet to fill out the questionnaire.

Comparability

Finally, securing comparability across countries is a very difficult task. Administrative burdens of enterprises can be determined by several factors such as number of employees in the enterprise, which sector the enterprise belongs to, administrative efficiency in the enterprise, efficiency in national public administration, regulatory administrative requirements, political agenda (high focus on administrative burdens on businesses) etc.

The aim has been to isolate the impact of public administration and regulatory requirements in each country. But in practice it has proven to be very difficult and factors such as the administrative efficiency in enterprises and the political agenda can be expected to have had an effect.

For example it has been very difficult to explain why a relatively large number of enterprises in the Netherlands have a high time consumption compared to Denmark and Austria in order to comply with the Intrastat Regulation. Comparing implementation across countries, there seems to be no logical explanation for the high percentage.

Despite the methodological difficulties, the Pilot Project still seems to have been successful in setting focus on the importance of avoiding unnecessary administrative burdens on enterprises as a result of European regulation and in pointing out possibilities for legislative simplification in individual countries or at the European level.

The methodological experiences and recommendations for future studies are summed up in table 4.3 below.

Table 4.3 Methodological experiences and recommendations to future studies	
Experience	Recommendation
<p><i>Data collection method</i></p> <p>Enterprises prefer postal data collection rather than answering questionnaires on the internet.</p>	<p>Consider postal data collection or via telephone interviews.</p>
<p><i>Selection of target group and sample size</i></p> <p>It is difficult to select a relevant target group when the European legislation is aimed at specific types of enterprise or business sectors.</p> <p>It is most likely that the response rate will be approximately 20 %.</p>	<p>Select the sample of affected enterprises in close cooperation with the responsible authorities.</p> <p>Consider carefully the choice of data source</p> <p>Draw a sample size of minimum 500 enterprises in each country.</p>
<p><i>Comparability across countries.</i></p> <p>Measurement errors can occur. For instance enterprises can confuse administrative burdens arising from regulation with other administrative activities, can lack precise knowledge of the administrative consequences being sought, and be biased by the political agenda and media focus etc.</p>	<p>Take care to ensure conclusions are not present too robustly.</p>

General points to bear in mind when carrying out this type of survey are that:

- Ministries with responsibility for the policy area being surveyed should be involved in the project. They are best placed to advise on selection of sample group, and can analyse results and discuss possible future action;
- It is helpful for a central team to carry out the survey, in order to ensure that the methodology is applied uniformly across the participating countries;
- Large scale measurement of administrative burdens is not the only way to identify good practice in implementation or candidates for legislative simplification. This can also be achieved by examining implementing legislation across a range of Member States; and

- Focus groups or workshops are useful for discussing survey results. They could consist of businesses, business representative organisations, and the national authorities.

Results of the four case studies

General Results

With a few exceptions, the results from the survey are based on a very low number of respondents in most of the Member States. Therefore it is not possible to draw any robust conclusions. However, we are able to make some general observations and suggest some possible reasons for the results obtained.

The findings of this study show that there are differences across Member States, when it comes to implementation and administrative burdens for businesses. For the reasons stated above, this section focuses on the results of the surveys on the Health & Safety Directive and the Intrastat Regulation.

Health & Safety at Work Directive

Looking at *the Health and Safety directive* there are examples of differences both when it comes to implementation.

There were some differences in implementation methods in the participating countries, for example the exemption of small enterprises for a limited time period.

Furthermore two cases differ from the others in implementation. The Danish case where 60 sector specific checklists have been developed, where enterprises are able to make a written Health and Safety Assessment via a tick box exercise. The checklists are available on the internet. In the Dutch case, enterprises with more than one employee must finance a certified “Occupational Health and Safety Service” examination that also approves the written Health and Safety Assessment.

This could be said to have had an effect on businesses, as the results indicate relatively high administrative burdens in the Netherlands compared to Denmark, in relation to costs of external assistance.

As an example of good practice in implementation, the Netherlands elaborated a communication plan in connection with the introduction of Health and Safety Assessments involving both employer and employee organisations.

Intrastat Regulation

There were differences in threshold values in the different countries but the only other differences in implementation solutions were minor. Against that background it was difficult to explain the findings that there were relatively high administrative burdens on enterprises in the Netherlands. One possibly explanation could be the business structure, with a large number of enterprises within agriculture, forestry and fishing. Another explanation might be measurement errors.

Admission as Transport Operator Directive

This also shows differences in implementation. The Netherlands is the only country – that has extended the number of involved haulage contractors. In Denmark the laws have been intensified compared to the other countries. Thus it has been made mandatory to take a course, to renew the occupational licenses, and additional requirements have been stipulated on the qualifications of haulage contractors. Furthermore Denmark has set the highest minimum requirements for the own capital and reserves.

As an example of good practice in implementation, the United Kingdom, Denmark and the Netherlands are all working on elaborating an Internet service, where applications can be sent directly over the Internet in order to be approved for road transport.

Environmental Impact Assessment Directive

This case illustrates differences in the introduction of extra requirements. It was also found that rules regarding screenings are very different from country to country. For instance there is a very high number of screenings in Denmark per year.

Recommendations

Although it is not the aim of this Pilot Project to provide specific recommendations applicable for individual Member States, some ideas can be put forward to inspire public authorities (especially lawmakers across government, agencies who administer the law and policy-makers working on regulatory guidelines) to ease the administrative burdens of businesses based on the findings of the study.

A catalogue of ideas is summed up in table 4.5 below.

Table 4.5 Catalogue of ideas to ease the administrative burdens on businesses	
Positive methodological experiences	<p>Discuss the need and interest for starting new surveys. Consider possible survey areas i.e. what areas of regulation should be focused upon.</p> <p>Commit the relevant authorities to a new study and make a deal for their involvement.</p>
Differences in implementation for instance: derogations, threshold values, extra requirements etc.	<p>Revise existing legislation.</p> <p>Consider the balance between political goal and administrative consequences. Discuss possible legislative simplification at national and/or European level. Revise whether there is a need for promoting a culture of better incorporation of European laws into national legislation.</p> <p>Consider the need for more transparent implementation. Clarify whether, and if so why, stricter requirements might have been suggested.</p> <p>Consider the need for implementation guidelines to be used by lawmakers across Member State governments. This is already the practice in the UK, where guidance is available for policy-makers on good practice in implementing European legislation. In addition, it is also a requirement in the UK that policy-makers providing guidance for business do so at least 12 weeks before new regulations come into force.</p> <p>Exchange experiences of good implementation practices (for instance communication plans towards business, IT solutions to fill in forms, guidelines to business etc) with other countries.</p> <p>Discuss the need for establishing a network for dialogue and exchange of experience of administrative consequences for businesses due to European regulation.</p>