

## A Simpler, Clearer and Better Enforced EU Rulebook – but prove it.

The new Commission Communication on better regulation (COM(2026) 380) lands at a moment of genuine political momentum for regulatory reform. The Draghi report, the omnibus simplification packages, the Commission's own 25% and 35% burden-reduction targets: the pressure on the Commission and the co-legislators to demonstrate that they can legislate more intelligently has never been greater.

Where previous ones restated principles, the new Communication – formally titled *A Simpler, Clearer and Better Enforced EU Rulebook* – makes operational commitments as it introduces targeted improvements to the better regulation framework. Eurochambres welcomes the Communication: it gets more right than wrong. The question is whether those actions will be delivered and the Communication principles applied.

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Eurochambres has spent years cataloguing the gap between the EU's world-class regulatory guidelines and their patchy application. Despite the initial Eurochambres approach being cautious optimism, the direction of the new Commission Communication on better regulation is right. The question, as always, is the distance between the Communication and the operationalisation of the commitments that will follow it.

Three things stand out as genuine advances, while others are likely to remain as unfinished business.

The '*simplicity by design*' ambition is the Communication's most encouraging thread. The commitment to standardise sunset clauses, prioritise exhaustive regulations over directives for single market matters, and create a network of legal quality correspondents across Commission services are unglamorous reforms. They are also, precisely because they target the drafting stage rather than the cleanup afterwards, among the most consequential. Prevention, as the Commission itself acknowledges and Eurochambres has been underlining repeatedly, is better than cure.

The 'matrix of key impacts' approach to deliver more focused impact assessments is in the same vein: a structured initial screening to determine what a proposal actually needs to analyse, dispensing with the polite fiction that dozens of analytical tools are rigorously applied to every initiative. Extending Regulatory Scrutiny Board oversight to a wider range of proposals sharpens the point. Together, these reforms target complexity at the moment it is typically created.

The enforcement chapter is where the Communication takes its strongest stance. Eleven single market focus areas for proactive infringement action, faster reasoned opinions on late transposition, financial penalties proposed to the Court of Justice: this is not the usual vocabulary of better regulation documents, which tend to favour aspiration over consequence. It is overdue. In 2025, almost 70% of new infringement procedures arose from late transposition alone; the average case took nearly three years to close. The Commission's response – on paper, at least – finally matches the scale of the problem.

The Regulatory Deep Cleaning exercise, targeting 12 priority areas, and the new

Simplification Platform, replacing the previous Fit-for-Future Platform and giving businesses and their representatives a structured channel to feed implementation experience into that process, round out an encouraging package. Eurochambres looks forward to actively engaging in both, building on the long list of regulatory burden reduction proposals already submitted.

The Communication also codifies minimum standards for accelerated procedures – a clear and explicit request from Eurochambres, recognising that genuine emergencies may require fast-tracked legislation while insisting that even urgent proposals must rest on some evidence base.

Against this backdrop, two gaps stand out. The Communication introduces a 'matrix of key impacts' to focus impact assessments on what matters. This approach, however sensible in design, leaves open the question of which impacts are assessed and by whose judgment. In this context, the SME test, the structured step-by-step assessment of a proposal's specific consequences for the 99.8% of European businesses, must not become one variable among many to be included or excluded at a Commission service's discretion.

Eurochambres has seen this film before: the SME test methodology already exists in the guidelines and is already, in theory, required. Despite this, it is applied inconsistently precisely because it has never been treated as non-negotiable as highlighted in the [SME Test Benchmark analysis](#), which Eurochambres has carried out regularly for more than a decade. The same logic applies to the more recently introduced SME and competitiveness check. The Commission's commitment to 'Think Small First' is restated, alongside renewed pledges to carry out proportionate analyses and to finally introduce SME-friendly provisions. The revised guidelines must make it binding in practice.

The second gap is more specific but no less important. Eurochambres has called on the Commission to annex a clear summary table of the obligations stemming from each legislative proposal; a concise, legally binding document listing what businesses must actually do, by when, and under what conditions. Drawing on well-functioning models in member states such as the Czech Republic and feedback from the chamber network, such a table would bring transparency to a legislative process that currently leaves businesses piecing together their compliance obligations from dozens of recitals and provisions. The Communication commits to improving EUR-Lex summaries and making legislation more machine-readable. While these are useful steps, they are not a substitute for an obligations annex at the source. The revision of the guidelines is the opportunity to address this unfinished business.

On consultations, the Communication largely delivers what Eurochambres and the network of chambers of commerce and industry call for: streamlining without shortening, and an explicit commitment to exclude main holiday periods from the standard timeframe. One provision warrants monitoring: the possibility of reducing the 12-week period by up to six weeks when targeted consultations are also carried out. Used with genuine discipline, this is reasonable. Used routinely, it would replicate the problem it claims to solve.

The co-legislative dimension is where the Communication is most candid about an uncomfortable truth: much of the burden businesses face is not introduced by the Commission, but added through parliamentary and Council amendments that carry no impact assessment and face no independent scrutiny. The Communication proposes that the Commission continue *to work with the co-legislators to develop and implement a*

*common methodology for assessing substantial amendments*. It is worth noting that a 2025 Communication (which ironically shared an almost identical title, e.g., A simpler and faster Europe) proposed a very similar commitment. The coincidence is not encouraging.

The 2016 Interinstitutional Agreement on Better Lawmaking made comparable commitments, and the Parliament has since stopped assessing amendments while the Council never started. The forthcoming revision of this agreement must convert good intentions into binding obligations. A voluntary framework is not a safeguard.

The EU's better regulation system has long been, as the OECD notes, among the most sophisticated in the world. Its weakness has never been architectural. Taken as a whole, the Communication is an encouraging signal that the Commission understands where the problem lies: not in the rules, but in the culture of applying them. The robust rhetoric is welcome, but this must now be backed up with rigorous delivery.

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