

# Vereniging voor Milieurecht

## REFIT and 'Make it Work' : legal practice and business perspective

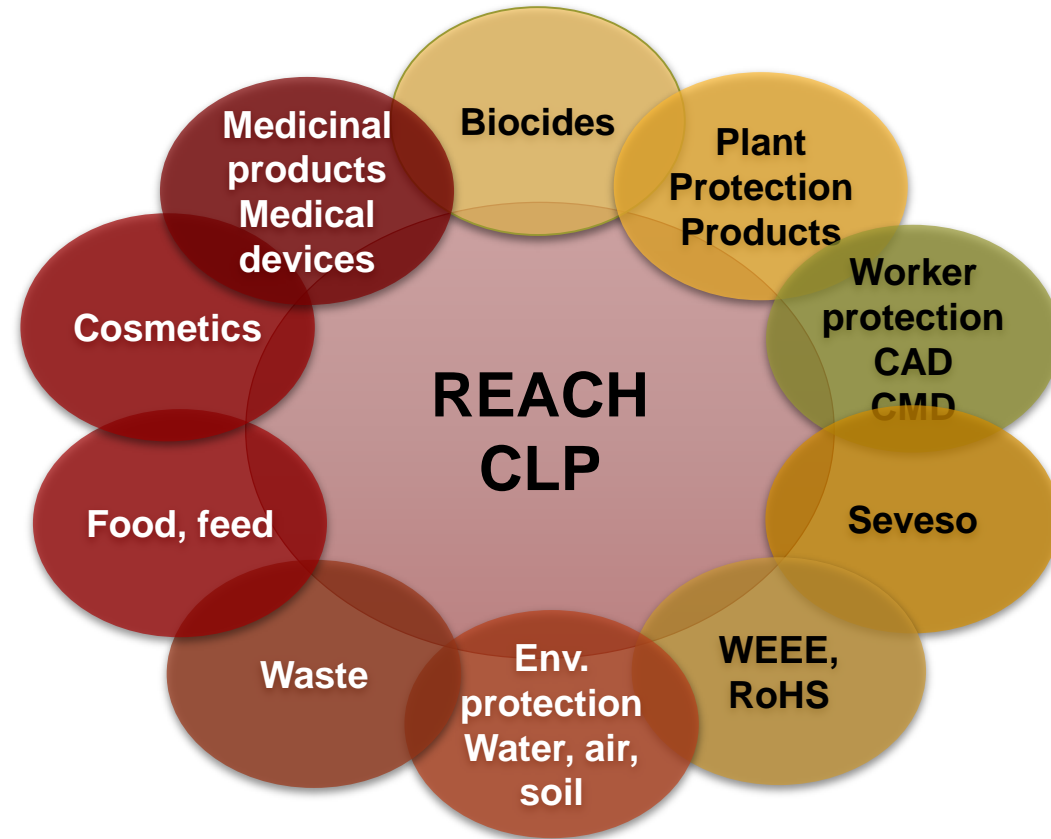
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## EU Environmental law – legal practice, some examples (1)

### Chemical industry

- Health & Safety regulations
  - Seveso
- Product regulations
  - REACH
  - Classification, Labelling and Packaging (CLP)
- Environmental regulations
  - Industrial Emissions Directive
  - Waste
  - Emission Trading Scheme (ETS)
- Access to information / Confidential business information
- Enforcement / liability schemes



## EU Environmental law – legal practice, some examples (2)

### **Infrastructure Projects**

- Natura 2000
- Environmental Impact Assessment

### **Preliminary ruling**

- Natura 2000
- Environmental Impact Assessment





## Regulatory issues: a business perspective (2)

### **Compliance is key**

Risk based approach

- Impact on Health | Safety | Environment
- Commercial impact
- Costs
- Liabilities
- Reputational damage



## Regulatory issues: a business perspective (3)



### **'Better regulation' endorsed by industry**

- Simple
- Efficient
- Coherent
- Consistent
- Fit for purpose
- Future proof / legal certainty
- Level playing field

**It helps compliance and will save costs**

## "Better Regulation" according to the Commission"

### 'Better regulation' according to the Commission

"Better regulation for better results –  
An EU agenda"

*"... The objective is to identify solutions to enhance the efficient application of EU law at national and local level by reducing its complexity while maintaining its level of protection."*

- How to Make it Work?



## "Better regulation": key issues from a business perspective

### Key conditions

- Public participation by relevant representative sources
- Improved explanatory notes!
- Impact Assessment

### Legal certainty

- Clear rights and obligations
- Uniform interpretation
- Predictability!
- Must have

### Consistency

- Regulations
- Directives
- Level playing field
- Must have

### Flexibility

- Local situation
- Unique position
- Unforeseen complications
- Nice to have



## "Better regulation": balance of interest?

