

Implementation of EU Law at National Level: A Practical Guide

Module 1: Managing National Implementation Obligations and Processes

Module 2: Impact Assessment and Measuring Results

Luxembourg, 13-16 November 2017



Erasmus+

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Through a combination of presentations, case studies and group work, discussions and exchanges of experience, this workshop provides a practice oriented overview as well as tools and skills in response to political, legal, economical, process and managerial questions related to implementation of EU policies and law at the level of the Member States.

To allow participants the highest possible degree of attending training tailor-made to their interests and needs, the programme is divided into two separate two-day modules, each of which can be attended separately, or which can be attended together.

- The first module focuses on the implementation obligations, the law approximation process, strategies for and national coordination of the law approximation efforts, notification to the Commission and the consequences of non-, incomplete or late implementation.
- Introducing the European Smart Regulation Strategy, the second module is dedicated to pre-implementation impact assessment and evaluation of implemented legislation.

How will it help you?

In addition to providing a better understanding of national and the Commission's needs with respect to the implementation of European Union legislation, the workshop:

- provides methodologies and practical tools necessary to ensure compliance with EU membership obligations;
- provides guidance on how to balance domestic and supra-national political interests on the one hand, and constitutional and legal requirements on the other;
- introduces the 'European Smart Regulation' and how Impact Assessment supports better regulation, including tools and methodologies to identify and measure the impact of transposition of EU legislation at the national level.

Who will most benefit?

Mid-level managers, officials and experts from ministries, central and regional agencies and authorities responsible for or involved in drafting, coordinating and/or implementing European Union legislation at the national level.

Programme

MONDAY 13 NOVEMBER 2017

Module 1: Managing National Implementation Obligations and Processes

Module 1 focuses on implementation obligations and the enforcement hereof as well as law approximation strategies and processes, including the identification of different legal instruments and what needs to be implemented, consultation and coordination, combining EU and national interests, planning and allocation of responsibilities and notification of national execution measures.

09.00 **Arrival and registration**

09.15 **Welcome and mutual introduction to the seminar and participants' expectations**

Peter Goldschmidt, Director EIPA Luxembourg
Dr Tore Chr. Malterud and participants

09.45 **The three dimensions of EU policy and law implementation**

Dr Tore Chr. Malterud

10.00 **Linking EU and national legislation (Part 1)**

Treaty obligations regarding implementation, self-imposed legal obligations (*acquis*) and definitions and structure of EU legal acts will be reviewed and discussed. Also the question of approximation versus harmonisation will be considered.

Method: presentation and discussion
Peter Goldschmidt

10.45 Coffee break

11.00 **Linking EU and national legislation (Part 2)**

Method: presentation and discussion
Peter Goldschmidt

11.30 **Workshop I: Identifying legal acts after Lisbon**

Working in groups, the participants will be asked to analyse legal acts (regulations, directives, decisions and delegated acts) and identify obligations in terms of implementation measures, organisational and reporting requirements, time limits, etc.

Method: group work and discussion of the results in plenary
Tomasz Kramer, Lecturer EIPA Luxembourg and participants

13.00 Lunch

14.00 **EU law implementation strategies**

A strategy is about identifying your preferences, establishing a goal and then create a plan how to reach the goal. It is also about understanding or making assumptions about your partners' and counterparts' interests and goals, and how to

consider them in your own strategy. This session will focus on national strategies related to the implementation of new EU law.

Method: presentation and Q&A
Dr Tore Chr. Malterud

14.45 **Implementation process management**

How to efficiently organise and work in an "implementation project"? We will review consultation procedures, relations between ministries and agencies, the role of process planning and the ever important question: Who takes the lead?

Method: presentation and Q&A
Dr Tore Chr. Malterud

15.30 Coffee break

16.00 **Workshop II: National processes of implementation and stakeholders**

Who does what and when? Involvement of national governments, NGOs and local and regional governments in dealing with the EU. Participants will be asked to identify national tasks, stakeholders, sources of information and elements to consider when planning the implementation process.

Method: presentation, group discussion and debriefing in plenary
Dr Tore Chr. Malterud and participants

17.30 Networking reception

TUESDAY 14 NOVEMBER 2017

09.00 **Implementing measures and administrative capacities**

Building upon the previous day's sessions, this session reviews the national implementation measures, which Member States need to introduce into national law, when transposing directives and establishing the legal and organisational frameworks to apply and enforce regulations.

Method: questions and short presentations
Peter Goldschmidt

09.45 **Delegation and coordination at the national level**

This session pays particular attention to the importance of national coordination when deciding upon delegation and adopting implementation measures as well as the reasons why, including the links between the implementers and those, who negotiated the EU legislation to be implemented.

Method: presentation and discussion
Peter Goldschmidt

Programme

- 10.30 Coffee break
- 10.45 **Exchange of experiences (1): National coordination of law approximation – the Belgian case**
Method: presentation and discussion
Sabrina Van De Velde, Attachée, Federal Public Service Foreign Affairs (FPS), Directorate General for Legal Affairs (DGJ), Brussels (BE) (tbc)
- 11.15 **Exchange of experiences (2): The Belgian EU Law Approximation Strategy**
Method: presentation and discussion
Sabrina Van De Velde (tbc)
- 11.45 **Formalities not to be forgotten: notification instruments**
Upon completing the national law approximation process, Member States must notify the Commission and/or the Council Secretariat of the result. Although attempts are being made to streamline these notifications, various notification instruments are still being used by different MS. While examples hereof will be given, special attention will be paid to the Commission's web-based notification system – NEM. In addition, Correlation Tables and Tables of Concordance and their uses as planning instruments will be reviewed.
Method: presentation, Q&A session
Sabrina Van De Velde (tbc) and Peter Goldschmidt
- 12.30 Standing lunch
- 13.30 **Simulation: Planning the law approximation process**
The participants are divided into groups and given different tasks, which normally need to be considered when preparing a plan to implement an EU legal act. They are also asked to identify problems and come up with solutions.
Participants and Dr Dr Tore Chr. Malterud
- 15.15 Coffee break
- 15.30 **Debriefing of the groups**
Participants, Dr Tore Chr. Malterud, Peter Goldschmidt and Sabrina Van De Velde
- 16.15 **Consequences of not meeting the implementation obligations**
What reactions can be expected? This session provides a practical overview of the impact of the direct effect of EU law, the principle of state liability and the infringement procedure after Lisbon.
Method: presentation, Q&A session.
Tomasz Kramer
- 17.15 **Evaluation**
End of module 1

WEDNESDAY 15 NOVEMBER 2017

Module 2: Impact Assessment and Measuring Results

Module 2 concentrates on regulatory Impact Assessment (IA) and evaluation of nationally implemented EU legislation. In particular, this module provides a practical overview of the objective and components of IA, the European Commission's expectations of the Member States, how IA is carried out, as well as what and how to measure outcomes of approximated legislation.

09.00 Arrival and registration

09.15 Welcome and introduction to Module 2: The concepts of ex ante "Impact Assessment" and ex post evaluation of approximated legislation

- Presentation of the programme and EIPA Team
- Presentation of the participants' expectations
- Definition and overview of what is meant by "Impact Assessment", including RIA, evaluation and how to measure outcome

Theo Jans, Associate Professor EIPA Maastricht, Peter Goldschmidt, Dr Tore Chr. Malterud and participants

09.45 Impact assessments in context: Smart regulation and its key components

A brief presentation of the European Smart Regulation strategy and the role of Impact Assessments (IA) in the efforts to improve the quality of the regulatory environment. The session sets out how initiatives on improved consultation, administrative burden reduction, SMEs, legal simplification and ex post evaluation are related to the IA process.

Method: presentation and Q&A session
Theo Jans

10.45 Coffee break

11.00 The key analytical steps for Regulatory Impact Assessments

Presentation of the key features of Impact Assessments and a thorough discussion of the key analytical steps in Impact Assessments: problem definition, objectives, policy options, impact analysis, selection and ranking, monitoring and evaluation.

Method: presentation and Q&A session
Theo Jans

12.30 Lunch

Programme

- 13.30 **Introduction to the exercises and case studies**
The exercises are tailored on three different EC Impact Assessments: one primarily contains qualitative analysis; another provides elaborate quantitative analysis and monetisation; the third Impact Assessment offers a mix of approaches. The cases are presented by the lecturers and the participants are asked to study a number of documents in preparation for the exercises.
Method: presentation
Theo Jans
- 14.00 **Group exercise 1: Analytical steps of an EC IA – problem definition, objectives, policy options**
The participants are divided into separate groups and, based upon a number of documents and data, they are asked to develop the first steps in an IA. They will need to describe a problem definition, objectives, and at least three policy options. While conducting the group work, the participants will be guided and assisted by the lecturer who will monitor their progress.
Method: group work
Theo Jans
- 15.30 Coffee break
- 15.45 **Debriefing group exercise 1: Presentation and discussion of problem definition, objectives and policy options**
The “rapporteur” of each group presents their group’s work and the first steps of the Impact Assessments. The different results are discussed and commented on by the participants and by the lecturer. Following the discussion of the different group contributions, the relevant aspects of the actual IAs as drafted by the EC will be presented by the lecturer.
Method: group work and Q&A
Theo Jans
- 16.45 **End of day one, Module 2**
- 19.00 Group dinner in Luxembourg
- THURSDAY 16 NOVEMBER 2017**
- 09.00 **The EU experience with RIAs: the organisational and procedural features of the European Commission (EC) Impact Assessment system**
The procedures, documents, actors, deadlines and quality control involved in EC Impact Assessments are discussed. The presentation concentrates on a number of practical features of the process (e.g. inter-service steering groups, Impact Assessment board, translation, types of IA documents, etc.), which should help national officials to identify and understand the key features of an IA.
Method: presentation and Q&A session
Theo Jans
- 10.00 **Assessing administrative costs in impact assessments**
Presentation of the role of administrative cost measurements in IAs and in existing regulatory interventions. Explanation of the steps and calculations required to determine the administrative costs derived from legal information obligations. The Standard Cost method is introduced with a succinct analysis of the tool’s strengths and weaknesses.
Method: presentation and Q&A session
Theo Jans
- 10.30 Coffee break
- 10.45 **Group exercise 2: Determining administrative costs in policy options**
A discussion of compliance and administrative costs in EC legislative proposals and implementing measures. The Standard Cost Model is introduced with a succinct analysis of the tool’s strengths and weaknesses. The participants receive a piece of legislation and are asked to calculate the administrative costs involved. Following their calculations they are asked to develop an administrative burden reduction proposal. The group work is followed with a plenary debriefing during which the real calculations and reductions are unveiled.
Method: presentation and group exercises
Theo Jans
- 12.00 Snack lunch
- 12.45 **Measuring outcome: methods, obstacles and tools**
Method: presentation and discussion
Dr Tore Chr. Malterud
- 13.45 Coffee break
- 14.00 **Workshop III: Evaluation**
The participants will be divided into groups and asked to identify what and how to measure the outcome of the application at the national level of an EU regulation.
Method: group work and discussion of the results in plenary
Dr Tore Chr. Malterud
- 15.30 **Conclusions and evaluation
End of Module 2**

General Information

Seminar venue

EIPA Luxembourg, Building of the Chambre des Métiers
Master Room (4th Floor)
2 Circuit de la Foire Internationale
1347 Luxembourg
Tel.: +352 426 230-1
www.eipa.eu

Hotel reservations

The European Institute of Public Administration has negotiated prices with a number of selected hotels. All rates are including breakfast and tourist tax. You can find the complete list of hotels available [here](#).

Kirchberg

- **Hotel Novotel Kirchberg**, at the rate of €155
Tel.: +352 49 00 11 44 44
E-mail: H1930-RE2@accor.com
<http://businesstravel.accorhotels.com>
(Client code: SC000002048 – Access Code: IN281LU654)
- **Hotel Melia**, at the rate of €165
Tel.: +352 27 33 32 02
E-mail: reservations.melia.luxembourg@solmelia.com
www.melia-luxembourg.com
- **Hotel D'Coque**, rates between €60 and €120
Tel.: +352 43 60 60 306
E-mail: reception@coque.lu
www.coque.lu

City Centre

- **Hotel Français**, at the rate of €132
Tel.: +352 47 45 34
E-mail: info@hotelfrancais.lu
www.hotelfrancais.lu (Reservation code: EIPA)
- **Hotel Parc Plaza**, at the rate of €138
Hotel Parc Bellevue, at the rate of €99
Tel.: +352 44 23 23 – 23 23
(Reservation code: EIPA)
E-mail: reservation@goeres-group.com
www.goeres-group.com

Should you wish to make use of this possibility, please phone or fax the reservation department of the hotel on one of the above-mentioned numbers and mention the relevant reservation code. Payment is to be made directly and personally to the hotel on checking out.

Local transport

Luxembourg City has several bus stations in the City Centre (Royal, Hamilius, Monterey, Forum Royal, Badanstalt, Charly's Gare). Bus lines 1 and 16, with departure every ten minutes, leave from dock Hamilius 1, go in direction 'Kirchberg', and stop at Kirchberg, stop John F. Kennedy which is within 5 minutes walking distance from the Chambre des Métiers building, where EIPA Luxembourg's premises are located. In addition bus line 16 links Findel Airport (dock 1) to the city centre and the station area.

Meals

Should you require a special menu (e.g. vegetarian, diabetic), please inform the Programme Organiser so that this can be arranged.

Participation

Per Module (13-14 or 15-16 November 2017)
EIPA members' fee*: €830 (Regular fee: €925)

Both Modules (13-16 November 2017)

EIPA members' fee*: €1575 (Regular fee: €1750)

The participation fee includes documentation, lunches, one reception and/or dinner and refreshments. Accommodation and travel costs are at the expense of the participants or their administration.

* EIPA members' fee is available to all civil servants working for one of EIPA's member countries (i.e. AT, BE, BG, CY, CZ, DE, DK, ES, FI, FR, GR, HU, IE, IT, LT, LU, MT, NL, NO, PL, SE, UK), and civil servants working for an EU institution, body or agency.

Early registration discount

On the regular fee of this seminar, EIPA Luxembourg offers a €50 discount for all registrations received before **2 October 2017**.

Note that reductions cannot be accumulated. For more information <http://seminars.eipa.eu> (Training courses - Discount policy)

Registration

Kindly complete the online registration form which can be found on EIPA's website <http://seminars.eipa.eu> before **3 November 2017**.

Your name and address will be part of EIPA's database for our mailing purpose only. If you do not want to be included in our mailing database, please tick the box on the registration form.

Confirmation

Confirmation of registration will be forwarded to participants on receipt of the completed registration form.

Payment

Prior payment is a condition for participation. Please indicate the method of payment on the registration form. For cancellations received within 15 days before the activity begins, we will have to charge an administration fee of €150 unless a replacement participant is found.

Cancellation policy

EIPA reserves the right to cancel the seminar up to two weeks before the starting date. EIPA accepts no responsibility for any costs incurred (travel, hotel, etc.). For more information: <http://seminars.eipa.eu> (Training courses - Cancellation policy).

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