Policy area	Which applicable reporting requirement(s) do you face?	Which reporting requirement(s) will you face which are to be applied soon/are currently under negotiations?	What is the level of the reporting obligation? (e.g., B to B, B to MS, B to COM, MS to MS, MS to COM)	Is it an EU requirement? (under which EU law, if possible)	Does the requirement(s) overlap with requirements set out in other EU legislation?	What are the compliance costs associated with the requirement(s)? Please explain any other risks / burdens associated with the requirement(s).	Please explain what type of change your suggested improvement would require. (e.g., removal or simplification of legal obligation, reduced frequency, scope and/or reduced requirements on the substance)
Taxonomy Regulation	• Generic Criteria for DNSH to pollution prevention and control regarding the use and presence of chemicals requires companies to assess and document that no alternative substance or technology exists			Regulation (EU) 2020/852 of 18 June 2020 on the establishment of a framework to facilitate sustainable investment and Delegated Acts on climate change mitigation and adaption as well as draft delegated Acts on Taxo4		• High admistrative efforts which can potentially be handled in large cooperations but are likely to overwhelm small and medium enterprises. • In addition to the assessment by companies, lengthy discussions with auditors as well as 3rd party certifications are required (scope and level of detail often defined by auditors). • Without background knowledge in the financial sector about the various industries and the specific application of the EU-taxonomy, taxonomy KPIs can be misinterpreted (especially while comparing different industries or companies with different product portfolios within an industry). A possible consequence might be lower access to financing instruments for specific companies or industries which need funding for their transformation. • Companies have to identify relevant activities and assess them based on technical screen criteria (high administrative burden) while (a) KPIs are not comparable across industries (b) the current taxonomy legislation does not meet the target of supporting the financing of transformation.	• Technical screening criteria and criteria for substantial contribution need to be fullfillable and verifiable. E.g (a) if referenced legislation for technical screening criteria (e.g. ETS) has a different product scope, the methology should also be applied to activities/products laid out in EU-Taxonomy (b) certificates from non-European countries for non-European activitites/production assests should also fullfill the technical screening criteria/criteria for substantial contribution as long as they are comparable to the European standard (c) DNSH criteria for chemicals should refer to existing chemicals legislation which would also define thresholds of concentration. Without those thresholds, the definition is up to individual companies and auditors creating legal uncertainty.
Taxonomy Regulation	• As per FAQ 13, "no exemption is foreseen from the obligation to report", except some (not clearly defined) flexibility around OpEx. If followed to the letter, this would result in additional reporting, for example on activities involving, for example, solar panels on the roof of an office building, company museums (CCA 13.2.), etc.			Taxonomy Regulation, Second Commission Notice of 19 December 2022: FAQ 13 on 'materiality thresholds'			• Clarifying 'materiality' in the context of EU taxonomy: In order to maintain flexibility for companies but improve legal certainty, it should be clarified that 'materiality' can be defined in line with the IFRS definition. • Rather than introducing materiality thresholds, the Commission should clarify that 'materiality' in the context of the taxonomy is aligned with IFRS and financial reporting by way of an amendment to the Disclosures Delegated Act or through an official Commission FAQ.
Taxonomy Regulation	Disclosure Delegated Act, which defines the requirements of companies' taxonomy reporting, does not set a minimum threshold for activity-level reporting.	The reporting requirements of the EU Taxonomy are already in force. Currently, they apply only to large listed companies, however as soon as CSRD enters into force, all companies with more than 250 emploees will be subject to Taxonomy reporting.	Taxonomy reporting is set at activity level, typically defined by NACE codes. The problem is that the Disclosure Delegated Act (Art 8 DA) under the Taxonomy Regulation does not include a minimum threshold for activity-level reporting. An activity from which only 1 percent of a company's turnover derive from currently have to be reported on its own. The same is true for Capex and Opex. This results in very granular and detailed, and hence costly, reporting for companies.	Taxonomy Disclosures Delegated Act	In financial reporting, a 10 percent threshold in terms of granularity of reporting levels is typically applied. Taxonomy reporting (article 8 reporting) does not include a similar thresholds. Hence, companies have to break down their financial and non-financial reporting in different ways, including setting up different internal data structures to facilitate the reporting.	The fact that taxonomy reporting is more granular than financial reporting, as there are no minimum thresholds for the level of reporting, adds cost to the taxonomy reporting. Further, the high level of granularity in the taxonomy report may in some cases require companies to disclose sensitivity information, such as capital expenditure that give the market insight into competitively sensitive investments.	Proposal to introduce a minimum threshold for activity-level reporting in the Disclosure Delegated Act. Point 2(a) in Annex 1 sets the following requirements for non-financial disclosure: 2. Methodology for reporting of KPIs to be disclosed by non-financial undertakings: The following requirements shall apply for the disclosures under Article 8(2) of Regulation (EU) 2020/852 (a) non-financial undertakings shall identify each economic activity, including a subset of transitional and enabling economic activities A minimum threshold of 10 percent should be introduced to point 2(a), allowing for aggregation of activities that sit under a 10 percent Turnover/Capex/Opex (KPI) minimum threshold. A company may choose to report below this threshold, but that would be on a voluntary basis. Enabling and Transitional activities are needed at objective level to support financial reporting but not at activity level. **Suggested new wording of article:** **(a) non-financial undertakings shall identify each economic activity that exceeds the 10 percent threshold, including a subset of transitional and enabling economic activities**
CS3D		Companies will be obliged to: • map their whole value chains (upstream and downstream) • monitor and verify the effectiveness of due diligence policies • mandatory stakeholder involvement in company due diligence related decisions with the additional extra procedures and reporting being imposed on companies (conception and adoption due diligence plan, its implementation, remedy and addressing impacts and risks, changes to the plans etc). • publicly communicate and inform about due diligence activities		Proposal Corporate Sustainability Due Diligence (CS3D)	• Potential overlaps and additions to reporting requirements in CSRD. If carried to the final law, the different wording on transition plans in the EP text on this directive can lead to further inconsistency in reporting requirements. In addition, it is much stricter than the the language in the CSRRD meaning companies can be sanctioned under due diligence even though their transition plans are compatible with Paris agreement. • The proposed Regulation on Forced labour in combination with sector specific rules (deforestation, conflict minerals, batteries etc.) create even more obligations for companies in some aspects potentially overlapping with each other.	• Very broad scope in particular as regards extension to entities/sites outside the EU. For large companies, based in many countries, this does not only mean a huge amount of data and information to be collected; it also implies adapting to EU standards, definitions and criteria, not existing outside the EU and often without taking into account what is already applied at international level or in third countries.	• Give possibility to companies to report outside their annual/management report for at least the first years of implementation/reporting. This would not require a change to overall timelines or requirements, but would give companies critical additional months to prepare and assure the data – benefiting investors and regulators and helping to meet the purpose of the legislation. *[Are we asking for a grace period?]*
CSRD		As a priority, the materiality assessment should be at the core of the sustainability reporting. Only a robust materiality assessment by reporting entities can guarantee that relevant information is disclosed to users and that the disclosures do not overburden preparers. *Cross-cutting ESRS* - Important concepts in the draft cross-cutting standards such as the definition of 'affected stakeholders' (para. 25) and 'business relationships' (para. 44) remain too broad, would further contribute to reduced readability and could lead to disclosure of business sensitive information, putting European companies in a disadvantaged position against their competitors. - Further simplification and clarification work is still to be done, notably to better distinguish mandatory requirements on the one hand from guidance or definitions on the other hand. The standards are currently very difficult to read and understand, even for most experts which risks impeding the rapid adoption of the standards and the provision of quality disclosures to users. - The boundaries/own operations contained in ESRS 1 (paragraphs 66-71) are not clearly defined. Especially for large companies with different subsidiaries, joint ventures, joint operations and associates it is very difficult to understand which of these have to be considered as part of the company own operations or as part of the Value Chain. - Alignment with sustainability reporting standards that are currently being prepared by the ISSB, and considerations of other reporting/CSR frameworks is crucial to avoid duplicating or contradicting reporting obligations on companies operating globally.We appreciate that steps have been taken to more closely align the ESRS with the work done by ISSB, and we hope that this could be formalised so that companies reporting under one framework can fulfil the requirements of the other where possible. *Environmental ESRS* - It is important to clarify that reporting along the value chain across the environmental standards (ESRS E1-E5) is subject to materiality assessment (which is separate from the general three-year phase-in period envisaged for value chain information). This would reflect the overall agreement in EFRAG to maintain the principle of materiality assessment across ESRS.		Corporate Sustainability Reporting Directive (CSRD) / European Sustainability Reporting Standards (ESRS) based on EFRAG advice	ESRS in their current shape represent a gigantic sum of extremely granular reporting obligations in the environmental, social and governance fields that European companies will need to report on.		
CSRD		"*Transition plan for climate change mitigation* " at company level to explain the past, current, and future mitigation efforts, disclosing information on e.g.: • how the company's targets are compatible with the limiting of global warming to 1.5°C (Paris Agreement) • explanation of the investments and funding supporting the implementation of the plan • qualitative assessment of the potential locked-in GHG emissions from the undertaking's key assets and products • exposure to coal, oil and gas-related activities *"Transition plan on biodiversity and ecosystems "* at company level (mandatory for companies in certain sectors), including, e.g.: • explain how its business development strategy interacts with the achievability of its transition plan • its contribution to impact drivers and its possible mitigation actions following the mitigation hierarchy and the main path-dependencies and locked-in assets and resources (e.g., plants, raw materials) that are associated with biodiversity and ecosystems change; • explain whether or not biodiversity offsets are part of the transition plan		Corporate Sustainability Reporting Directive (CSRD) / European Sustainability Reporting Standards (ESRS) / transition plan	Potential overlaps and additions to reporting requirements in CS3D and Industrial Emissions Directive		
IED	• The operator shall supply the competent authority, on request,with data enabling the competent authority to verify compliance (Art. 62). • MemberStates shall make the information available in an electronic format (Art. 72). • An obligation to supply the competent authority regularly, and at least annually information on the basis of results of emission monitoring referred to in point (c) and other required data that enables the competent authority to verify compliance with the permit conditions (Art. 14.d.i.).	• *"Transformation Plan"* on how installations covered by the directive will transform themselves during the 2030-2050 period to contribute to the emergence of a sustainable, clean, circular and climate-neutral economy by 2050 • A very prescriptive Environmental Management System (EMS) that is required for each installation and shall be reviewed periodically. • A chemical management system needs to be installed and updated pericodically. • Publication of the EMS, the transformation plan as well as the permits.		Industrial Emissions Directive	• New requirements in relation to chemicals inventory and life-cycle environmental performance (art. 14a) overlap respectively with the REACH Regulation and the CSDDD. • The request for individual plant to publish a 'transformation plan' (art. 27d) overlaps with the 'transition plan' at company level under the CSRD. • Overlap with the ETS provisions relating to energy management (art. 9.2).	Risk of prolonging the permitting process: the cumulation of new requirements e.g., review by competent authorities of 'feasibility assessment' for emission limit values (art. 15.3a), competent authorities to make public the result of emissions monitoring (art. 24.3), public to have the possibility in the reconsideration of permit conditions (art. 70g), etc. will be more demanding on national competent authorities and all involved parties.	• Digital solution to provide environmental data only once to be used for all mandatory reporting requirements. • To be able to use existing environmental management systems, as well as reports and data reported to other administrations (e.g. REACH inventory). • Avoid environmental management systems and also chemical management systems at installation level: it is not feasible to have dedicated environmental or chemical management systems for installations regulated under the IED, which are often embedded in larger structures (Plants)

ETS		• *"Climate neutrality plan"* for the least performing installations covered by the ETS • The plan shall set out: a) measures and investments to reach climate-neutrality by 2050 at installation or company-level, excluding the use of carbon offset credits; b) intermediate targets and milestones to measure, by 31 December 2025 and by 31 December of each fifth year thereafter, progress made towards reaching climate - neutrality as set out in point (a); c) estimate of the impact of each measure and investment under point (a) as regards the reduction of greenhouse gas emissions.		EU ETS / transition plan			Needs oversight.
Ecodesign		• The ESPR includes several information requirements to be reported via a Digital Product Passport (DPP). Each product group that will be covered via a delegated act under the ESPR has the obligation to provide such a DPP when the product is placed on the EU market. • Requirements to disclose information on substances of concern throughout the lifecycle of products, including name, location and concentration of substance, information for safe use and disassembly (Art.7-5) [broad definition of "substances of concern" (Art. 2-28) and the aim of progressively covering all substances of concern (recital 25)] • Requirement to disclose information about Substances of Very High Concern (SVHC). • Requirements to disclose information about the quantities of a product that has been placed on the market or put into service (a) the name of any economic operator who has supplied them with a product falling within the scope of a delegated act adopted pursuant to Article 4; (b) any economic operator to whom they have supplied such products, as well as the quantities and exact models. • Economic operators shall be able to provide this information for 10 years after they have been supplied with the relevant products and for 10 years after they have supplied such products. • Destruction of unsold consumer products has to be reported as well: (a) the number of unsold consumer products discarded per year, differentiated per type or category of products; (b) the reasons for the discarding of products; (c) the delivery of discarded products to preparing for re-use, remanufacturing, recycling, energy recovery and disposal operations in accordance with the waste hierarchy as defined by Article 4 of Directive 2008/98/EC. Horizontal measures, where product groups are similar and the transition periods once a product has been regulated are only 18 months. A webportal, proposed in the Council agreement, is to be designed to ensure that stakeholders can access the information in accordnace with their respective access rights.	B to B / B to MS / B to COM	Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC	• Intentions in the EP to include social sustainability performance and information requirements in the ESPR would create significant overlaps with legislation dedicated to address social sustainability and due diligence of value chains (CSDDD, CSRD, forced labour regulation etc.). • The defintion of 'substances of concern' is the first definition provided in a piece of legislation. Hence, the definition affects reporting requirements in other pieces of legislation where 'substances of concern' are referred to (e.g. PPWR, Taxonomy, CSRD). • The reporting of substances of concern, including Substances of Very High Concern, risk leading to double reporting and overlaps with REACH and CLP. Furthermore, as downstream users of chemicals, companies are currently informed by their suppliers of the presence of substances of very high concern, in accordance with Article 33 of REACH.	• Requirements to disclose information about products' quantities will lead to high reporting costs, without being justified for circularity or sustainability purposes. This partly beacuse substances of concern are not harmful to the environment 'by default' rather can be essential to support the circularity, longevity, safety and sustainability of a product. • Tracking this large number of substances of concern throughout the lifecycle of (complex) products is not feasible: -Points a and b substances count around 12.000 substances. Compliance also depends on (potentially difficult) cooperation between suppliers and importers. -Point c substances arguably target "any" substances. Delegated acts should specify these substances for the relevance of certain products, but the broad definition does not provide predictability to companies – with implications for both reporting and product design/investments. • The DPP needs to protect intellectual property rights, trade secrets and other business sensitive information in order not to cause harm to competition and level playing field. • Utilisation of information from already existing resources shall be clear, relevant and up to date. The web portal, proposed in the Council agreement, is to be designed to ensure that stakeholders can access the information in accordance with their respective access rights. This would lead to extra bureaucratic burden and work for companies, which is in particular for SMEs complicated (see also Substances of concern).	• DPP simplifications on substances of concern: Reduced scope and clarification of legal requirement: Reduce reporting to selected substances that impedes reuse or recycling in a specific product group and that are present in the end product. Refer to "relevant" substances and not to "all" substances. The requirements for delivering information concerning the presence of these substances must be included in REACH which is acknowledged worldwide. Otherwise, it will be difficult, if not impossible, to obtain the required information from the suppliers in the value chain • The DPP should rely on existing databases where relevant, including SCIP, EPREL and established industry solutions. • DPP further information requirements: Reduced Scope: Only report selected sustainability requirements that are of value for the customer and which are not regulated/reported otherwise. • DPP reporting level: Simplification: Reduce number of different DPPs by using mainly DPP on a model level, no DPP on a batch level and only for selected long-life and high-value products DPP on an item level • No DPP for intermediates: Removal of legal obligation: Only use DPP for end-use products, but not for intermediates like chemicals or polymers • Product quantities: Report on the weight in tons of products placed on the market rather than the number. • Destruction of unsold goods: Removal of legal obligation: No reporting. The horizontal measures leads to a high ambition, especially in view of the standardisation and implementation of DPPs. Also, the diversity of the mechanical and plant engineering sector shows that a "one-size-fits-all" approach is not possible. Therefore, only ecodesign criteria which are based on a product-by-product approach should continue to be established, as is currently the case under the Ecodesign Directive. This is the
Waste	• Requirement for suppliers of articles to provide information on Substances of Very High Concern (SVHC) under art 9 of the Waste Framework Directive (WFD). • Notifications and documentation for Waste shipment (European and National Waste shipment regulation) • End of waste documentation (Waste Framework Directive - Art. 6) • Classification of waste (Waste Framework Directive- Annex III) • Waste reporting	New requirements under the Waste Shipment Regulation (Arts. 5-17 -written notification and consent procedure-) and existing provisions on Regulation 1257/2013 and 2020/1056 (notification requirements). The Spanish procedure generates implementation problems.		Waste Framework Directive (Article 9)	REACH Art. 33 and WFD Art. 9 require the same information. ESPR also requires disclosure through the DPP of substances of concern in accordance with the definition in Art. 2(28). Intersect of CSRD, ESPR, WFD, and of CSDD and the Taxonomy: - Clear risk of insufficient alignment of data and metrics used across CSRD, ESPR, WFD and CSDD and the Taxonomy. If we cannot obtain a strong alignment there, we will certainly have additional burdens (without added value) and we may experience that the targets across the regulations are not aligned or may even be contradicting.	the existing REACH Article 33(1) obligations are already very difficult for companies to implement. This is why the ECHA SCIP database obligations, which exceed by far the legal requirements of REACH Article 33(1) – is even more difficult for companies to implement. Companies are faced with the challenge of procuring information on a large scale, processing it and transmitting it to the ECHA. The SCIP database leads to disproportionately high burdens for the companies concerned - and especially for small and medium-sized enterprises. At the same time, the information and data acquired will not lead to improved recycling. Experience shows, that the benefit for the circular economy has not been proven and is questioned both by those obliged to provide information and by the addressees of the information - the waste management industry.	
Waste	Reporting requirements under the Waste from Electronical Equipment (WEEE) Directive and the Batteries Directive.	Upcoming reporting under the Battery Regulation.		Waste from Electronical Equipment (WEEE) Directive, Batteries Directive, Batteries Regulation.	National implementation of the directives leads to diverging requirements and reporting structures (templates, monthly quarterly etc.) in different Member States. Adds to the high reporting burden regarding circularity and product compliance.		Address the lack of harmonised reporting requirements, including in the upcoming revision of the WEEE Directive.
PPWR	Reporting under the existing Packaging and Packaging Waste Directive (PPWD).	The proposed Regulation contains significant reporting requirements for economic operators from many sectors. These include: • Article 28 - Reporting to the competent authorities on re-use and refill targets concerning the attainment of the targets laid down in Article 26 for each calendar year (sectors include household appliance operators, distributors, wineries and the hotel and restaurant sector). • Article 39 - Reporting obligations for a Register of producers. All economic operators making packaging available in the Member States will be required to register. • Member States will need to establish a report on the measures taken to implement the previous and new legislation. These reporting standards are different to each sector affected.		Proposed Packaging and Packaging Waste Regulation (PPWR) and Packaging and Packaging Waste Directive (PPWD)	The national implementation of PPWD leads to diverging requirements and reporting structures (templates, definitions, monthly/quarterly etc) in different member states.		the extended liability for producers needs to be 'fitness checked'
Single Use Plastics	• If a food specialist or supermarket gives an order to print their name, logo or brand on packaging material (e.g. a coffee to go cup) that is considered a Single Use Plastic (SUP), this food specialist / supermarket is considered to be the importer/producer of this SUP packaging material and as such they become responsible for placing the packaging on the market. • Article 13 of the SUP Directive (SUPD) requires member states to report to the Commission on e.g. data on single use plastic products placed on the market. • Example of implementation of SUPD: A retailer / SME (importer/producer) with its own brand on the SUP material needs to fulfil reporting requirements set by the national governments (in this case the Dutch Government), entailing detailed reports about the amounts of packaging material (in SUP units) placed on the market. Producers/importers have to register with the respective administrative organisations and make annual and monthly statements for levies and registrations of the numbers/amounts (kg) of packaging materials being placed on the market.		B to B / B to MS	Directive (EU) 2019/904 of 5 June 2019 (SUP) *[and Directive 94/62/EG, amended by Commission Directive 2013/2/EU]*			Reduce the scope of the producers responsibility on Single Used Plastics by providing a minimum amount of packaging material in kg to be exempted from this scheme.
Pay transparency		The information to be disclosed in the *pay reporting* includes: (a) the gender pay gap (b) the gender pay gap in complementary or variable components; (c) the median gender pay gap ; (d) the median gender pay gap in complementary or variable components; (e) the proportion of female and male workers receiving complementary or variable components; (f) the proportion of female and male workers in each quartile pay band; (g) the gender pay gap between workers by categories of workers broken down by ordinary basic salary and complementary or variable components. The information to be disclosed in the *pay assessment* includes: (a) an analysis of the proportion of female and male workers in each category of workers; (b) information on average female and male workers' pay levels and complementary or variable components for each category of workers; (c) identification of any differences in average pay levels between female and male workers in each category of workers; (d) the reasons for such differences in average pay levels and objective, gender-neutral justifications, if any, as established jointly by the workers' representatives and the employer; (da) the proportion of female and male workers who benefited from any improvement in pay following their return from maternity or paternity leave, parental leave, and carers leave, if such improvement occurred in the category of workers during the period that the leave was taken; (e) measures to address such differences if they are not justified on the basis of objective and gender-neutral criteria; (f) an evaluation of the effectiveness of measures from previous joint pay assessments. *Article 16a* , which foresees obligations to compare situations based on an		Pay transparency directive (esp. Article 8 and 9)	Major overlaps with Disclosure Requrement S1-10 on "adequate wage" and Disclosure Requirement S1-16 on "Compensation indicators (pay gap and total compensation)".	• The unnecessary reporting for companies will not help achieving the aim of equal pay, but only creates additional burden for companies. Articles 8 and 9 include extremely detailed reporting and assessment requirements, which come on top of all sorts of other HR reporting requirements imposed nationally. • Lowered the thresholds exempting SMEs from the most demanding requirements. These were lowered from less than 250 workers to less than 100 workers. When the directive goes into force, the obligation will apply to companies with 150 employees, and five years after entry-into-force, it will apply to companies with 100 employees. • There is a gradual approach for pay reporting and pay assessment, depending on the number of employees in the company. Companies with more than 250 employees will have to report every year, whilst companies with 150-250 employees will have to report every three years (the threshold will be lowered two years after the first reporting phase to 100-250 employees, in line with the previous provision). However, this does not solve the issues of having to comply with extremely complex reporting requirements.	

Posting of workers	• PD A1 forms create unnecessary red tape with regards to labor mobility within the single market. • Posting notification via national system of the destination state with detailed information at least on the service provider, the contact person in the destination state, the posted employee as well as the place, start and duration of the posting – in most cases to be notified individually for each posted employee • Submitting various documents, including at least the employment contract, pay slips and timesheets. In most cases, these must be translated into the official language of the destination state • Many Member States have added additional reporting obligations and documents to be submitted in addtion to the rules.		B to MS authority	Regulation (EC) No 883/2004 Social Security Coordination Enforcement Directive 2014/67/EU	• Reporting and notification obligations under Enforcement Directive (Directive 2014/67/EU) and Regulation (EU) No 883/2004 overlap • Many Member States have also introduced additional information requirements at national level: VAT identification number (FR, AT), social security number (AT), professional qualification (FR), fiscal code in destination state (IT, LUX), A1 certificate (FR, LUX), beginning of the employment contract (AT, FR) • In some Member States, additional documents must also be submitted: health certificate (FR, LUX), copy of A1 certificate (FR, AT, IT, LUX), document attesting the law applicable to the contract between the service provider and their client (FR), document attesting the number of contracts performed and turnover generated by the service provider (FR)	A study from the German "Foundation for Family Businesses" has calculated the costs for Germany, Italy, France and Austria: • Total estimated costs for applying for an A1 Certificate at company level in EUR: - France: 6,80 - Austria: 7,12 - Germany & Italy: 10,28 • Total economic costs in the examined countries in EUR (2019): - Austria: 660.000,- - France: 830.000,- - Italy: 1.660.000,- - Germany: 16.720.000,- Aside from the administrative burdens/cost, Member States take varying approaches in applying the regulatory provisions. While some Member States allow for a certain discretionary space when companies are faced with a spontaneous posting scenario and do not have time to apply for an A1 certificate in advance, other Member States do not accept any exceptions and apply high fines if a A1 cannot be presented. In a functioning Single Market, companies need legal certainty and a common set of rules. • Compliance costs regarding the posting of workers are difficult to calculate, since the national transposition of the Enforcement Directive targets companies from other Member States aiming to post their workers in the destination Member State. Compliance efforts will therefore vary considerably in each case. • Some indications can be deducted from the study of the German "Foundation of Family Businesses", which gives following estimates for a standard procedure (excluding time needed for initial and follow-up research or translation of documents): - France: 80 minutes per posting declaration - Austria and Germany: 66 minutes - Italy: 71 minutes • Diverging requirements may in some cases even prevent companies from sending their workers to another Member States, hence resulting in the opposite result than	• The ongoing revision of regulation 883/2004 on coordination of social security systems should provide that all business trips together with brief and short-term employment postings are completely exempted from the need to apply for an A1 certificate. To prevent abuse, sectoral derogations should be allowed, for example in the construction industry. • Creating a single EU-wide website for posting notifications, with as harmonised notification obligations as possible
Cybersecurity	Requires Cybersecurity incidents to be notified within 24h (early warning) and reported with more details no later than 72 hours to the CSIRT, and vulnerabilities to be reported voluntarily		B to agencies	NIS2 Directive (EU) 2022/2555	• Overlap with GDPR (EU) 2016/679: requires data breaches (which can be a result of cybersecurity incident subject to the reporting in NIS2 or in CRA) to be reported in 72h to the data protection authority. • New proposal for Cyber resilience Act, introduces reporting obligations of 24h to the competent authorities for an incident and/or vulnerability in a product (again potentially overlapping with a cybersecurity incident NIS2, that can also entail data protection breach, GDPR)	Businesses of all sizes are confused with all the reporting requirements and their potential overlaps or reporting similar information several times to different bodies. Reporting is a burdensome task, because collecting information is time-consuming. Incident management and response must take priority over reporting obligations.	
Financial reporting	• *2014/107/EU on automatic exchange of financial account information ("DAC2")* : requires financial institutions to report information of financial accounts of non-residents to their tax authorities (including interest, dividends and similar type of income, gross proceeds from the sale of financial assets and other income, and account balances) that would then be exchanged automatically with other interested tax authorities of other Member States. • *2016/881/EU on automatic exchange of information of Country-by-Country reports ("DAC4"):* requires large companies to report certain financial and tax data to their tax authorities who will then exchange this information with other interested tax authorities of other Member States. • *2018/822/EU on the mandatory disclosure and automatic exchange of information in the field of taxation in relation to potentially aggressive cross-border tax planning arrangements ("DAC6"):* - Mandatory reporting of cross-border reportable arrangements began on 1 July 2020 with retroactive reporting of historical arrangements that took place from 25 June 2018 to 30 June 2020. - requires EU-based intermediaries or taxpayers to report certain cross-border arrangements that meet the hallmarks in the directive and that present certain features of a cross-border arrangement that suggest a potential risk of tax avoidance to their tax authorities who will then exchange this information with other interested tax authorities of other Member States. - Hallmarks have been drafted so broadly that a large amount of data is required to be analysed, assessed against the hallmark tests and provided to tax authorities. This presented difficulties for businesses given the complexity of certain transactions and the short amount of time within which a transaction needs to be reported. - There are scenarios where different parties to one transaction end up reporting the same transaction. - In addition, certain non-tax transactions and/or transactions in line with applicable			Directive on Administrative Cooperation 2011/16/EU *[which was amended several times to extend the scope of automatic exchange of information (AEOI)]*		• DAC6 was extremely burdensome and expensive for businesses to implement. Increased compliance costs were incurred by businesses to be compliant with DAC6 and in order to train non-tax employees. • Absence of harmonised guidance and inconsistent interpretation of the DAC6 directive amongst Member States is giving rise to legal uncertainty for taxpayers and increased tax disputes. • Penalties are not uniform across Member States and some have stipulated significant fines for late or non-reporting. This is seen as disproportionate considering the large amount of normal business transactions that may be in scope of reporting. • It's not clear or transparent for taxpayers what tax authorities are doing with the data, if anything, and the sentiment across the business community is that DAC 6 has created a huge administrative burden for taxpayers with very little effectiveness of the rules. • The Directive mandates a reporting obligation for cross-border tax arrangements if in scope, no matter whether the arrangement is justified according to national law.	An overview is mentioned in the annex of new initiatives of the EC's work programme: https://commission.europa.eu/system/files/2023-10/COM_2023_638_1_annexes_EN.pdf
Financial reporting		• Information needs to be disclosed per EU country and for all jurisdictions included in the EU list of non-cooperative jurisdictions for tax purposes and on an aggregate basis for all other tax jurisdictions. • Companies/groups with over EUR 750 million in turnover fall within the scope of the Directive. • The information to be disclosed consists of: - The name of the ultimate parent company or unaffiliated enterprise, the financial year concerned and the currency used - The nature of business activities - Number of employees - Total net turnover made - Profit made before tax - Amount of income tax due in the country by reason of the profits made in the current year in that country - Amount of tax actually paid during that year - Accumulated earnings • The report should be made accessible on the public registry of the relevant Member State and on the company website free of charge for a minimum of five consecutive years. • Chapter 10: Requires large EU companies operating in the extractive or logging sectors to report annually on payments to governments.		EU Public Country-by-Country Reporting Directive 2021/2101/EU amending the Accounting Directive (Directive 2013/34/EU) as regards disclosure of income tax information by certain undertakings and branches ("public CbCR"):	Will come in addition to the DAC4 requirements mentioned above. As such, tax authorities already have access to CbCR data and can evaluate this data to determine companies' behaviour. As a consequence, pCbCR only introduces an additional reporting obligation to the public.	• In force as of 21 December 2021 with rules to take effect by 22 June 2023 at the latest. This will require large companies to publish certain financial and tax data within 12 months from the date of the balance sheet of the financial year in question. • Member States are only given minimum requirements, i.e. transposition into national law is not harmonised and is placing increased pressure and scrutiny on businesses' obligations in those Member States that have opted to adopt public CbCR with more stringent rules than the maximum allowed under the Directive. The Commission is expected to issue a harmonised template for the publication of pCbCR data in all Member States but this is not expected to be available before mid-2024 despite the fact that some Member States would already have transposed the directive. • Non-compliance with any of the obligations may give rise to a penalty, the type and amount of which is to be decided by Member States, i.e. no uniform penalties among the Member States.	• Adjustments (increase) of the criteria and adjusting the Accounting Directive to include an annual inflation correction. • Alternatively, an extra category "super large" could be added. Within this category, all current reporting requirements would apply; for other categories some exemptions could apply. • Micro (and small) companies could also be exempted from any publication requirement of annual financial reporting (adjustment art. 36) due to limited users of their financial statements. • Removal of provision regarding reporting obligation of EU companies operating in the extractive or logging sectors (Chapter 10)
Financial reporting		• The rules apply to all large groups (whether they operate on a purely domestic or international basis) whose annual turnover exceeds €750 million, and which have either a parent company or a subsidiary in an EU Member State. • The EU committed to rely on the implementation framework currently developed by the OECD. This framework is still not fully developed despite the fact that rules take effect in six months' time and is worrying considering the disproportionately large amount of data required to calculate the effective tax rate of a group of companies. The granularity of the data being requested requires significant investment for businesses to adjust their existing processes to new capability requirements in a short time. • In addition, EU companies are not comfortable with the fact that commercially sensitive economic data needs to be disclosed as this could lead to unjustified tax audits and economic competition amongst others.		Directive 2022/2523/EU of 14 December 2022 on minimum taxation	No incentive to optimise the tax systems in the Single Market- with the implementation of the minimum tax directive, a number of existing requirements that stem from the EU anti-avoidance legislation will become redundant or will no longer have any purpose. An evaluation of the efficiency and proportionality of these directives is needed to remove any overlapping obligations and reduce complexities.	The rules apply to groups with over EUR 750 million in turnover. Very few companies will end up in the so-called tax position – but all must report.	

Financial reporting	• Wider regulatory scope: 4AMLD expands the regulatory scope of AML/CFT legislation, imposing customer due diligence obligations (CDD) on many previously unregulated firms, all credit and financial institutions and many designated non-financial businesses and professions (DNFBP). • Similarly, 4AMLD expanded CDD obligations to certain types of transactions and financial products, including transactions outside of business relationships and, for the first time, some e-money products. • Requirements for companies to record ultimate beneficial ownership (UBO) information in centralized registers and adjusted the definition of ultimate beneficial ownership to include senior management officials. Record-keeping requirements were also introduced for trustees of express trusts.		B to B / B to MS	Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing			Simplification and centralisation of legal requirements: • Registrations/identifications: Minimum validity periods for which certain registrations/ identifications are valid (do not need to be repeated). • Benefical ownership: Reduce the scope by exempting very small companies that are not active in a sector that is sensitive to money laundering or terrorist financing.
Financial reporting	• According to Regulation 2019/815/EU in connection with directive 2013/50/EU, issuers shall prepare their entire annual financial reports in XHTML format and where annual financial reports include IFRS consolidated financial statements, issuers shall mark up those consolidated financial statements in XBRL. • According to Directive 2022/2464/EU, undertakings shall prepare their management report in XHTML format and shall mark up their sustainability reporting. • Issuers must prepare their entire annual financial and management reports in ESEF (XHTML/XBRL) annually.		B to MS	Directive 2013/50/EU, Article 4 Commisson Delegated Regulation 2019/815/EU Directive 2022/2462/EU, Article 29d		• Preparing the reports in XHTML and particularly marking-up consolidated financial statement or sustainability reporting in XBRL is highly technical and very complex; it increases compliance risks and costs disproportionately without a real benefit.	• The requirements to prepare reports in XHTML and mark-up reports in XBRL (ESEF) should be removed completely. • Publishing financial and sustainability reports in PDF-format is widely accepted by private and institutional users and which is easy to use since decades. In addition, financial and non-financial information is easily accessible on companies' websites for the purpose of investor information and user's analysis. Therefore, European regulators and OAM should accept PDF reports as standard digital electronic reports as the user unfriendly and highly complicated XBRL format is clearly lacking market demand. If not removed completely, the requirement to publish the original report in an electronic format should be replaced by a requirement to publish a marked up copy of the report in a common electronic format after the publication of the original report. This would provide reporting entities with additional time (at least one month) for marking up the electronic copy, which has proven to be a burdensome and time-consuming process. It would make reporting much easier as the simultaneous drafting and electronic marking up of the report under the current requirement makes the process less flexible with very small room for changes in the last weeks before publication. As there is limited demand for the marked up financial data, the adjustment would be of no significant disadvantage for investors
Taxation		Pillar 2 introduces a minimum effective corporate tax rate (ETR) of 15% for multinational enterprises with an annual revenue of EUR 750 million. The impact assessment of a Swedish public inquiry states that a swedish company group will have on average 15 000 - 20 000 data points to report. The reported data is derived from the accounting books. The effective tax rate is calculated from accounting data per entity in different jurisdictions. Affected MNEs shall establish supplementary tax reports with calculations for each jurisdiction. The supplementary tax report shall be submitted 15 months after the end of the taxation year it relates to. The supplementary tax declaration shall be submitted		Pillar II (Global minimum tax directive), Directive 2022/2523		Compliance costs are hard to quantify at this stage. It will though lead to high compliance costs	To give businesses sufficient time to adapt and to not present new proposals, like BEFIT, that adds an extra layer of complexity to an already complex system. It is concerning that BEFIT is building on the criticized and complex Pillar II rules, especially since the Pillar II framework hasn't been fully adopted, leaving the effects of new global tax rules untested and not yet evaluated
Taxation	• The proposal seeks to create a "one-stop-shop" for EU-tax returns. MNEs would benefit from a system where they would be able to file a single tax return for all their EU activities with just one Member State rather than multiple tax authorities. • However, this is not what the Commission is proposing. Instead of filing their national tax returns under a single set of rules, a BEFIT group will have to file one preliminary tax return to calculate the BEFIT tax base allocated to Member States, in addition to all their national tax returns determining their final tax liability. • In addition, even though the adjustments to be made to the BEFIT tax base are intended to be considerably simpler than those required under Pillar II, businesses in-scope will be required to make separate sets of computations for Pillar II and for BEFIT.		B to MS	Directive 2022/2523	• While the BEFIT proposal relies on financial accounting rules, it is in other important aspects not aligned with Pillar II. The rules introduced by Pillar II apply on an entity-by-entity level and, in contrast to BEFIT, do not allow the blending of results across jurisdictions. The simultaneous application of both regimes could lead to mismatches and potential double taxation since the use of the BEFIT allocation key may result in a top-up tax under Pillar II. It is not clear how the two regimes will co-exist, and which regime is proposed to take priority.	• The compliance costs are difficult to quantify at this moment, but we believe that filing BEFIT tax returns could intensify administrative burdens rather than alleviate them. Companies in scope would be required to file a Pillar II information return, a BEFIT information return and separate national tax returns in every Member State where they conduct business to ascertain their final tax liability. • We find it highly unlikely that tax compliance costs could be reduced by anywhere near the 65% as suggested in the impact assessment. We also find it improbable that the issues and administrative burdens related to Pillar II application would somehow disappear by July 1, 2028, when the BEFIT framework is set to come into effect • Instead of creating a truly harmonized and competitive system within the EU, the BEFIT framework seems to introduce, on top of the upcoming minimum tax system, a new hybrid tax system with a mix of an EU tax base and 27 national tax bases. In our view, this will only add another layer of complexity to an already complex system and increase the administrative burden for businesses.	• To work together with business and to streamline all the obligations instead of adding another layer of complexity.
VAT		proposed introduction of common standardized Digital Reporting Requirements and mandatory e-invoicing for intra-community transactions		Proposal VAT in the Digital Age (ViDA)		We question if the ViDA package will lead to any cost savings and believe that the Commission is underestimating the costs for businesses (ABS 2022). The DRR proposal will impose increased investment and regulatory costs for businesses and in the long run there will be huge maintenance costs for the IT systems but also in terms of resources. We believe that the simplification measures are too weak and that the impact analysis is flawed. The current ViDA proposal is not in a sufficient way ensuring that costs are kept low, especially for SMEs.	It is crucial that the ViDA proposal, especially the proposed introduction of common standardized Digital Reporting Requirements and mandatory e-invoicing for intra-community transactions, ensures that costs are kept low especially for SMEs, and that it does not compromise the competitiveness for European businesses. In our opinion these aspects have not been sufficiently prioritized during the ViDA negotiations. For the system to work better, a priority should be to actually simplify and modernize the outdated VAT directive that in many ways creates assessment and interpretation difficulties for businesses. The ongoing VAT reforms need to have a strong focus on simplified reporting.
Mergers and concentrations			B to MS / B to COM	Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (including the package published on 20 April 2023 aimed at simplifying merger control procedures under the EUMR)		• As a third party: The process of information gathering from the market by the European Commission is extremely burdensome and highly inefficient. The practice of sending out lengthy and detailed questionnaires to customers, suppliers and competitors of the notifying parties with responses required within very short timeframes (typically, around five business days) leads to pseudo-robust results. Response rates are typically low and the questions are often leading. The third parties receive these requests without prior notice and the short time frames for the response require immediate attention of a large number of employees in order to provide a consolidated view of various stakeholders within the responding undertaking. Also, rather than allowing undertakings to provide the responses in a format which would make it easy for undertakings to discuss and align internally, the Commission requires the use of a non-user-friendly online mask. • As a notifying party: Even after the most recent round of simplifications, concentrations without any local nexus to the EU need to be notified. Even in straightforward cases, the Commission requires information on "all plausible market definitions" from the notifying parties. The new policy regarding referrals under Art. 22 EUMR has not only created a high level of legal uncertainty but also requires undertakings to engage with potentially all national merger control authorities in the EU, to bring the case to their attention.	• Simplification of legal requirements • Reduce scope • Third party reporting: Other authorities engage with third parties orally or with targeted and sensible questions. The European Commission should take a similar approach. • Notifying parties: A local nexus should be required to trigger an EUMR notification, in line with ICN best practices. The requirement to provide detailed information on all plausible market definitions in Form CO should be deleted. If the Commission wants to continue with its new policy regarding referrals under Art. 22 EUMR, the process should be defined and streamlined.

Traceability of products	The EU Track and Trace system, as regulated under TPD2, has been designed as one of the tools to help fight against illicit trade. It requires all packaging levels (down to unit pack) of tobacco products to be marked with a digital UI code (unique identifier code). The EU T&T system became operational on 20 May 2019. The system currently covers cigarettes and roll-your-own/make-your-own tobacco. This system requires tobacco manufacturers to cover the total cost of the T&T system. The focus here is on the cost of the UI codes.		B to MS / B to COM	EU Tobacco Product Directive (TPD) Art 15, subsequent secondary legislation		• While every UI code is scanned and reported, cost of the UI codes vary significantly across member states. While The Commission Impact Assessment mentions that the total cost for ID issuers will be €14 MM, based on the assessment of a rough unit price per UI code of €0.000429 (i.e., €0.43 per 1,000 UI codes) , the actual cost varies between 0.30 and 3.4 € per 1,000 UI codes (with an extreme case of one member state where the cost is 9.4 € per 1,000 UI codes). • As per Article 5 of Commission Implementing Regulation (EU) 2018/574, Unique identifiers generated by ID issuers may be used to mark unit packets or aggregated packaging, as provided for by Articles 6 and 10, within a maximum period of six months from the date of receipt of the unique identifiers by the economic operator. After this time period unique identifiers shall become invalid and economic operators shall ensure that they are not used to mark unit packets or aggregated packaging. Manufacturers are required to pay for the UI codes based on the number of codes ordered, rather than the codes actually used which very often leads to a lot of wasted codes, due to expiration date. • According to the legislation, ID issuers must “electronically transmit” the UI codes following a request from a manufacturer. UI codes are received by the manufacturer within maximum 24h after request. Manufacturers can also request “fast delivery” of codes, in which case codes are delivered within maximum 2h. Ordering UI codes in faster procedure than a regular one is significantly more expensive.	• Commission should challenge these costs and request for a justification of the costs which are unreasonably higher than the average given the significant discrepancies in fees charged for largely identical services (as service requirements are set out in the legislation). Article 5 of Commission Implementing Regulation (EU) 2018/574: • Proposal 1: Instead of payment based on the number of ordered codes, setting up a system where manufacturers pay for the codes that were actually consumed/used. • Proposal 2: Extension of UI codes lifetime, due to frequent changes in the production plan (e.g. late delivery of the non-tobacco products components). Additionally, the expiration date of codes is not aligned with the logistic processes at manufacturing level, which often last longer than the prescribed 6 months. This is especially going to be a troubleshot with OTPs (Other Tobacco Products). Electronical transmission of UI codes: • Fast electronic UI codes ordering feature should be at the same cost and enabled by default for all ID issuers. (the same as what exists in Romania currently and does not result in any burden for the code issuer or the MS as the technical process remains the same)
Company law		Companies will be required to provide information or documentation to authorities which is not required today, including information on group structure, confirmation that information is up to date, reporting of “single member”, and new deadlines and sanctions.		EU Commission proposal for a Directive amending Directives 2009/102/EC and (EU) 2017/1132 as regards further expanding and upgrading the use of digital tools and processes in company law	Certain information on group companies is proposed to be required, information that already today must be included in the consolidated accounts according to the accounting directive.		
Critical raw materials		The proposal sets a framework for systematically monitoring critical raw material supply risks at different stages of the value chains, incl. reporting obligations on Member States and companies. • Art. 19 and 20 - monitoring and information obligations: Member States shall identify key market operators in the critical raw materials value chain, whose activities shall be monitored (e.g., by regular surveys to economic operators). • Art. 21 and 22 - reporting on strategic stocks and coordination: Member States shall submit information to the Commission on strategic stocks of strategic raw materials. The information shall also cover level of stocks held by economic operators charged by a Member State to build up a stock on its behalf. Therefore, this reporting obligation applies indirectly to business. • Art. 23 - company risk preparedness: large companies that manufacture strategic technologies using strategic raw materials shall subsequently perform an internal audit of supply risks in their supply chains every two years (Art. 23(2)). • Art. 26 – recovery of critical raw materials from extractive waste: operators obliged to submit waste management plans in accordance with Article 5 of Directive 2006/21/EC shall provide to the competent authority as defined in Article 3 of the same Directive a preliminary economic assessment study regarding the potential recovery of critical raw materials from, amongst other, the extractive waste stored in the facility. • Art. 27-30 - declarations regarding permanent magnets and environmental footprint: obligations for economic operators (amongst others) to possibly make product declarations for products with critical raw materials, including permanent magnets.	B to MS / B to COM / Internal audits	Proposal for a Regulation establishing a framework for ensuring a secure and sustainable supply of critical raw materials (CRM) COM(2023)160	• Art 26-30: the waste management plan and environmental footprint product declarations must be fully consistent with other sectoral legislation, such as the (proposed) Eco-design for Sustainable Products Regulation (ESPR). The CRMA should not create a parallel system, but build on provisions already applicable in sectoral/environmental product legislation (e.g., incorporation in the Digital Product Passport).	• Art: 19-20: Monitoring is an important pillar of the CRMA, but it risks turning into a paper tiger. Systematically collecting a wide range of data points from economic operators on the basis of Art. 19 and 20 will lead to disproportionate administrative burdens. It would be more effective to create communication channels so that companies can identify (imminent) disruptions in supply chains al an early stage, allowing for targeted and risk-based action. Such an 'early warning' system would be better than a general periodic survey that is not risk-based nor targeted. After all, the objective of the monitoring system is to avoid disruptions or shortages of critical raw materials. • Art. 23: The obligation for certain large companies in the chain to conduct periodic internal audits should be proportionate and consistent with the monitoring provision for sharing information with the competent authorities in Art 19/20 (consistency articles 19/20 and 23). The added value of Art. 23 is unclear because: (a) targeting companies that produce certain technologies rather than companies using certain materials (so provision is burdensome, no added value for CRMA's scope and not incentivising substitution) and (b) Member States are already required to identify key market operators along the CRM value chain and monitor their activities through regular surveys.	• Simplification and clarification of legal requirements in the CRMA related to monitoring provisions and (environmental footprint) declarations. • Amendment Art. 23 of CRMA proposal -Target companies that use large amounts of critical raw materials (rather than manufacturers of certain technologies). -Define EU harmonised criteria for supporting identification of these companies.
Energy		Data center reporting requirements - owners and operators of data centres with power demand of at least 500kW will need to make specific information from Annex VI publicly available: (a) the name of the data centre, the name of the owner and operators of the data centre, the date of entry into operation and the municipality where the data centre is based; (b) the floor area of the data centre; the installed power; the annual incoming and outgoing data traffic; and the amount of data stored and processed within the data centre; (c) the performance, during the last full calendar year, of the data centre in accordance with key performance indicators about, inter alia, energy consumption, power utilisation, temperature set points, waste heat utilisation, water usage and use of renewable energy, using as a basis, where applicable, the CEN/CENELEC EN 50600-4 "Information technology - Data centre facilities and infrastructures", until the entry into force of the delegated act pursuant to Article 31 of this Directive.		Energy Efficiency Directive			There is a need to align requirements between EED, Taxonomy, Code of conduct, etc.
SMEI		• Art. 11: monitoring strategic supply chains: Member States shall identify the ‘most relevant economic operators’ within the relevant strategic supply chains and request information from companies on a voluntary basis. • Art. 24-25: Information requests to companies: On the basis of Art. 24(2-5), the Commission can transmit mandatory information requests to companies through an implementing act.	B to MS / B to COM	Proposal for a Regulation establishing a Single Market emergency instrument (SMEI)		Mentioned articles create additional reporting which overlaps, or will have no operational value	• Art: 11: Keep the requests to business voluntary and avoid ‘picking winners’ by identifying the most relevant economic operators in a certain crisis-relevant supply chain. • Art. 24: Delete from proposal or make the information requests genuinely voluntary to avoid burdening companies during a crisis.
Customs	• Mandatory: data required by every Member State without prejudice in standard export declarations. • Standard export declarations (B1 Export declaration and re-export decla-ra¬tion) need to be used if goods that require an export license are to be cleared into export to Customs. You need to declare before any means of transportation can be ordered due to the validation time required by Customs until release by them. Therefore, the data mentioned as required above at 1.1 (i) isn’t available at the day and time of declaration. • Frequency of reporting: For a large company this can range between 800 and 1000 normal procedures per year. To fulfill the requirement, one needs to declare incompletely by using a simplified declaration and add the missing data later by a supple¬men¬tary declaration. Thus, it’s required to declare the same goods twice and establish data seizing from non-standardized documents of carriers.		B to MS	Regulation (EU) 2015/2446; Annex B Title I Chapter 3 Section 2 B1 Export declaration and re-export declaration; B3 customs warehousing Data element/class name: 19 08 000 000 Active border transport means 19 08 017 000 Identification number // 19 08 062 000 Nationality		• Exporters: potential savings of 1200-1600 employee hours per year (gathering missing data, monitoring and completing the supplementary declarations, etc.) • Carriers: potential savings of 300-500 employee hours per year (for providing the data to the exporter)	In Regulation (EU) 2015/2446 Annex B Title I Chapter 3 Section 2, • mark data element 19 08 000 000 as optional • mark data sub-element/sub-class name 19 08 061 000 type of identification as optional • mark data sub-element/sub-class name 19 08 017 000 Identification number as optional • mark data sub-element/sub-class name 19 08 062 000 Nationality as optional
Customs	• There is no legal obligation to prepare an LTSD. Contrary to the provisions in Commission implementing regulation (EU) 2015/2447, the communication partners are economic operators and official authorities (e.g. Customs) are not directly involved. Yet there is still an (indirect) involvement of the customs authorities. In case of a customs audit, operators must provide proof as to why a preferential treatment was stated which is why the so-called Long Term Supplier Declarations (LTSDs) are needed. • Due to the required calculation concerning preferential status, there is a need to receive/send so-called Long Term Supplier Declarations (LTSDs) (currently by post or as a pdf document via email). In case of a large number of suppliers as well as customers, an enormous number of LTSDs needs to be created and received/sent + transferred to into the ERP-System (Enterprise Resource Planning System).		B to B	Preference Management Long Term Supplier Declarations (LTSDs)		• An increasing number of preferential origin rules stipulated by bilateral trade agreements and increasing trade in more complex value-chains result in an increasing number of documentation needs. • The exchange of the documents is mainly based on pdf documents sent via e-mail and documents sent by post. Additionally, some of these documents have to be transferred into IT-systems manually.	• If these documents can be sent and received as a data record, e.g. as an XML-Message, this information can be transferred directly into the respective IT-systems without any manual intervention. The legal obligation regarding the handling of electronic data exchange, archiving and authorization mainly described in Commission implementing regulation (EU) 2015/2447 could be used here. • For these changes to be successful, a common standard approved by the customs authorities and harmonized across the EU would need to be introduced first. This standard would include a predefined message structure, a definition of mandatory and optional fields/content and whether/when a digital signature is required.

Transport	Journey form for the international carriage of passengers by coach and bus, which is a paper document containing information about a journey (such as the route, number of passengers, type of transport, etc.).		B to MS / MS to COM	Regulation 361/2014 and 1073/2009 as regards documents for the international carriage of passengers by coach and bus		• The compliance costs are difficult to quantify, because they mainly concern man-hours and fines to be paid for forms which are incorrectly filled in. The sector's estimation is that compliance costs will exceed €23,5 million per year, in a sector with marges between 3-5%- so it is a large burden on the sector for a form that is (almost) obsolete. • Moreover, the document is error-prone and member states use different enforcement rules (what is accepted in one country is wrong in another). As a result, entrepreneurs run into fines that are impossible to avoid. • The form serves as a source of information for the Commission to understand and quantify the different types of international bus transport. The filled in journey form must be collected by the MS and submitted to the EC by the MS. This is not done by the Netherlands. It is likely that other countries do not send the travel sheets either. • In addition, the document contains information that companies also have available digitally (and therefore more manageable for both company and driver). • Conclusion: the journey form is an old-fashioned, unworkable document that misses its target.	• A better, more efficient and workable option is a system like the IMI portal for minimum wages. When needed, roadside inspectors can demand the drivers or companies to upload the relevant documents/evidence.
Environmental ESRS		It is important to clarify that reporting along the value chain across the environmental standards (ESRS E1 to E5) is subject to materiality assessment (which is separate from the general three-year phase-in period envisaged for value chain information). This would reflect the overall agreement in EFRAG to maintain the principle of materiality assessment across ESRS.		Environmental ESRS		The resource plans for actions to be prepared under each environmental standard (E1-3, E2- 2, E3-2, E4-3, E5-2 based on ESRS 2 DC-A) are disproportionality burdensome and extremely intrusive into companies' practices. Amendments E1 to E4: • The resulting practical implications of regulating “Cross-sector” targets, particularly of this magnitude, are: • Small and mid-sized businesses just commencing to calculate their GHG emission profiles are constricted in extending accounting boundaries. Particularly accounting Scope 3 emissions requires companies to build new capabilities over time. Consequently, businesses are likely to spend their efforts in just realizing minimum accounting requirements and not extend accounting boundaries, which in turn would steadily increase transparency and drive steering. • Very small suppliers will not be able to provide required information to calculate Scope 3 emissions. However, steering and reducing Scope 3 emissions requires actionable information rather than statistical industry data. Hence, it can be assumed targets are reported in line with ESRS disclosure requirements but are very likely to remain unmet. However, It should be the aim to drive change and not to built theoretical but impracticable frameworks. The ESRS should allow for ambitious but rational targets. • Examples of unclear structure and missing clarification include: • D-ESRS E1.35 (a) Footnote 4: Requirement refers to (...) energy consumption from non-renewable sources for high climate impact sectors (...). However, the source mentioned in the footnote (Regulation (EU) 2019/2088 for the definition of "high climate impact sectors" is not found. The further source "Annex 1 of the related Delegated Regulation" is unspecific. • Many reporting requirements are not specific enough: - D-ESRS E1.AR 35: Requirement refers to (...) showing developments over time (...). However, it is not specified which period of time is to be included in the term “over time. • The digital reporting format creates undue burden for companies that are not-PIE (public interest entities): - Art. 29d BilR, Art. 3 ESEF-VO: The (group) management report including sustainability	What matters is that companies inform about their objectives and progress towards them. Granular disclosure about how they organise themselves to reach these objectives becomes a culture of dis-trust and micro-management. A brief qualitative action plan to inform interested stakeholders about planned measures by a reporting company should be sufficient. Simplifying the reporting requirement by allowing for own target setting would stimulate self- regulated markets. Providing transparency and continuously increasing business ambitions is a much more active approach than just defining top-down cross-sector reduction targets. -Hence, beneficiaries would be: • Customers, as they can individually assess how ambitious suppliers' targe setting is • End-Consumers, as manufactures and producers are able to steer their suppl chains • Suppliers, since they may enter dialogues on finding industry-wide options fo collaborations and solutions •Employees, as they are engaged in real life bottom-up target achievement • Board of Management, as they are able to comprehend target setting an potential obstacles, whilst ensuring a competitive business model even outside Europe The suggested solution is to reduce the reporting burden by reduced requirements and simplification. For low energy intensive and/or low GHG emitting companies, a cross-sector target should not be mandatory. Instead, following a more “explain” obligation, undertakings should demonstrate their bottom-up measures as indicated by AR 31 but without predefined target of -42% against 2020.
Revised Product Liability Directive:		European manufacturers could be deterred by it. This is because hardly manageable burdens are imposed on manufacturers:				The proposed Product Liability Directive threatens to undermine the competitiveness of European manufacturers. In addition, it is to be feared that more and more innovative	The revised Product Liability Directive will apply to all products, including any kind of software. However, stand-alone software should be excluded because there is little evidence of cases where stand-alone software would have caused personal injury or property damage. In addition, damage to mental health and loss of or damage to data must be excluded from the scope, as these are difficult to quantify. Only property damage and financial loss should be covered by the framework. • Companies can be forced to disclose evidence in their possession. This provision is unprecedented in European law and should therefore be deleted, as it could lead to legal uncertainty and "American conditions." In addition, there is a risk of "requests for discovery evidence." • The very far-reaching unilateral easing of the burden of proof for injured parties de facto leads to a reversal of the burden of proof. However, it should be ensured that a reversal of the burden of proof is not the rule, but only occurs in exceptional cases. Such a one-sided distribution of the burden of proof and risk, which is difficult or almost impossible to refute, also harbors considerable "blackmail" potential
Outdoor Noise Directive (OND)		• Manufacturers are required to submit the same information 3 times separately, each time in a different format: 1. The Declaration of Conformity (DoC) must be submitted to the commission for each new product placed on the market (requirement in the OND legal text). This DoC also needs to be updated as standards and legislative references change over time. 2. The same content as well as additional information should be entered into the EU “Noise Database” (only in the OND guidelines). This also needs to be updated continually by the manufacturer. When the product is no longer in production, this also needs to be updated in the database. The DoC needs to be submitted to a member state, ideally the home country of the manufacturer. Some member states require this DoC to be in their official language rather than English. This DoC also needs to be updated as standards and legislative references change over time.					A proposal would be not requiring any reporting of data as in other legislation, or at most, just to a single point with an absolute minimum of required data points (e.g. product type and name, “noise related value”, and sound power level).
Article 33(1) REACH Regulation	• Article 33(1) of the REACH Regulation states that manufacturers and importers of articles are required to notify their customers of the presence of any Substances of Very High Concern (SVHC) in their products exceeding 0.1% by weight and provide instructions on safe use of the product.					• According to a ECHA enforcement project report on substances in articles from November 2019, companies are facing very serious difficulties in complying with their current REACH Article 33(1) obligations. Indeed, the outcome of this ECHA project is that 88% of inspected article suppliers are failing to communicate sufficient information to their customers about SVHCs in products they supply. In other words, only 12% of inspected article suppliers were complying with the existing REACH Article 33 obligations. • The communication of material data along the supply chain is challenging and onerous because of the reliability, completeness and quality of data, especially from exporters based in non-EU countries. The technology industries manufacture complex products and their supply chains are also complex, global and involving numerous parties. Often there is more than one supplier for a given item. Current REACH Article 33(1) obligations already pose major challenges to companies with global supply chains and require great effort to gather the necessary information from suppliers outside the European Economic Area. As the SCIP database requires the communication of information that far exceeds the information requirements pursuant to REACH Article 33(1), such information is currently not available in the supply chain, not stored in in-house systems, and not communicated.	• Existing REACH Article 33(1) obligations are already very difficult for companies to implement since the Judgement of the European Court of Justice (ECJ) related to case C- 106/14of 10th September 2015 which ruled that the given concentration threshold of 0.1% does not apply any more to the entire complex or very complex object. but to each article included in the complex or very complex object. We recall that the objective of REACH Article 33 is to allow the safe use of articles. Sub-articles (components) of complex products are often deeply integrated, assembled or joined together into the final article with no exposure under reasonable and foreseeable conditions of use. To allow for safe use, it is therefore in our view not necessary to require a complete breakdown of a complex article into all of its components.
Banking sector						In the banking sector the compliance burdens stemming from the reporting requirements in various pieces of EU legislation is high. The regulatory reporting system for banks has been for years laborious, costly and increasingly complex. Since the reporting requirements are regulated in several different frameworks, there are inconsistencies regarding definitions and principles. This is a challenge for the bakers. From our point of view a collective review of EU reporting requirements for banks, including those in the making, with the aim of an overall simplification and reduction of inconsistencies, would, therefore, be a very much welcome step in this regard.	To make that reporting framework more effective there are some key steps; to use on single data dictonary with all the data definitions, enhance reusability and interoperability of the data and make it possible to share information between relevant authorities avoiding duplication and unnecessary complexity while reducing the reporting burden.
Additional areas where reporting requirements might need oversight:							Air quality, Shipping (EMSWe), Tobacco products, Pay Transparency directive, Company boards gender balance directive.
Payment	applies to cross-border payments and requires payment service providers to report information about the payee and the payment, e.g. name, address, tax identification number, date and time of payment, amount, currency, country from where payment is made, if purchase initiated in store. Obligation to provide info applies to cross-order payments that during a quarter amount to at least 26 to the same payee			PSP (payment service provider directive) (Directive 2020/284)			

Payment		Chapter 10 in the Accounting directive requires large EU companies operating in the extractive or logging sectors to report annually on payments to governments.		Chapter 10 in the Accounting directive			
Payment	The recommendation of the Commission that member states should publish average payment times has led to a Swedish law requiring Swedish companies with more than 249 employees to each year report to the Swedish Companies Registration Office what payment times they have for purchases from companies smaller than themselves.		Requirement in Swedish law (Law (2022:70) om rapportering av betalningstider) on reporting of payment times based on a recommendation from the Commission in the report (COM(2016) 534 final of 26 August 2016) on the application of the directive.				
Non-Financial Reporting Directive							
Accounting Directive							Needs monotoring
Corporate Sustainability Due Diligence Directive							SMEs should be exempt or have simplified procedures. Cf this recent report from the Swedish National Board of Trade: https://www.kommerskollegium.se/globalassets/publikationer/rapporter/2023/potential-impacts-of-eu-due-diligence-obligations-on-companies-suppliers.pdf
CBAM							SMEs should have simplified reporting procedures.
Intrastat							Needs oversight.
Sustainable finance disclosure							Needs oversight.
Forced labour due diligence							Crucial to limit scope of tiers for reporting; especially SMEs cannot be held to report for the entire value chain.
Energy efficiency investments							How will the update affect SMEs?
Anti money laundering						High risk of gold-plating, with more legislation expected.	
Methane emissions, Industrial emissions							Not primarily concerning SMEs, but requirements might be substantial