

## EXPLANATORY MEMORANDUM

### SELETUSKIRI

#### 1. CONTEXT OF THE PROPOSAL

##### 1. ETTEPANEKU TAUST

- **Reasons for and objectives of the proposal**
- **Ettepaneku põhjused ja eesmärgid**

[...]

[Describe the reasons behind the proposal and the problem(s) it is expected to tackle. State if this is an initiative within the Regulatory Fitness Programme (REFIT). State any relevant institutional background of the proposal.]

- **Consistency with existing policy provisions in the policy area**
- **Kooskõla poliitikavaldkonnas praegu kehtivate õigusnormidega**

[...]

[Mention relevant existing policy provisions in the policy area and clarify how the proposal relates to them (e.g. differences, complementarity).]

- **Consistency with other Union policies**
- **Kooskõla muude liidu tegevuspõhimõtetega**

[...]

[Mention links with other key Union policies.]

#### 2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

##### 2. ÕIGUSLIK ALUS, SUBSIDIAARSUS JA PROPORTSIONAALSUS

- **Legal basis**
  
- **Õiguslik alus**

[...]

[Explain the choice of legal basis of the proposal. Where several feasible options seem to exist, justify the choice on the basis of objective criteria.]

- **Subsidiarity (for non-exclusive competence)**
- **Subsidiaarsus (ainupädevusse mittekuuluva valdkonna puhul)**

[...]

[Explain the Union dimension of the problem. Describe why the objectives cannot be adequately achieved by the Member States (necessity test). Explain why action at Union level would be more effective than action at national level and outline the added value of action at Union level (effectiveness test).]

- **Proportionality**
- **Proportsionaalsus**

[...]

[Explain the policy choices of the proposal and why they are considered proportionate (i.e. not going beyond what is necessary to achieve the objectives). Explain why it is considered the most suitable measure for achieving the objective. Where an Impact Assessment accompanies the proposal, reference should be made to the appropriate parts which discuss proportionality.]

- **Choice of the instrument**
- **Vahendi valik**

[...]

[Where appropriate, explain the choice of the instrument.]

### **3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS**

### **3. JÄRELHINDAMISE, SIDUSRÜHMADEGA KONSULTEERIMISE JA MÕJU HINDAMISE TULEMUSED**

- **Ex-post evaluations/fitness checks of existing legislation**
- **Praegu kehtivate õigusaktide järelhindamine või toimivuse kontroll**

[...]

[If applicable, summarise results of any ex-post evaluations/fitness checks of existing legislation. Clarify the link to the problems identified in the proposal.]

- **Stakeholder consultations**
- **Konsulterimine sidusrühmadega**

[...]

[Describe the consultations carried out, summarise the input received, as well as how this was taken into account in the proposal. Where appropriate, explain where the Commission's views diverge and why.]

- **Collection and use of expertise**
- **Eksperdiarvamuste kogumine ja kasutamine**

[...]

[Where relevant, a short summary on the external expertise on which the Commission has relied (approach, range, advice received and used, publicly available information).]

- **Impact assessment**
- **Mõjuhinnang**

[...]

[For proposals not supported by an Impact Assessment, please explain the reasons why no Impact Assessment was carried out with reference to the accompanying roadmap and the Guidelines on Better Regulation.]

[For proposals supported by an Impact Assessment, please provide links to the summary sheet and to the positive opinion of the Regulatory Scrutiny Board. In the absence of a positive opinion from the Board, please provide justification for proceeding with the initiative.]

[Explain which policy alternatives were examined, compare them and explain why the final proposal was considered to be the best policy choice.]

[Describe the main economic, social and environmental impacts of the preferred option, who would be affected and how. Include quantitative estimates of benefits and costs wherever possible and, if not available, explain why.]

[If the final policy proposal deviates from the options assessed in the impact assessment, clarify the differences in approach and their likely impact.]

- **Regulatory fitness and simplification**
- **Õigusnormide toimivus ja lihtsustamine**

[...]

[For proposals linked to REFIT and aimed at reducing regulatory burdens, provide, wherever possible, quantified estimates of the intended burden reduction.

[Outline whether the proposal exempts micro-enterprises and the reasons why if it does not do so.]

[Explain how the proposal minimizes compliance costs for SMEs (via lighter regimes, mitigating measures, etc.) and other stakeholders, as well as any positive or negative impact on sectoral EU competitiveness or international trade.]

[Explain how the proposal is consistent with the "Digital Check" and is internet ready and appropriate for both the physical and digital environment (please see Better Regulation guideline and tool on ICT impacts in the Better Regulation Toolbox for more information).]

- **Fundamental rights**
- **Põhiõigused**

[...]

[If the proposal has consequences for the protection of fundamental rights, explain how fundamental rights obligations have been met.]

#### **4. BUDGETARY IMPLICATIONS**

#### **4. MÕJU EELARVELE**

[...]

[Outline the budgetary implications of the initiative (if any) and, where appropriate, refer to the "financial statement" showing the budgetary implications and the human and administrative resources required.]

#### **5. MUU TEAVE**

#### **5. OTHER ELEMENTS**

- **Implementation plans and monitoring, evaluation and reporting arrangements**
- **Rakendusavad ning järelevalve, hindamise ja aruandluse kord**

[...]

[Refer to the implementation planning associated with the measure, including the monitoring, evaluation and reporting framework set up to assist with its implementation and application and to report on its performance.]

- **Explanatory documents (for directives)**
- **Selgitavad dokumendid (direktiivide puhul)**

[...]

[Explain if the proposal requires Explanatory Documents on the transposition and why.]

- **Detailed explanation of the specific provisions of the proposal**
- **Ettepaneku sätete üksikasjalik selgitus**

[...]

[Provide more information on the specific provisions, for instance by adding a commentary for each chapter or provision. This may be useful for explaining how the proposed text relates to existing texts and for indicating any new ideas. The explanation will be useful for the interpretation of the act once adopted.]