

ADMINISTRATIVE SIMPLIFICATION

FROM AUTONOMIC PERSPECTIVE

Instituto Nacional
de Administraciones
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José Vicente Mediavilla Cabo

Consejero de Presidencia y Justicia



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THE CREATION OF A COMPANY IN SPAIN

COMPARATIVE WITH OTHER COUNTRIES OF HIS ENVIRONMENT

	NUMBER OF PROCEDURES	DAYS
SPAIN	10	47
ITALY	6	10
GREEK	15	19
FRANCE	5	7
SWISS	6	20
BELGIUM	3	4
SWEDEN	3	5
AVERAGE OF THE COUNTRIES OECD	5,8	13,4

Source. World Bank



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REDUCTION OF ADMINISTRATIVE CHARGES. LISBON STRATEGY

1. **Lisbon strategy**

The chiefs of Government of the European Union decided in the year 2000 a few reforms in order to achieve a more competitive and dynamic economy.

2. In 2005, the **renewed Lisbon Strategy** gave a new orientation to this approach. The aims that it look for are:

- § The growth across the knowledge and the innovation
- § To obtain a more attractive Europe for investors
- § The creation of more and better employments and workplaces



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- One of the key point established to reach these aims was the improvement and simplification of the regulation for the companies.

Measures:

- **Improve the legal regulations** and design better regulations to do them more useful for the citizenship
- **Strengthen his fulfillment and efficiency**
- **Minimize the costs for the economy**



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ACTION PLAN FOR THE REDUCTION OF ADMINISTRATIVE BURDENS. In the European Union...

1. Action programme

In November 2006, the European Commission launched an ambitious program of Action for Reducing Administrative Burdens in the EU

It was set at 25% the rate of reduction to be achieved jointly, by 2012, the European Union and Member States



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2. Services Directive

As a result of the Bolkestein directive (2006/123/EC on services in the market) all the public administrations are obliged, before 28 December 2009, to :

- Identify the impact of its entry into force in its legal
- Adapt, update and amend all of its regulation under the same



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How the Services Directive affect to Cantabria?

- 143 procedures (still under evaluation) directly affected by the transposition has been noted already
- As an example...
 - The administrative silence will be modified.
-Generally, it will have a positive effect.
 - The requirement of prior administrative approval for implementation of a service activity will be eliminated. It will be replaced by a responsible declaration.



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And... in Spain?

1. Development of the National Action Plan for Reducing Administrative Burdens

The Council of Ministers (on the 4th May 2007) approved the creation of a High Level Group for its development.

Objective: To secure to Spanish companies a flexible and dynamic environment to improve their competitiveness



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2. Actions

Later, by an agreement of the Council of Ministers (on the 20th June 2008), the Government of Spain established, among other – measures, the centralization of actions to reduce administrative burdens and improving regulation in those procedures that:



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- Freed up resources for investment and growth in existing enterprises, especially SMEs
- Facilitate the creation and dissolution companies, streamlining processes and lowering costs to partners
- Encourage productive investment, encouraging the development of business and enterprise diversification into new sectors or new geographical areas

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3.- Other actions

Also, it was agreed to raise the target to reduce administrative burden on businesses as a result of national legislation:

From **25%** proposed by the European Commission



up to **30%** in Spain

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REGIONAL PLAN FOR THE REDUCTION OF ADMINISTRATIVE BURDENS

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- It is a small autonomous community situated in the north of Spain.
- It has 5300 square kilometers of extension and a population of just over € 580,000 habitants



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CANTABRIA. A PIONEER COMMUNITY

Cantabria was the first Community in join the National Plan of administrative burdens, through an agreement signed in November 2008.



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AUTONOMIC PLAN. OBJETIVE

Reduce by 30% the administrative burdens associated with implementation of the regional rules before January 1, 2012



It will result in savings of 180 million euros per year to companies of Cantabria

Each SME could save about 3,000 per year in overheads



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METHODOLOGICAL APPROACH

PHASE I

PHASE II

PHASE III

ORGANIZATION
AND RELEASE

IDENTIFICATION OF
AREAS FOR ACTION

PREPARATION OF
ACTION PLAN



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PHASE 1. ALREADY COMPLETED

- It has already been collected the information and regulations necessary to identify the sectors on which it will necessary to make an action plan for reducing administrative burdens.
- It has been already held workshops with representative agents, economic and social.
- The sectors of the economy that are critical for the reducing administrative burdens have been already identified.



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STUDY OF REGIONAL RULES

The regional rules developed by the Government of Cantabria for regular administrative procedures have been already identified



CONCLUSION

- Cantabria develops 52% of procedures (160) that are under study (305).
- The remaining 47.5% is based on the basic rules of State



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- Breakdown of the 305 procedures identified:
 - Services sector 35.7%
 - Agriculture & Livestock 18.4%
 - Energy 15.7%
 - Construction 11.1%
 - Industry 6.2%
 - Horizontal or transverse fields 12.8 %



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- The procedures for labor relations, transportation and communications, industry, energy and food security are the least regulated by the regional rules in relation to total sector procedures.
- At the opposite extreme lie recreational activities, sports activities, ports, trade and repair and hotels.
- On the other hand, in the ambits of industrial areas, ports, environment and trade and repair there is an increased number of regional regulations than procedures affected by these rules, that means the ratio is greater than one



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STUDY OF THE REPORTING REQUIREMENTS

For the classification of information obligations, has been taken as a starting point a study by the Council of Chambers of Commerce. The study determine that there are 15 types of reporting obligations in virtue of the rule, which requires the supply of information and data to public or third parties. Some examples:



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REPORTING REQUIREMENTS

- Tenure and update of authorizations, licenses and permits.**
- Variety of data communication to the Administration.**
- Inscription in a register: registration, modification, discharge**
- Keeping of books and / or preparation and presentation of documents, bills, statements, manuals, etc**
- Paying taxes: tax, fee and royalty**
- Training and monitoring staff training**
- Diligent collaboration with inspections and controls by various public administrations**
- Presentation of Bills to the administration or others**



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IDENTIFICATION OF CRITICAL AREAS

Sector's contribution to Gross Value Added (GVA) of Cantabria in 2007 was :



- Services 62%
- Industry 19%
- Construction 14%
- Agriculture, livestock and fisheries, 4%
- Energy 2%

By the association of the contribution to GVA in each of the sectors to the set of procedures, it has been identified the critical sectors for the economy of Cantabria:



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Critical sectors. SERVICES SECTOR. Some examples

HOSTELERY

■ 9% contribution to GVA

■ It has a limited number of procedures, (9 Procedures - 3% of the total), associated with the launch of hotels, campgrounds, restaurants, etc...

■ Its inclusion in the study is relevant for its weight in the Cantabrian economy -within the services sector- and the number of undertakings concerned (17% of all enterprises in the service sector and industry in 2006)



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CONSTRUCTION

- **34 procedures, representing the 11.1% of the total.**
- These **professions require the issuance of a license** that enables the development of the activity, as well as entries in records and business facilities.
- Their **participation in the GVA is important: 13.3%.**



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RECREATIONAL ACTIVITIES

- The volume of administrative procedures is high: 30 (9.8% of total)
- Includes licenses for casinos, bingo halls, gaming machines, amusement arcades, etc...
- The number of companies engaged in this subsector is 1,035, 3.9% of service sector firms and industry...



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Critical sectors. ENERGY SECTOR

- Mining, the **largest number of procedures** (30 out of 48 of the energy sector - 15.7%).
- The **sector's contribution** to the whole of the Cantabrian economy is 2.2%
- It is important to **analyze the authorizations which manages the Government of Cantabria** for the operation of energy production facilities and know their impact on the commencement of this activities, traditionally very complex



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MEASURES TO REDUCE ADMINISTRATIVE BURDENS

1. LEGISLATIVE IMPROVEMENTS

- **Before the adoption of the norm**
Apply those criteria which permit to obtain a quality regulation, ensuring a regulatory framework friendly with the economic activity, without renouncing to the public purposes that the rule aims
- **Legislative development measures that allow simplification**
Study of standards that are already developed and how to simplify, to obtain a reduction of the obligations of information or data requested in these



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2. DISPOSAL OR ADMINISTRATIVE SIMPLIFICATION

- Review, update and delete information obligations in relation to those substantive requirements obsolete or modified by subsequent legislation in order to gain in legal security
- Simpler to submit documentation
- Reducing the frequency of reporting of data when it is excessive in relation to the pace of activity
- Select and define the threshold for submission of the standard according to the objective pursued
- Advice on the process of conducting certain procedures of a complex nature.



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3. ADMINISTRATIVE COORDINATION

- **Enable unique presentation tools and channeling of documentation addressed to different authorities as, for example, single points.**

The creation on one-stop shops will allow the streamlining and simplification of procedures (as provided the services directive)

- **Simplify, harmonize, coordinate and eliminate duplication or overlapping of certain formalities with various authorities and the submission of data already held by the government.**

Because the current distribution of competencies at national level, there is the paradox of making similar arrangements with different administrations, resulting in duplication in the information supplied.



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4. TECHNOLOGICAL IMPROVEMENTS

- In general, a key step forward to reduce administrative burdens is the implementation of eGovernment solutions and use of Information Technology.



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- Launching of websites that offer legislation and standard forms (applications, information tools, etc.) and information enabling access to procedures intuitively.
- Giving a boost to the electronic filing and documentation.
- The introduction of electronic registration, which allows the reception and forwarding of applications, documents, communications and any supporting documents attached electronically, both at the beginning of the file and during its investigation

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- The introduction of electronic notification - the communication by electronic means of mandatory notifications (Law 30/1992 in Articles 58 and following) which allow to have constance of the transmission and reception of communication, their dates, and the full contents of the communication.
- Interoperability - the ability of information systems to share, exchange and synchronize data, information and knowledge, so that citizens and companies do not submit data and documents already held by the Administration.
- Enabling electronic payment of fees
- The management systems of representatives and represented for procedures that are processed electronically



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ACTION PLAN

- **The Action Plan has already outlined 196 procedures that are the focus of priority action.**



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A PARADIGMATIC EXAMPLE

'ON LINE PROCESSING' IN THE GAMBLING INDUSTRY



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- Promoting the use of Internet as a means of interaction
- Streamlining and optimizing the management
- Simplification of administrative procedures

■ Overall objective: ***Transformation and modernization of the Autonomous Administration, through the application of information technologies and communication***



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Example of reduced administrative costs and savings for businesses

§ Since last year, companies can do electronically 90% of administrative procedures relating to game, avoiding displacement:

- The approval and low of gambling machines
- change and exchange machines
- Tax swap
- renewal of authorizations
- transmission of machines, etc.



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■ Especially cumbersome procedures were replaced by simple telematics operations.

■ It has achieved a significant cost savings and reduce burdens on companies

■ Procedures relating to the gambling industry presented at the Regional Administration:

- 2007- 5182 administrative procedures
- 2008- 3882 procedures



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