



International Distribution Institute

The Commission's evaluation of the Directive 86/653.

IDI Annual Conference 2016, Turin

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4 June 2016



International Distribution Institute



EUROPEAN
COMMISSION

Brussels, 16.7.2015
SWD(2015) 146 final

COMMISSION STAFF WORKING DOCUMENT

**EVALUATION OF THE COUNCIL DIRECTIVE ON THE COORDINATION OF
THE LAWS OF THE MEMBER STATES RELATING TO SELF-EMPLOYED
COMMERCIAL AGENTS (Directive 86/653/EEC) / REFIT EVALUATION**



The Directive affects a large and steadily growing market across a wide range of industrial sectors. It is estimated that in 2012 there were some 590 000 commercial agents in the EU, practically all SMEs, generating a combined turnover of EUR 260 billion (about 3 % of total commercial turnover) and providing employment to over 1 million people. On the other side of the commercial representation market, there are an estimated 1.7 million principals, 88 % of which are SMEs.



Methodology

This evaluation assesses the functioning of the Directive, i.e. whether it has achieved its objectives and whether it is still fit-for-purpose today. The evaluation criteria are the Directive's: (1) effectiveness; (2) efficiency; (3) relevance; (4) EU added value; and (5) coherence with other policies.



EU added value: The Directive still adds value to the single market, because of the level of harmonisation it ensures. The benefits generated through the Directive remain valid, in particular for SMEs. Consumers also benefit from an EU-wide framework for commercial representation as it makes it possible for them to access products and goods that would otherwise not be available in their country.



The conclusion of the evaluation is that the Directive meets its objectives and functions well. The Directive's benefits outweigh its costs, it remains relevant and continues to have EU added value. Based on these findings, it is recommended that the Directive is maintained in its current form.



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