

EXPLANATORY MEMORANDUM ON EUROPEAN UNION LEGISLATION OR POLICY

14261/25 + Add 1

[COM\(2025\)870](#) + [Annexes](#)

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

[Commission work programme 2026: Europe's Independence Moment](#) Annex 1: New Initiatives

Annex 2 : Annual Plan on evaluations and fitness checks

Annex 3 : Pending Proposals

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Annex 5 : Envisaged repeals

Submitted by Cabinet Office on 17 November 2025

SUBJECT MATTER

1. On 21 October 2025, the European Commission (the Commission) adopted its 2026 Commission Work Programme (CWP) entitled 'Europe's Independence Moment'. It outlines the Commission's policy initiatives for this year and draws on President von der Leyen's Political Guidelines, Mission Letters, and the ideas set out in the 2025 State of the European Union address. It is also inspired by consultations with the European Parliament and with Member States. Whilst the CWP is an annual exercise, it sets the tone for legislative work over the remainder of the Commission's mandate.
2. The CWP contains :
 - 38 new policy objectives; a decrease from 51 in last year's programme. ○ 25 out of 47 legislative initiatives have a simplification objective or dimension.
 - 20 evaluations to stress-test the stock of EU legislation, to identify potential to simplify, to reduce costs and to consolidate rules.
 - The proposed withdrawal of 25 existing proposals; the repeal of 1 legislative act; and 111 pending legislative proposals.

A programme for a ‘united and independent Europe’

3. The 2026 CWP is a ‘pitch for unity, a programme for delivery and a plan for togetherness and an independent Europe’. It emphasises the need for Europe to ‘draw on its collective strength [and] act with speed and a mindset of urgency’. The CWP reflects the Commission’s view that this collective action is essential to address challenges ranging from security to affordability and climate resilience.

‘Sustainable prosperity and competitiveness’

4. The CWP lists 14 new initiatives to boost sustainability and competitiveness, including the **European Innovation Act**, the **Advanced Materials Act**, and the **Quantum Act** to support industrial leadership. A revised **European Product Act**, **Circular Economy Act**, and **Climate Package** for the decade ahead aim to modernise production and reduce waste and emissions. The **28th Regime for Innovative Companies**, **Public Procurement Act**, and overall **Single Market Strategy** are intended to simplify market access and boost competitiveness. Other initiatives include the **Electrification Action Plan**, **Energy Union Package**, and **European Strategy** on Sustainable Tourism.

‘A new era for European defence and security’

5. The CWP lists six initiatives to strengthen Europe’s defence and security architecture in response to a growing and evolving threat landscape. The **Security Action for Europe (SAFE)** will support joint procurement, boost production, and help close capability gaps, including by integrating Ukraine’s defence sector into the European Defence Industry Programme. Defence and sensitive security procurement rules will be simplified to facilitate cooperation and innovation. The **European Drone Defence Initiative**, part of the Eastern Flank Watch, will be developed, and the **Qualitative Military Edge programme** will ensure Ukraine has access to superior military equipment.
6. The Commission will focus on implementing the **Pact on Migration and Asylum** next year, which will put a system in place that aims to prevent abuse, reduce pressure on systems, and balance responsibility. A **European critical communication system** will be developed to connect emergency services across borders. Additional measures include strengthening **Frontex**, reinforcing the legal framework to combat organised crime, and proposing new actions to fight **human trafficking** and better protect children from crime.

'Supporting people and strengthening Europe's social model'

7. The CWP outlines seven initiatives to reinforce the EU's social model. These include the **Quality Jobs Act** and a **Fair Labour Mobility Package**, which includes a European **Social Security Pass** and a **Skills Portability Initiative**. The **Union of Skills** will aim to help businesses increase productivity and competitiveness by improving access to education and training, while the **European School Alliances** will support cooperation between education institutions to promote inclusive and high-quality learning. A **Basic Skills Support Scheme** and a **2030 Roadmap to Digital Education** are also planned. A revised Child Guarantee and targeted support for outermost regions and coastal communities aim to promote inclusion and cohesion.

'Sustaining quality of life : food security, water and nature'

8. The CWP presents two initiatives under this heading. A new **Livestock Strategy** will address animal welfare and sector resilience, while a **Review of Unfair Trading Practices in the Food Chain** aims to improve fairness. The **Ocean Act** and **Vision 2040 for fisheries and aquaculture** will guide long-term sustainability of marine resources and food systems.

'Upholding democracy, the rule of law and protecting our values'

9. The CWP includes six initiatives to protect democratic institutions and fundamental rights. A proposed **Digital Fairness Act** and an updated **Anti-Corruption Strategy** aim to strengthen transparency and accountability. A **Democracy Shield** will address threats from disinformation and extremism. Other actions include a **Review of the Anti-Fraud Architecture**, reforms to Eurojust, and strategies to support civil society, gender equality, and persons with disabilities.

'Preparing for the Union of tomorrow'

10. The CWP emphasises the need for a modern, flexible and well-funded budget in order to deliver on its ambitions. A proposed €2 trillion **Multiannual Financial Framework for 2028–2034** will support competitiveness, decarbonisation, security, cohesion, and Europe's global mission. The Commission will soon present its pre-enlargement policy reviews to ensure alignment with EU priorities.

Simpler rules, stronger delivery

11. The Commission continues its simplification agenda, with 25 out of 47 legislative initiatives in the CWP carrying a significant simplification dimension. These include six omnibus packages and sector-specific proposals in areas such as automotive, environment, taxation, food and feed safety, medical devices, and energy product legislation. The Commission estimates these measures could generate over €8.6 billion in annual cost savings. The programme also includes 20 evaluations to stress-test existing legislation and identify opportunities to reduce costs and consolidate rules. The Commission is presenting with the Work Programme the first annual Overview Report on Simplification, Implementation and Enforcement, which will ensure that EU law delivers benefits equally across all Member States.

United in ambition and urgency

12. The CWP is framed as Europe's moment to act, with the Commission calling for unity, courage and conviction in the face of global uncertainty and power politics. The programme emphasises the need to strengthen competitiveness, lead in clean and digital innovation, and ensure collective security. The Commission urges swift agreement on the proposed Multiannual Financial Framework and progress on key legislative priorities. It highlights the importance of deepening cooperation across all levels—from EU institutions to local communities—and reaffirms its support for a right of initiative for the European Parliament. The Commission commits to building a secure, prosperous and independent Europe that delivers for its citizens and leads confidently on the global stage.

SCRUTINY HISTORY

13. The Commission's 2025 Work Programme was deposited for scrutiny as EU document 5985/25, COM(2025)45. The Cabinet Office provided an EM dated 12 March 2025.

14. The House of Lords European Affairs Committee (EAC) exchanged correspondence with the Paymaster General and Minister for the Constitution and European Union Relations on issues arising from the document. The EAC completed its examination of the document on 15 July 2025.

MINISTERIAL RESPONSIBILITY

15. The Cabinet Office Paymaster General and Minister for the Constitution and European Union Relations is responsible for relations with the European Union. The Foreign Secretary has responsibility for leading on bilateral issues with Europe. Individual Ministers from other government departments are responsible for the Government's consideration of specific initiatives proposed in the CWP in their respective policy areas.

INTEREST OF THE DEVOLVED GOVERNMENTS (DGs)

16. The EM has been shared with the devolved administrations who will continue to be consulted by departments as appropriate where EU legislation may impact on or be applicable in the UK.

LEGAL AND PROCEDURAL ISSUES

17. **Legal Base:** The European Union's legal basis for this decision is Article 17 of the Treaty on European Union (TEU) and the Inter-institutional agreement on Better Law-making 2016 (IIA). Article 17 TEU sets out the role and conditions under which the European Commission operates, including entrusting the European Commission with the task of initiating annual and multiannual programming. The IIA sets out the agreement between the Council, European Parliament and the Commission recognising their 'joint responsibility in delivering high-quality Union legislation and in ensuring that such legislation focuses on areas where it has the greatest added value for European citizens, is as efficient and effective as possible in delivering the common policy objectives of the Union'. This is not a legislative proposal but is an overview of the Commission's legislative agenda for 2026.
18. **Voting Procedure:** This is not a legislative proposal, so the Council has no role in its adoption.
19. **Timetable for adoption and implementation:** The Commission will begin discussions with the European Parliament and Council shortly to establish a list of joint legislative priorities on which co-legislators agree to take action.

POLICY AND LEGAL IMPLICATIONS

20. In May 2025, the Prime Minister welcomed the Presidents of the European Commission and Council for the first UK-EU Summit in London. The UK and EU agreed a Common Understanding which included a number of commitments to bolster our mutual safety, security, and prosperity, as part of our new strategic partnership.
21. Since the UK's exit from the EU, the legislative initiatives in the 2026 CWP are not applicable to the UK, unless they apply in Northern Ireland under the provisions of the UK-EU Withdrawal Agreement, including the Windsor Framework ("the Framework"). The Government continues to engage the Commission on any proposals on which there are potential interactions with the Framework and explanatory memoranda (EMs) will be submitted to Parliament in the usual way. Since the restoration of the Northern Ireland Assembly in February 2024, the statutory provisions for the Assembly to consider the impact of EU legislation are supported through the provision of Government EMs to the Assembly's Windsor Framework Democratic Scrutiny Committee.

22. A number of the proposals in the CWP may interact with provisions of the TCA and our ambition to take forward our new strategic partnership with the EU based on shared ambitions. Some specific examples of this are noted below, but as a general principle, HMG will continue to monitor measures in the CWP and wider legislative developments in the EU and will engage with the EU as appropriate, including through the formal structures set out in the TCA.
23. Some initiatives brought forward under the CWP may engage the scrutiny arrangements for the Northern Ireland Assembly provided for in Schedule 6B of the Northern Ireland Act 1998. The Government will continue to uphold its scrutiny commitments on EU legislation to Parliament and the Northern Ireland Assembly through the depositing of Explanatory Memoranda.

Implementation and Simplification:

24. The 2026 CWP will build on the Commission's regulatory simplification objectives, with more than half of the CWP's legislative initiatives involving a simplification dimension. Further 'Omnibus' packages which aim to reduce duplication, ease compliance costs, and simplify reporting requirements have been announced on taxation, citizens and energy product legislation. The Commission aims to reduce administrative burdens and improve legal clarity which, given the UK and EU's close trade links and regulatory interaction, will be relevant to UK exporters.
25. The CWP also details a commitment to cut administrative burdens by 25% overall and 35% for SMEs as detailed in its better regulation framework. The UK shares the EU's objective to reduce the regulatory burden for business, with the UK Regulation Action Plan and the subsequent Progress Update and Next Steps document (published in March and October 2025 respectively) outlining the ways in which this will be achieved in the UK. Our shared ambitions on regulatory reform include supporting investment and innovation to increase productivity and drive economic growth, whilst ensuring safeguards to protect consumers and competition are maintained.

Competitiveness

26. The 2026 CWP highlights the continued prioritisation on improving EU competitiveness, including implementation of the Draghi report. Objectives of the policy measures outlined in this section are to boost innovation, reduce trade dependencies, and decarbonise the economy. There are many parallels to the UK growth agenda and the UK Modern Industrial Strategy, and we will seek to explore potential areas of mutually beneficial cooperation with the EU to address these shared challenges. We will also continue to monitor and engage with the EU as needed to address potential adverse impacts on the UK of measures intended to boost EU competitiveness.

27. Legislative proposals on competitiveness include: 28th Regime for Innovative Companies; European Innovation Act; Public Procurement Act; Advanced Materials Act; Cloud and AI Development Act; Chips Act; Circular Economy Act; Critical Raw Materials Centre. The Commission will also finalise the revised guidelines for assessing mergers, and put forward proposals to complete the Savings and Investment Union. Details will continue to emerge as regulatory acts, sectoral plans and fiscal packages are developed.

Energy

28. The Commission Work Programme aims to ensure a “genuine Energy Union” that brings down energy prices for households and companies, boosts competitiveness and reduces dependence on external energy sources. The Commission wants to improve governance, upgrade grids, remove bottlenecks, and cut red tape for cross-border energy projects, as well as increasing electrification and the resilience of the electricity system.

29. Planned proposals include strengthening energy security, setting up stronger frameworks for renewables and energy efficiency, and developing infrastructure for transport of CO₂. There will be further proposals to accelerate work on elements of the Clean Industrial Deal adopted in 2025, including via lead markets for innovative clean technologies and proposals on public procurement.

30. The Work Programme also plans a climate package for the decade ahead, including a revision of national targets which share the burden of meeting overall EU targets now being agreed, as well as an update of the EU emission trading scheme for maritime, aviation and stationary installations, and the relevant market stability reserve.

31. The Government’s Mission to deliver Clean Power by 2030 and accelerate to net zero by 2050 similarly aims to bring down energy bills and strengthen energy security by reducing dependence on volatile international fossil fuel markets, and developing clean energy industries that boost growth and create jobs. This involves fixing the grid connections queue, speeding up planning and consenting processes, reforming electricity markets, and driving investment in renewables and other clean energy sectors.

32. A number of the EU's proposals have implications for the UK. The potential reforms to features of the EU ETS, such as to the market stability reserve, aviation geographical scope and whether to extend the scope of the scheme to waste for example may be significant for the UK when proposals are due to be issued in Q3 2026, given the May UK-EU summit commitment to move forward with negotiations to link ETSs. EU proposals on a renewable energy framework, public procurement, and lead markets will be assessed given their potential relevance to an agreement on the UK's potential participation in the EU internal electricity market. EU rules on infrastructure for CO2 transportation are important for the UK's Carbon Capture, Utilisation and Storage (CCUS) programs, potentially unlocking investment through cross-border networks in the North Seas. A revised EU energy security framework could enhance UK-EU cooperation, and the EU's efforts to boost electrification and the European grids package are relevant to shared ambitions, such as developing the North Seas into a green power plant via Offshore Hybrid Assets.

Emerging Technologies

33. The EU is accelerating its digital and tech agenda through legislation and investment in new technologies. Key legislative initiatives include the Cloud and AI Development Act (with a target to triple EU data centre capacity) and the Quantum Act, aimed at strengthening the EU's digital sovereignty. The European Innovation Act aims to foster an innovation-friendly regulatory framework and remove long-standing barriers for businesses. The Commission also commits to enhancing consumer protection through the Digital Fairness Act.

34. The EU's Cloud and AI Development Act will streamline the deployment of data centres by identifying suitable sites and simplifying permitting processes for projects meeting sustainability and innovation criteria, addressing the growing energy demands of AI data centres by promoting energy efficiency.

35. The UK will continue to monitor the passage of the AI Cloud and Development Act and assess what this means for the UK, including UK companies. This will become clearer in Q1 2026 when the EU reaches an initial position on the policy options, which could range from non-legislative options to a comprehensive regulatory approach.

Defence and Security

36. The CWP sets out the need to strengthen EU defence capabilities in response to evolving geopolitical threats and strategic dependencies, with security cutting through all of the Commission's work in the year ahead.

37. This Government welcomes efforts to enhance the EU's defence production. As the Strategic Defence Review laid out, we need a resilient and competitive European defence industrial base to deliver critical capabilities at the necessary speed and scale.

38. At the 2025 UK-EU Summit, we agreed an ambitious new Security and Defence Partnership with the EU, which complements our core bilateral security partnerships and supports the Government's NATO First policy, helping us to go further in responding to the once-in-a-generation threat to peace that Europe faces.
39. The Partnership is already enabling enhanced cooperation with the EU on key issues such as support to Ukraine, tackling hybrid threats and supporting stability in the Western Balkans. The Foreign Secretary and Defence Secretary held their inaugural six-monthly foreign and security policy dialogue with High Representative Kallas on 22 October.
40. The CWP also refers to the SAFE instrument as a vehicle which will support joint procurement, boost production and help close capability gaps – including by involving Ukraine's defence sector. This Government is taking forward discussions with the EU on a bilateral agreement for UK participation in SAFE, following agreement at the UK-EU Summit to explore mutually beneficial enhanced cooperation created by the instrument.

Migration and law enforcement

41. The CWP highlights that the Commission priorities for the coming year on migration include implementation of the Pact on Migration and Asylum by June 2026, alongside measures to combat organised crime and human trafficking. The Government will have an interest in the implementation of the Pact and how this progresses, in addition to Commission proposals to strengthen Frontex, explore sanctions against smugglers and digitalise the returns process. We are committed to enhancing cooperation with the EU to address the common challenge of irregular migration and to strengthen our collective ability to tackle organised immigration crime.
42. The CWP highlights measures to strengthen Europol and recognises the potential to enhance operational capabilities and support international efforts to combat serious organised crime and terrorism. Safeguarding our citizens remains central to the UK-EU Strategic Partnership, and this work can further strengthen effective cooperation between UK law enforcement and European partners in addressing shared security challenges.
43. The CWP also highlights the importance of the 'Migration, Borders and Security' and 'Global Europe' areas of the MFF. The Government will closely follow these developments given the scale of EU investment planned for new EU external border controls and IT systems, expanded security delivery, and new comprehensive partnerships with key countries and regions upstream. This may create new opportunities for UK-EU law enforcement and irregular migration collaboration in the long term.

Social and Workers' Rights

44. The CWP highlights measures to advance its social policies through legislation such as the Quality Jobs Act, the 2030 Roadmap on the future of digital education and skills, and the Fair labour mobility package. These initiatives aim to promote quality jobs in the EU, as a key factor that enables and supports competitiveness, fosters social fairness and contributes to just transitions. The UK's Industrial Strategy and Make Work Pay Agenda seek to tackle similar challenges facing the UK's workforce, and the EU initiatives align closely with the UK's Growth mission, and our priority to grow the economy and raise living standards. The UK continues to have exchanges with the EU Commission on labour standards through, for example, the Level Playing Field Trade Specialised Committee.

Upholding Democracy, the rule of law and protecting our values

45. The CWP sets out a number of measures aiming to reinforce democratic resilience and rule of law across the EU. This includes a new Media Resilience Programme to support and protect independent journalism; an Action Plan against Cyberbullying; a proposed EU Anti-corruption strategy; a comprehensive review of the EU's anti-fraud architecture; a new Gender equality strategy; and an updated strategy for the Rights of Persons with Disabilities.

46. The Government notes with interest the Commission's plans to strengthen Eurojust - the EU's agency for criminal justice cooperation. The UK would welcome initiatives that enhance operational cooperation and support investigations and prosecutions of organised criminal groups causing significant harm across Europe.

Food Security, Water and Nature

47. The CWP confirms that no new sanitary and phytosanitary (SPS) policy initiatives are planned for 2026. Instead the focus will be on the SPS Omnibus Package and the evaluation of existing animal health regulations. These efforts build on the EU's Strategic Dialogue on the Future of Agriculture and its current vision for Agriculture and Food.

48. The CWP outlines plans to launch a new "Buy European Food" campaign and to update rules on unfair trading practices within the food supply chain. The UK will continue to engage with the Commission on these proposals through established channels, including the UK-EU Trade Specialised Committee on SPS and subsequent bilateral technical engagement.

49. The CWP confirms that the EU's proposal on the protection of animals during transport and related operations remains a pending item. Defra will maintain dialogue with the Commission on this through forums such as the Agri-Food Structured Group.

50. Separately, the UK Government has agreed with the EU to establish a Common Sanitary and Phytosanitary (SPS) Area via a new SPS Agreement. This agreement will remove the majority of regulatory barriers for agri-food products, significantly reducing the need for certificates and routine SPS border checks for movements between Great Britain and the EU. This will simplify trade with the UK's largest market, cutting costs and red tape for British producers and retailers.
51. The new SPS agreement will also remove a broad and wide-ranging set of requirements for agrifood and plants moving from Great Britain to Northern Ireland. It will smooth flows of trade, protect the UK's internal market, reduce costs for business and improve customer choice. This is because the same regulations will be followed across the UK.
52. As part of this the UK and EU have agreed that the UK will be involved at an early stage and contribute appropriately for a country that is not a member of the European Union to the decision-shaping process for EU legislation in scope of the agreement.
53. The CWP includes a planned evaluation and fitness check of the European Food Safety Authority (EFSA) in Q2 2026. EFSA conducts risk assessments that inform EU food safety legislation and regulated product authorisations. Due to the SPS Agreement, the UK will have an interest in EFSA's operations and any recommendations from the evaluation.
54. The Ocean Pact will establish a unified framework to protect ocean health and boost the EU Blue Economy. Vision 2040 sets out the Commission's strategic plan for competitive and sustainable fisheries and aquaculture sectors. The UK continues to advance its own ambitious marine protection and fisheries policy post EU-exit. However, changes in EU policy will influence our cooperation and affect the regulatory environment for UK vessels operating in EU waters.
55. Defra maintains regular engagement with the EU on these issues, particularly through the Specialised Committee on Fisheries (SCF) under the Trade and Cooperation Agreement (TCA). The SCF meets four times a year (twice in working group format) and supports ongoing UK-EU dialogue on fisheries matters.

CONSULTATION

56. Where proposals continue to apply to the UK, or have continuing impact on the UK, the Government will consult stakeholders as appropriate.

FINANCIAL IMPLICATIONS

57. Where proposals continue to apply to the UK or have continuing impact on the UK, the financial implications will be assessed as appropriate.

MINISTERIAL NAME AND SIGNATURE

The Rt Hon. Nick Thomas-Symonds MP

A handwritten signature in black ink, appearing to read 'N. Thomas-Symonds', with a long horizontal flourish underneath.

**Paymaster General and Minister for the Constitution and European Relations
Cabinet Office**