

IMPACT ASSESSMENT SHEET

LEGISLATIVE, REGULATORY AND OTHER MEASURES

1. Details of the draft

Title of the draft:	Law of..... relating to the manufacture of defence-related products		
Initiating minister:	Minister for the Economy, SMEs, Energy and Tourism		
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Objective of the draft:	Establishment of a legal framework for the manufacturing of defence-related products		
Other Ministry(ies)/Agency(ies)/Municipality(ies) involved:	Ministry of Foreign and European Affairs, Defence and Foreign Trade - OCEIT and the Directorate of Defence; Ministry of Justice. Customs and Excise Administration		
Date:			

2. Constitutionally enshrined objectives

Does this draft contribute to achieving constitutionally enshrined objectives?		☐ Yes	☒ No
If yes, please select the relevant objectives and provide a brief explanation in the "Comments" box indicating how this/these objective(s) are achieved:			
☐ Guarantee the right to work and ensure that this right is exercised.			
☐ Promote social dialogue.			
☐ Ensure that all persons can live with dignity and have adequate housing			
☐ Ensure protection of the human and natural environment by working to establish a sustainable balance between conserving nature, particularly its capacity for renewal, safeguarding biodiversity, and meeting the needs of present and future generations			
☐ Commit to tackling climate change and working towards climate neutrality.			
☐ Protect animal welfare.			
☐ Promote access to culture and the right to cultural fulfilment.			
☐ Promote the protection of cultural heritage.			
☐ Promote the freedom of scientific research while respecting the values of a democratic society based on fundamental rights and civil liberties.			
Comments:			

3. Better regulation

1) Professional chamber(s) to be consulted for opinion 1:

- ☐ Chamber of Civil Servants and Public-Sector Employees
☐ Chamber of Employees
☒ Chamber of Skilled Trades and Crafts
☒ Chamber of Commerce
☐ Chamber of Agriculture

1 Please indicate the professional chamber(s) consulted on the draft under this section following its approval by the Government Council.

2) Other stakeholders (different organisations, citizens, etc.) to be consulted for their opinion: ☒ Yes ☐ No

If so, which one(s):

Luxdefence asbl (Chamber of Commerce)

Comments/observations:

3) If EU directives are transposed, is the principle of 'the directive, nothing but the directive' respected?

☐ Yes ☐ No ☒ N/A²

If not, why?

4) Those affected by the draft law:

- | | | |
|---------------------------|---|--|
| - Businesses/professions: | ☒ Yes | ☐ No |
| - Citizens: | ☐ Yes | ☒ No |
| - Administrations: | ☒ Yes | ☐ No |

5) Is the 'think small first' principle respected?

☐ Yes ☒ No ☐ N/A²

(i.e. are the exemptions or derogations based on the size of the company and/or its sector of activity?)

Comments/observations:

6) Does the draft contribute to administrative simplification, notably by removing or simplifying existing authorisation and declaration schemes, reducing administrative response times, reducing the administrative burden on recipients or improving the quality of procedures or regulations?

☒ Yes ☐ No

Comments/observations:

Introduction of legislation to fill a legal gap in relation to the manufacture of defence-related products.

7) Does the draft in question contain specific provisions concerning the protection of individuals with regard to the processing of personal data?

☒ Yes ☐ No ☐ N/A²

If yes, what data and/or administration(s) are involved?

Personal data; judicial data (criminal record data). National Register of Natural Persons.

8) Is staff training needed in the administration concerned?

☐ Yes ☒ No ☐ N/A²

If yes, which?

Comments/observations:

² N/A : not applicable.

4. Digitalisation and data

9) Is it necessary to adapt an IT system within the State (e-Government or back-office application)?

☐ Yes ☒ No

If so, what is the timeframe for having the new system available?

10) Does the draft take account of the 'digital by default' principle?

☐ Yes

☒ No

11) Does the draft introduce an administrative procedure requiring personal information or personal data concerning individuals?

☒ Yes

☐ No

If so, can this personal information or data be obtained from one or more administrations in accordance with the 'once only' principle?

yes

Personal identifying data (RNPP), RBE data and criminal record data (criminal history).

12) Does the draft envisage the creation or adaptation of a database?

☐ Yes

☒ No

5. Equal opportunities (to be completed for draft Grand Ducal regulations)³

13) Is the draft:

- primarily focused on equality between women and men?

☐ Yes

☒ No

- positive in terms of equality between women and men?

☐ Yes

☒ No

If yes, explain how:

- neutral in terms of equality between women and men?

☐ Yes

☒ No

If yes, explain why:

- negative in terms of equality between women and men?

☐ Yes

☒ No

If yes, explain how:

14) Is there a different financial impact on women and men?

☐ Yes

☐ No

☒ N/A²

If yes, explain how:

3 For draft laws, please refer to point 1 'Ensuring social inclusion and education for all' of the sustainability check (Nohaltegkeetscheck).

6. Draft laws requiring notification to the European Commission

15) 'Services' Directive: Does the draft law introduce a requirement for cross-border establishment or provision of services?

☐ Yes

☒ No

☐ N/A²

If yes, please contact the Ministry of the Economy by taking the following steps:

<https://meco.gouvernement.lu/fr/domaines-activites/politique-europeenne/notifications-directive-services.html>

16) 'Technical regulations' Directive: Does the draft introduce a technical regulation or requirement in relation to an information society product or service (field of technology and information)?

☐ Yes

☒ No

☐ N/A²

If yes, please contact ILNAS by taking the following steps:

<https://portail-qualite.public.lu/content/dam/qualite/publications/normalisation/2017/ilnas-notification-infolyer-web.pdf>