4 February 2026

Feedback of

ACT | The App Association
(Transparency Reg. # 72029513877-54)
Square de Meeûs 35,
1000 Brussels, Belgium

to the

European Commission

regarding its

Communication on Better Regulation

I. Introduction

ACT | The App Association (hereafter 'ACT') welcomes the opportunity to submit comments to the European Commission's Communication on Better Regulation.

ACT is a trade association for the small business technology developer community. Our members are entrepreneurs, innovators, and independent developers within the global app ecosystem that engage with verticals across every industry. We work with and for our members to promote a policy environment that rewards and inspires innovation while providing resources that help them raise capital, create jobs, and continue to build incredible technology. Today, the ecosystem ACT represents—which we call the app economy—is valued at approximately €95.7 billion and is responsible for more than 1.4 million jobs in the European Union (EU).[1]

II. General Position

ACT supports the general objective of the Commission's proposal to modernise the Better Regulation framework to make it more agile, proportionate, and targeted, while also ensuring an evidence-based outcome of the consultations.

From the perspective of small and medium-sized enterprises (SMEs) and startups, the move towards fewer but better-designed consultations is welcomed. Smaller companies generally face severe time and resource constraints while working to improve their businesses and cannot realistically engage in multiple and overlapping public consultations on the same or related initiatives. A more focused and tailored approach would improve the quality of input received and safeguard stakeholders' participation. Moreover, agility and targeting must not come at the expense of inclusiveness and clarity; for this reason, below we outline key conditions that are essential to safeguard SMEs and startup participation in the policymaking process.

III. Point of concerns

a. Consultation timelines must be realistic and SME-friendly

While the streamlining of the consultation process is a desirable outcome, the consultation period must be sufficiently long to allow SMEs and startups to participate meaningfully. In practice, this would require having a consultation deadline that takes into account the low capacity of participants, as well as avoiding short or rigid timelines that would not be manageable for smaller actors.

Longer and more predictable timelines are not a burden for the system. They are a precondition for enabling smaller companies to review the text internally, consult with the technical team, and provide consistent and evidence-based feedback.

[1] See https://actonline.org/wp-content/uploads/220912_ACT-App-EU-Report.pdf

b. 'Simplicity by design' must not lead to restrictive consultations

ACT supports the goal of establishing a 'simplicity by design' framework to help companies navigate public consultation in a more meaningful way. However, simplicity should not be confused with oversimplification. In particular, consultation tools and surveys must still be able to capture the full complexity of the issue taken into consideration, and questions should be designed to gather nuanced input, including dissenting views.

Experiences from past consultations show the risks of overly rigid formats. For example, in some public consultations, respondents who did not agree with the need for a proposed measure were effectively prevented from explaining their reasoning or providing alternative evidence. This reduces the value of the consultation and undermines evidence-based policymaking.

'Simplicity' should therefore mean clarity, accessibility, and coherence, but not binary questions or limited response options.

c. Targeted consultation and alternative instruments must be inclusive

ACT welcomes the intention to rely more on targeted consultations and complementary instruments such as expert groups, implementation dialogues, and reality checks. These tools can be effective, particularly for technical initiatives.

However, is essential that SMEs, startups, and their representative organisations are included in these formats to avoid limiting these instruments to large companies and already established organisations. If targeted consultation and expert groups do not reflect the diversity of the European economy and environment, in which SMEs and startups represent the vast majority of businesses, the objective of reaching a more proportionate and evidence-based regulation will be undermined.

IV. Conclusion

The review of the Better Regulation framework is an opportunity to strengthen the EU policymaking framework by making it more agile, flexible, and evidence-based, while preserving the core principles of public consultations. To deliver on this promise, it must be designed around the realities of SMEs and startups: limited time, limited resources, but strong willingness to contribute when consultations are meaningful, inclusive, and well-designed. Fewer consultations can be beneficial, but only if they are clearer, genuinely open to feedback, and inclusive of smaller market actors.

ACT stands ready to continue working with EU policymakers, bringing the voice of European SMEs and startups into the dialogue, and ensuring that the new design of the Better Regulation framework truly reflects the needs of small actors.

Sincerely,

Mike Sax
Founder and Chairperson

Maria Goikoetxea Gomez de Segura
Policy Manager

Giulia Cereseto
Policy Associate