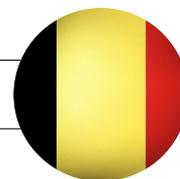


Indicators of Regulatory
Policy and Governance
EUROPE 2022

Belgium





Belgium

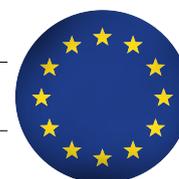
Overview and recent developments

Belgium has not improved its institutional and policy framework for regulatory quality at the federal level over the last years. Regulatory impact assessment (RIA) is mandatory for all primary and for some subordinate legislation submitted to the Cabinet of Ministers at the federal level and is usually shared with social partners as a basis for consultation. RIAs for subordinate regulations are however no longer published. Belgium currently does not systematically require an identification and assessment of alternatives to the preferred policy option.

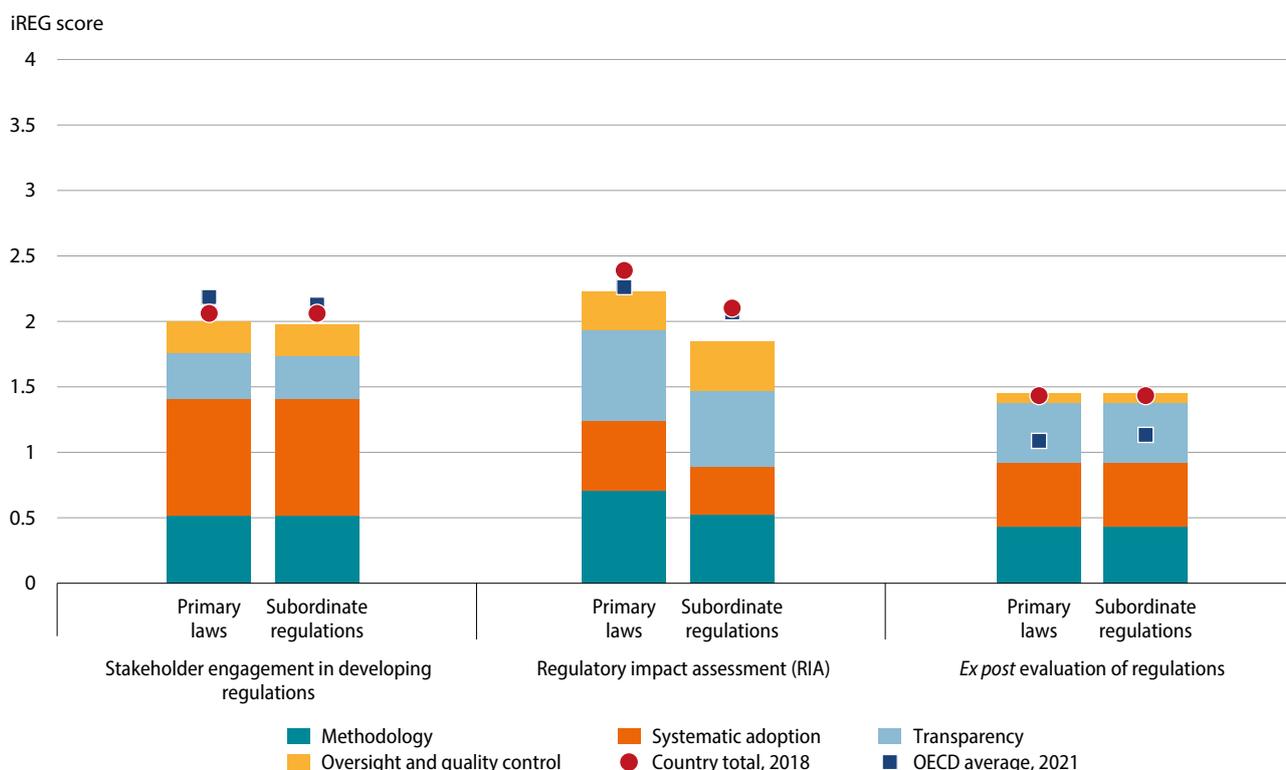
Periodic *ex post* review of legislation is mandatory for some legislation and sunset clauses are sometimes used. The Court of Audit is involved in undertaking ad hoc “in-depth” reviews on specific regulatory areas such as agriculture, energy or youth.

The Agency for Administrative Simplification (ASA) within the Prime Minister’s Office co-ordinates RIA and steers the implementation of Better Regulation across the federal government. It is also in charge of defining and ensuring the application of cost assessment methods in this context. The ASA is supported by the Impact Assessment Committee (IAC), which provides advice on RIAs upon request by the responsible ministry and reports annually on the quality of RIAs and functioning of the RIA process. The IAC is also part of a project aimed at establishing a government-wide regulatory agenda to co-ordinate and monitor the legislative process. To further enhance quality checks, the Impact Assessment Committee, which currently reviews RIA only at the request of the proposing ministry, could be also earlier and more systematically involved in the review of RIAs.

Consultation and engagement could be further strengthened. For example, consultation with the general public are held on an ad hoc basis by some ministries and are published on their individual ministerial webpage, as there is currently no single central government website listing all ongoing consultations. Systemising the use of consultation for both primary and subordinate regulations across all ministries as well as developing a central platform on which all consultations are published would enhance the transparency and accountability of the regulatory system in Belgium. While RIA can be shared with social partners during consultation, it is not released for consultation with the general public.



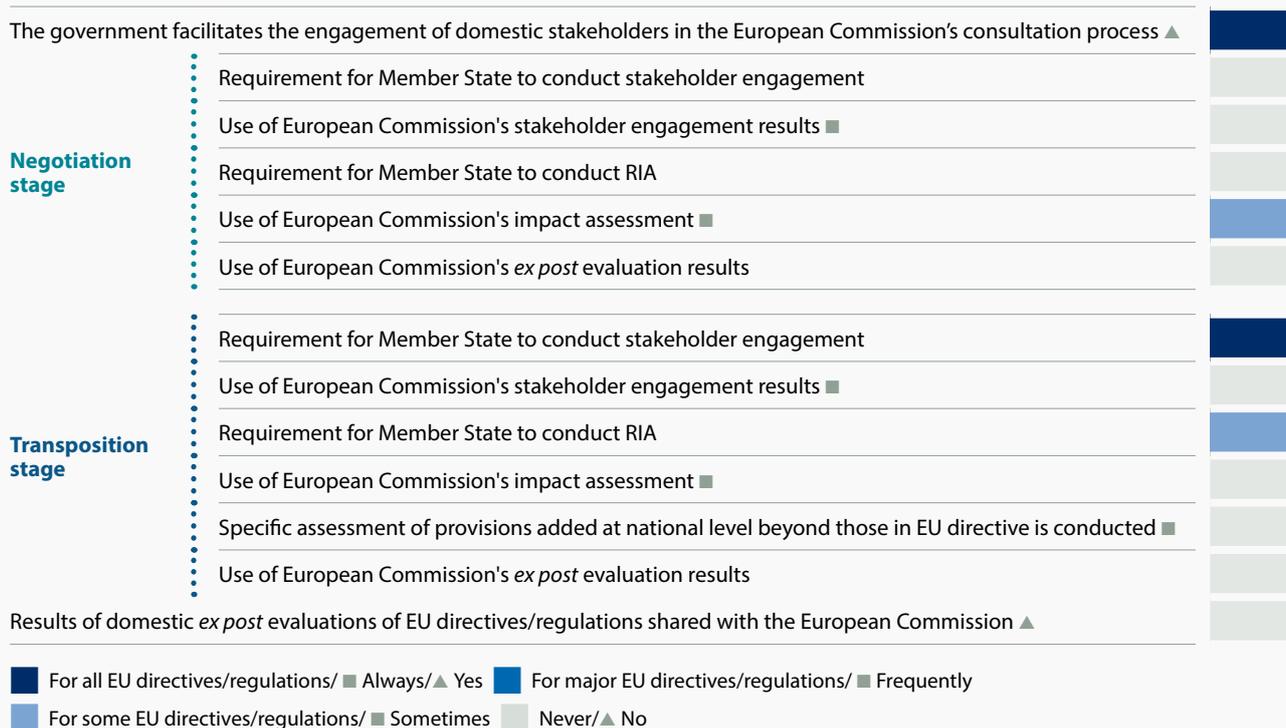
INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG): BELGIUM, 2021



Note: The more regulatory practices as advocated in the *OECD Recommendation on Regulatory Policy and Governance* a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (61% of all primary laws in Belgium).

Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/ireg>.

REQUIREMENTS TO USE REGULATORY MANAGEMENT TOOLS FOR EU-MADE LAWS: BELGIUM



Source: Indicators of Regulatory Policy and Governance (iREG) Survey 2021, <http://oe.cd/ireg>.

THE OECD REGULATORY INDICATORS SURVEY AND THE COMPOSITE INDICATORS

The data presented in the *Better Regulation Practices across the European Union 2022* report are the results of the 2014, 2017, and 2021 indicators of Regulatory Policy and Governance (iREG) surveys. The results from these surveys for OECD member countries as well as the European Union have also been presented in the 2015, 2018, and 2021 OECD Regulatory Policy Outlooks. Composite indicators and country profiles for the five EU countries that are not members of the OECD were published for the first time and are based on the data from the 2017 and 2021 iREG surveys.

The Regulatory Indicators Survey investigates in detail three principles of the *2012 OECD Recommendation of the Council on Regulatory Policy and Governance*: stakeholder engagement, regulatory impact assessment (RIA) and *ex post* evaluation. Three composite indicators were developed based on information collected through the surveys for these areas. Each composite indicator is composed of four equally weighted categories:

- **Systematic adoption** which records formal requirements and how often these requirements are conducted in practice;
- **Methodology** which gathers information on the methods used in each area, e.g. the type of impacts assessed or how frequently different forms of consultation are used;
- **Oversight and quality control** records the role of oversight bodies and publicly available evaluations; and
- **Transparency** which records information from the questions that relate to the principles of open government e.g. whether government decisions are made publicly available.

The data underlying the composite indicators reflect practices and requirements in place at the national level of government, as of 1 January 2021. The indicators for stakeholder engagement and RIA relate to regulations initiated by the executive, while the indicator on *ex post* evaluation relates to all regulations. Whilst the indicators provide an overview of a country's regulatory policy system, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform. A full score on the composite indicators does not imply full implementation of the *Recommendation*. To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of sensitivity analysis are available publicly on the OECD website (<http://oe.cd/ireg>).

Related links:

- Full report: [Better Regulation Practices across the European Union 2022](#)
- [Better Regulation Practices across the European Union 2019](#)
- [Indicators and underlying data and methodology](#)
- [Regulatory Policy Outlook 2021](#)
- [Recommendations and Guidelines on Regulatory Policy](#)
- [OECD Measuring Regulatory Performance Programme](#)
- [OECD work on regulatory policy](#)

For more information:

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 <http://oe.cd/ireg>

