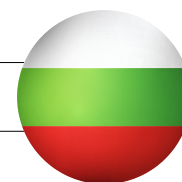


Indicators of Regulatory
Policy and Governance

EUROPE 2022

Bulgaria





Bulgaria

Overview and recent developments

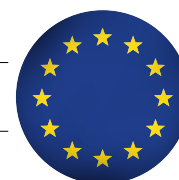
Bulgaria has continued to reform its regulatory management system as part of its Strategy for the Development of the State Administration 2014-2020. The strategy has led to important changes in Bulgaria's legal framework for regulatory policy, putting evidence-based regulation-making in the focus. In 2019, the guidelines for regulatory impact assessment were updated to include guidance on cost-benefit-analysis and in 2020, guidelines for *ex post* evaluation were introduced to promote a uniform approach to *ex ante* and *ex post* evaluation within the administration. Previously, amendments to the Law on Normative Acts in 2016 had introduced a requirement to carry out impact assessments for all legislative acts introduced by the Council of Ministers and revised procedures for public consultation of draft regulations, extending the minimum consultation period to 30 days and introducing a requirement to publish draft legislation on the central consultation portal *strategy.bg*. Stakeholder engagement and public consultation is required for all primary laws and subordinate regulations and it is undertaken systematically once a legislative proposal has been drafted.

The Modernisation of the Administration Directorate of the Council of Ministers is responsible for regulatory oversight in Bulgaria. As part of its mandate, it scrutinises the quality of RIA and of stakeholder engagement in case a full RIA is required. It also issues guidance on regulatory management tools. The Directorate also prepares yearly reports on the performance of the RIA and stakeholder engagement systems for draft regulations, including data on the percentage of RIAs and consultations that comply with applicable formal requirements.

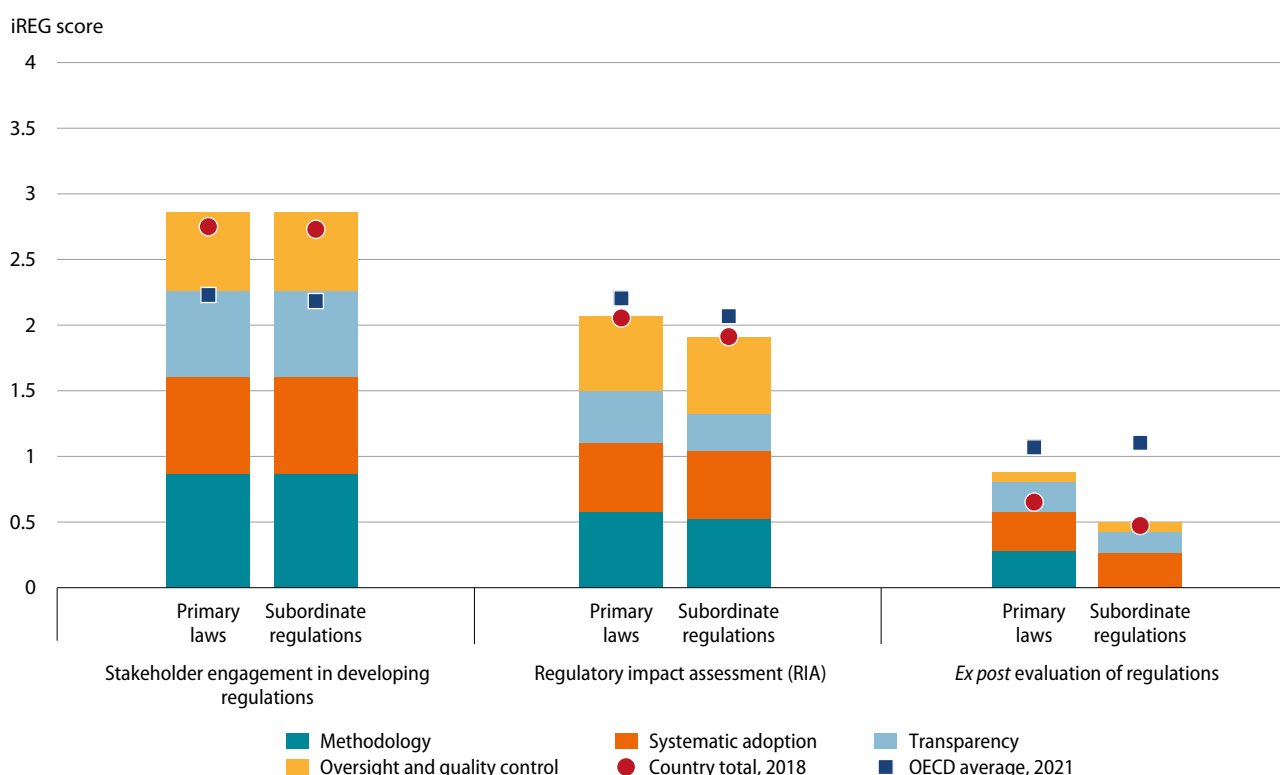
Indicators presented on stakeholder engagement and RIA for primary laws only cover processes carried out by the executive, which initiates approximately 47% of primary laws in Bulgaria. There are requirements to conduct RIA to inform the development of primary laws initiated by parliament, although they are relatively less stringent than those for laws made by the executive.

All new primary laws and subordinate regulations introduced by the executive must undergo a full RIA, which requires a comprehensive cost-benefit analysis. While such a commitment to evidence-based policy making can be considered good practice, a more proportionate approach could help target valuable resources to the most impactful laws and regulations.

Since 2016, all new laws, codes and sub-statutory acts of the Council of Ministers are subject to *ex post* evaluation within five years of their respective commencement. Although *ex post* evaluations have been conducted with the support of external experts, they are limited in number and in scope, focussing only on administrative burdens for business. Assessing a wider range of impacts would help to ensure that regulations remain appropriate over time.



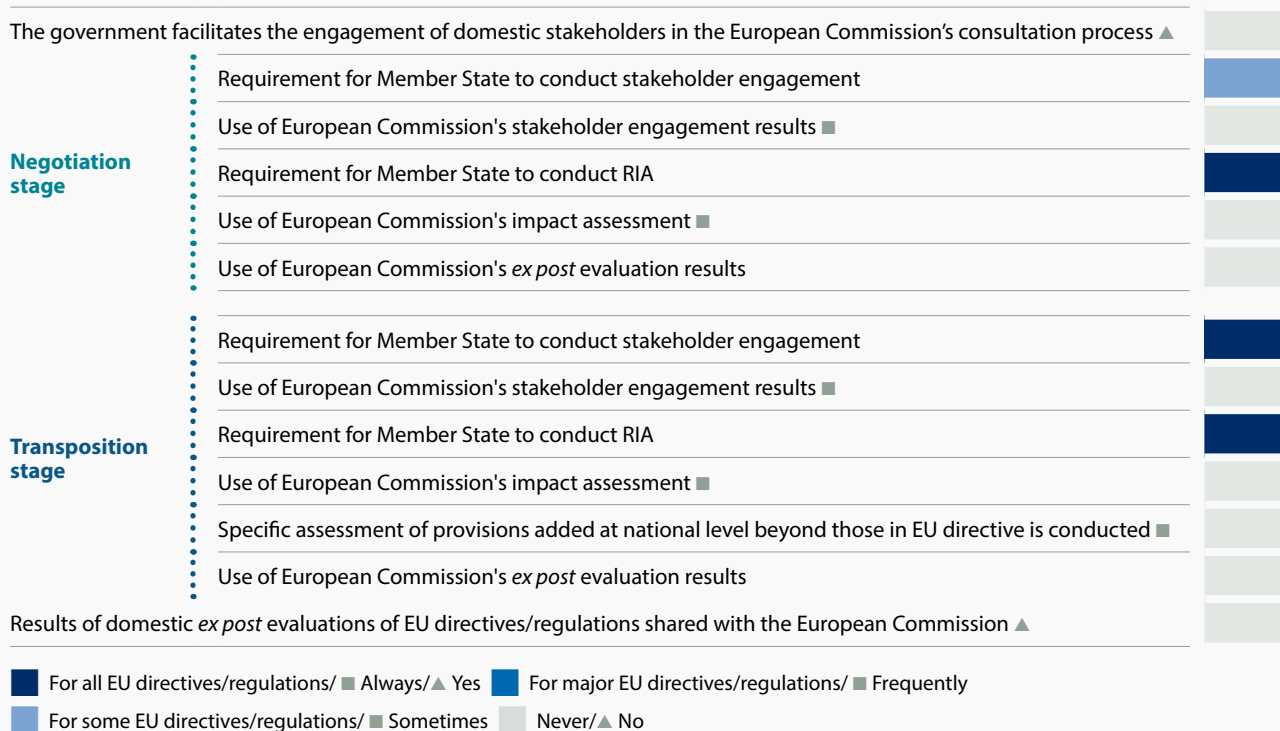
INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG): BULGARIA, 2021



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 (47% of all primary laws in Bulgaria).

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: BULGARIA



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](#)

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 <http://oe.cd/ireg>

