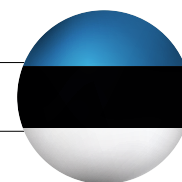




Indicators of Regulatory
Policy and Governance
EUROPE 2022
Estonia



Estonia

Overview and recent developments

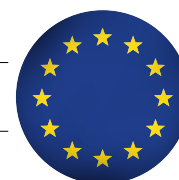
Estonia has not made any major changes to its regulatory framework since 2014. Preliminary regulatory impact assessments (RIAs) are prepared for all primary laws and selected subordinate regulations. Full RIAs tended to be conducted rarely, and while that remains the case, simplified RIAs are included in every explanatory letter of draft laws. The level of analysis contained within them has deepened over time.

The Legislative Quality Division within the Ministry of Justice reviews the quality of RIAs and can return them for revision if quality standards are not met. It is also responsible for the systematic improvement and evaluation of regulatory policy. The Minister of Justice reports annually to parliament on the application of Better Regulation principles, including the compliance of RIA and stakeholder engagement practices with formal requirements. The Division also issues RIA guidelines and scrutinises the legal quality of draft regulations. The Government Office of Estonia complements this work by co-ordinating stakeholder engagement in policy making across government. This includes issuing guidelines on stakeholder engagement, managing the country's e-consultation system and promoting the engagement co-ordinators' programme. The Government Office's EU Secretariat performs a co-ordination function regarding EU law and its transposition, and its Legal Department has a role scrutinising the legislation.

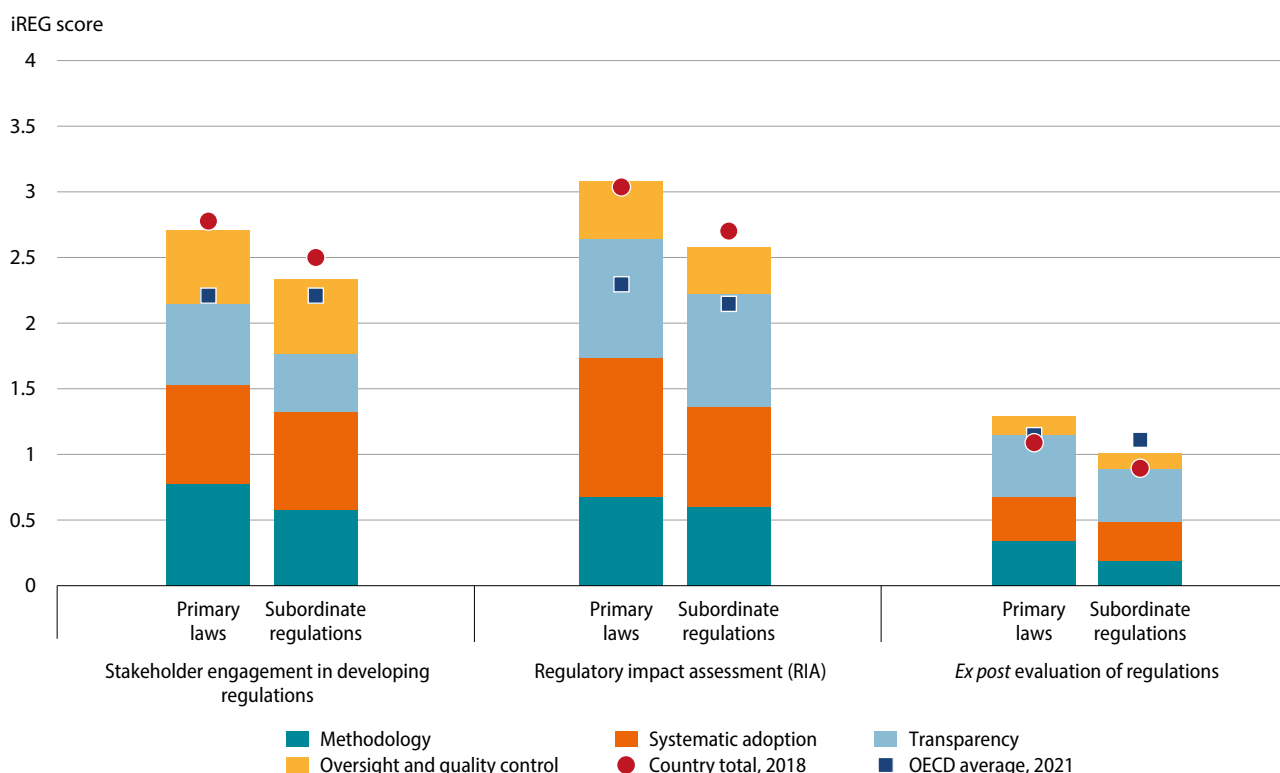
Estonia places a strong focus on accessibility and transparency of regulatory policy by making use of online tools. The online information system EIS tracks all legislative developments and makes RIAs available on a central portal. For public consultations, in addition to EIS, other channels are used to disseminate information such as ministries' websites, social media platforms, and general media. Later stage consultation is conducted

for all regulations. Public online consultations to inform officials about the nature of the policy problem and identify policy options are conducted in some cases.

Ex post evaluation has been mandatory for some regulations since 2012. The first evaluations were undertaken in 2018. In general, *ex post* evaluations take place between 3–5 years after the implementation of the regulation and have covered areas of competition, administrative burden, and regulatory overlap. More recently in-depth reviews have begun to be conducted in some policy areas. The publication of *ex post* evaluations remains at the discretion of the relevant minister. Estonia could support the implementation of its *ex post* evaluation requirements by embedding stronger capacity to scrutinise the quality of *ex post* evaluations into the existing framework. The objective to increase the proportion of *ex post* evaluations is set out in the new strategy document Principles for Legislative Policy until 2030, adopted in November 2020.



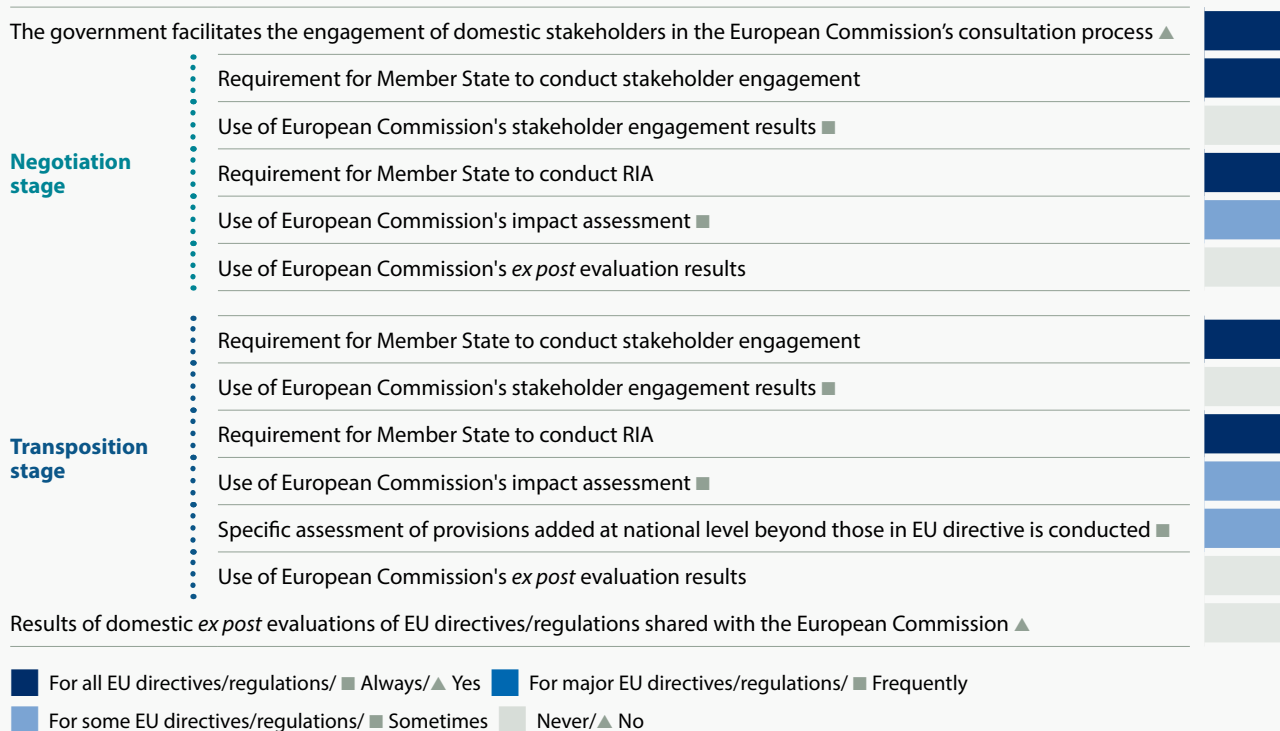
INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG): ESTONIA, 2021



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 (85% of all primary laws in Estonia).

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: ESTONIA



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>

