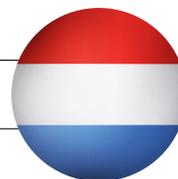


Indicators of Regulatory
Policy and Governance
EUROPE 2022

Luxembourg





Luxembourg

Overview and recent developments

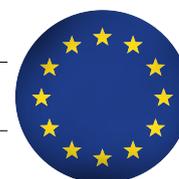
While there have been no major reforms since 2018 regarding regulatory management tools, Luxembourg recently made a website available where citizens and business can share their ideas on how to improve public service and how to simplify existing administrative processes (www.vosidees.lu). Luxembourg also recently developed a website where citizens can make public petitions for changes on existing regulations (www.petitiounen.lu). Once a petition reaches 4 500 signatures, there is a live broadcasted public debate with the parliament and the competent minister to which the petitioner is invited. However, stakeholder engagement for developing both primary laws and subordinate regulations is limited to formal consultation with professional groups such as the Chamber of Commerce and the Chamber of civil servants and public employees. An important step for improving Luxembourg's regulatory-making process would be to make stakeholder engagement open to the general public by facilitating avenues for the public to provide feedback on proposed regulatory drafts.

Even though *ex post* evaluations have been undertaken in Luxembourg, they remain an inconsistently applied regulatory management tool. Putting in place an evaluation framework, including a clear methodology, could help to ensure that regulations remain fit for purpose.

In Luxembourg, RIA is undertaken for all regulations in the form of a checklist mainly focussing on administrative burdens and enforcement. In order to enhance the usefulness of RIA, the analysis included in the impact assessments could be extended to other types of costs, impacts and benefits of regulations. While Luxembourg currently refers to the European Commission best practice instead of providing its own guidance material, the limited current focus of RIA in

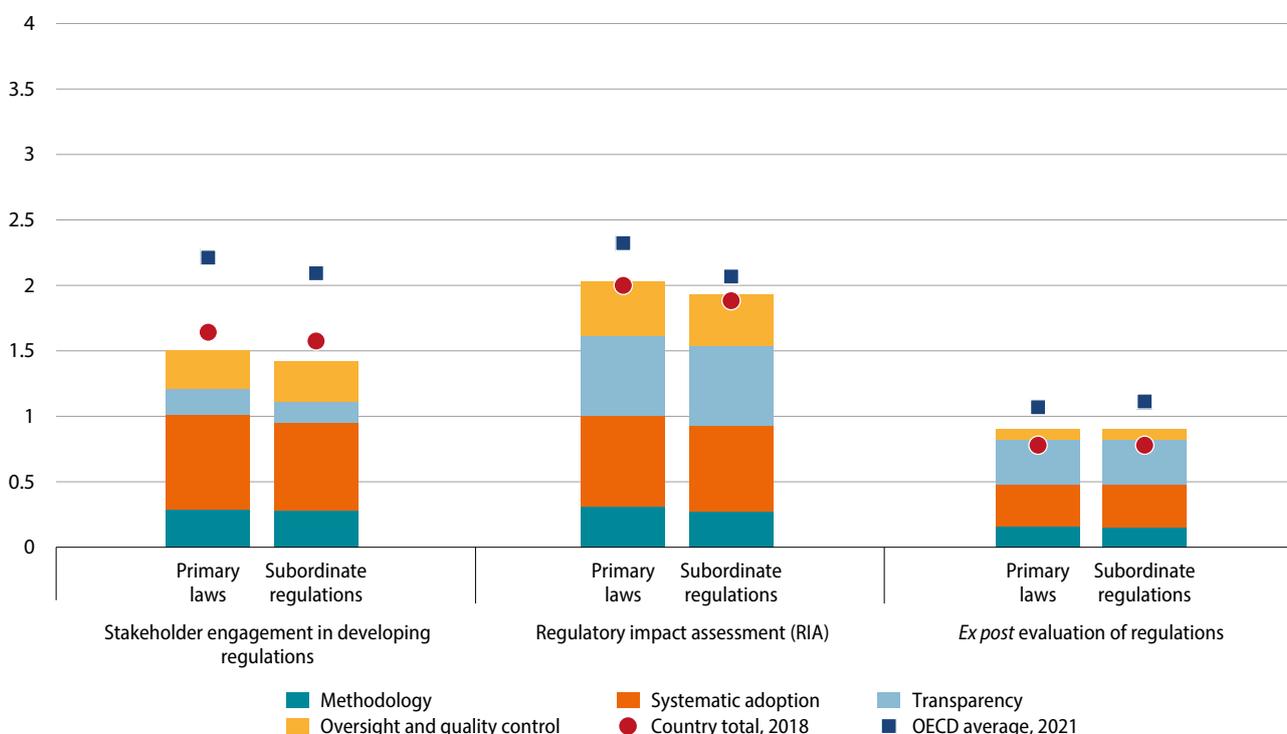
Luxembourg does not reflect EC standards. Luxembourg may consider creating bespoke guidance material to enhance domestic support for regulatory policy.

In 2018, the functions for regulatory oversight – particularly relating to assistance and quality control of stakeholder engagement, RIA, and *ex post* evaluations – were transferred from the Ministry of the Civil Service and Administrative Reform to the Ministry of Digitalisation. However, the Ministry only provides advice and guidance to other ministries and has no gatekeeper role. It is also responsible for a range of other oversight functions including the evaluation of regulatory policy, identifying areas where regulation can be made more effective, and co-ordination on regulatory policy.



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

iREG score



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 (99% of all primary laws in Luxembourg).

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: LUXEMBOURG



■ For all EU directives/regulations/ Always/ Yes ■ For major EU directives/regulations/ Frequently
 ■ For some EU directives/regulations/ Sometimes ■ Never/ No

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>

