



Belgium

Indicators of Regulatory Policy and Governance 2021





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.

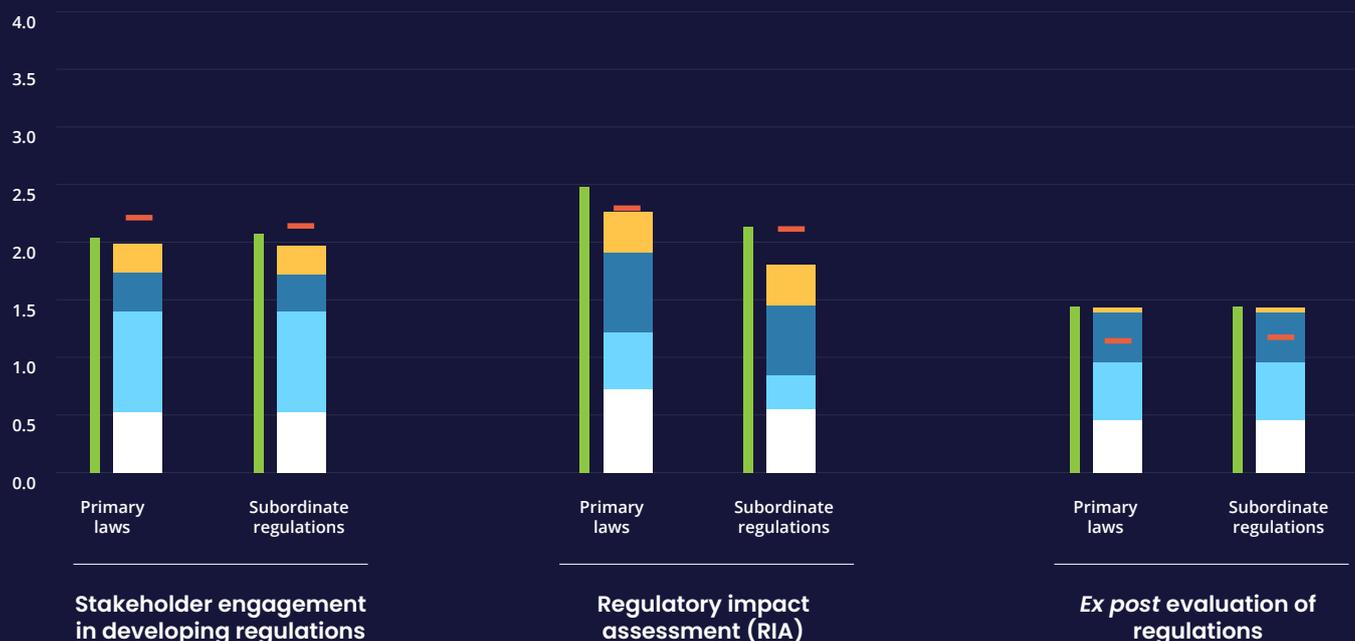
The Agency for Administrative Simplification (ASA) within the Prime Minister’s Office co-ordinates RIA and steers the implementation of Better Regulation across the federal government. It is also in charge of defining and ensuring the application of cost assessment methods in this context. The ASA is 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

● Methodology
 ● Systematic adoption
 ● Transparency
 ● Oversight and quality control
 ■ Country total, 2018
 — OECD average, 2021



Notes: 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>.

Belgium: Transparency throughout the policy cycle



Inform the public in advance that:

| | |
|---|--------------|
| A public consultation is planned to take place | Never |
| Regulatory impact assessment (RIA) is due to take place | No |
| Ex post evaluations are planned to take place | Never |



Consult with stakeholders on:

| | |
|-------------------------------------|--------------|
| Draft regulations | Major |
| Evaluations of existing regulations | Some |



Publish online:

| | |
|---|------------|
| Ongoing consultations* | No |
| Views of participants in the consultation process | Yes |
| RIAs | All |
| Evaluations of existing regulations | Yes |



Policy makers use:

| | |
|---|------------|
| Interactive website(s) to consult with stakeholders | No |
| Website(s) for the public to make recommendations on existing regulations | Yes |



Policy makers provide a public response to:

| | |
|---|--------------|
| Consultation comments | No |
| Recommendations made in ex post evaluations | Never |

* Publish on a single central government website.

Note: The data reflects Belgium's practices regarding primary laws initiated by the executive.

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

