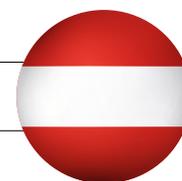




Indicators of Regulatory
Policy and Governance
EUROPE 2022

Austria



Austria

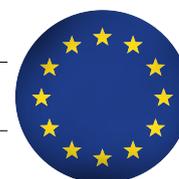
Overview and recent developments

In Austria, regulatory impact assessment (RIA) has been mandatory for all primary laws and subordinate regulations since 2013. A comprehensive threshold test introduced in 2015 determines whether a simplified or full RIA has to be conducted for draft regulations. A simplified RIA is carried out for about two thirds of all regulations. The methodology for a full RIA requires the assessment of a range of impacts, including on the environment, social aspects, and gender equality. The aforementioned threshold limits the requirement for *ex post* evaluations introduced in 2013 to regulations passing the threshold. Assessments of whether underlying policy goals have been achieved, the comparison of actual and predicted impacts, and the identification of costs, benefits and unintended consequences of regulations are part of the standard methodology for *ex post* evaluations. In 2019, a principle-based *ex post* review of 200 federal laws has been carried out with a view to reducing administrative burdens stemming from gold plating.

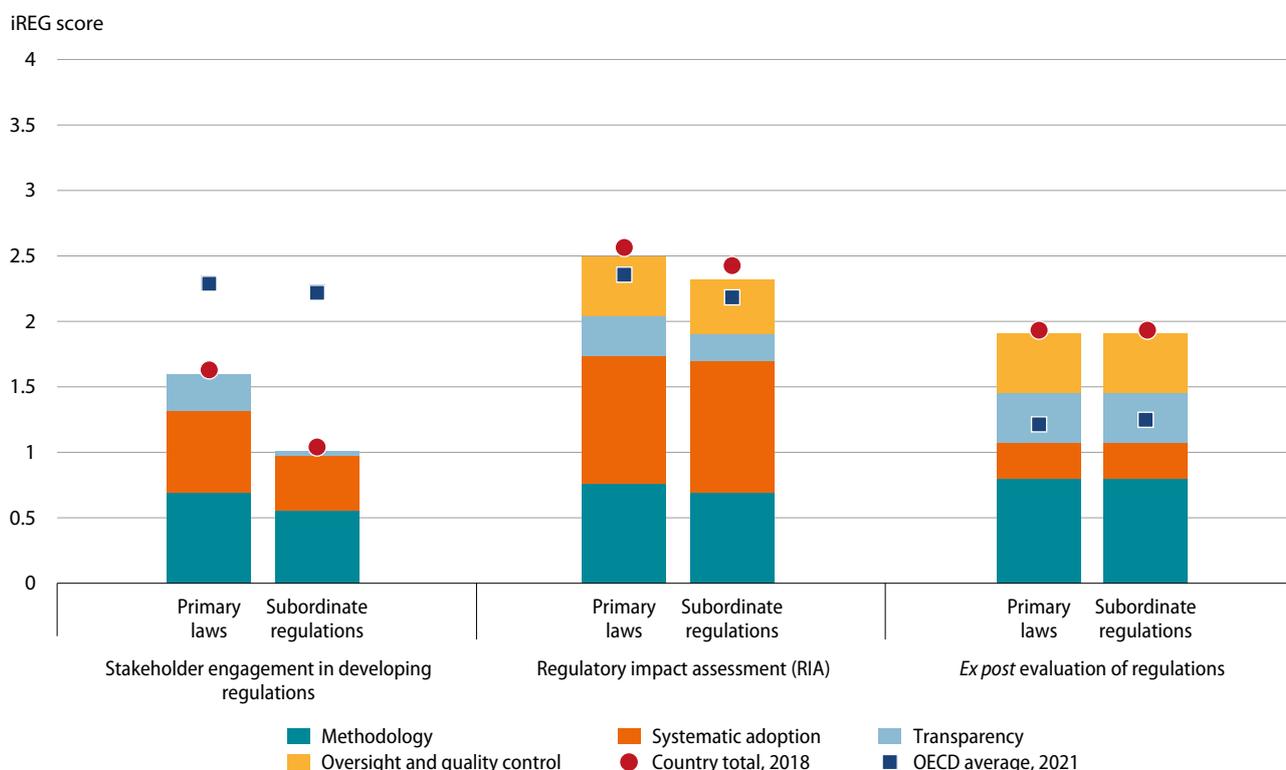
The Federal Performance Management Office (FPMO) at the Federal Ministry for Arts, Culture, Civil Service and Sport (BMK/OES) reviews the quality of all full RIAs and *ex post* evaluations and controls and supports the application of threshold tests for RIA light. It publishes its opinions on RIAs for primary laws and can advise civil servants to revise RIAs if not up to standard. The FPMO also issues guidelines, provides training on RIA and *ex post* evaluation and co-ordinates these tools' use across government. In addition, it reports annually to Parliament on RIA and *ex post* evaluation results. The Ministry of Finance supports the FPMO by

reviewing assessments of financial impacts and costs in RIAs and *ex post* evaluations, and is also involved in issuing guidelines on the application of these tools.

A resolution by the Austrian Parliament triggered an extension of the scope of public consultations on draft primary laws. Since September 2017, all draft primary laws are available on the website of Parliament together with a short description of the legislative project in accessible language, the RIA and other accompanying documents. The public can submit comments on the draft regulation or support comments made by others online. Since August 2021, the public can also submit comments on all legislative initiatives introduced in Parliament, i.e. government bills, MPs' and popular initiatives during their parliamentary deliberation and support comments made by others online. Furthermore, an interactive crowdsourcing platform has been launched in 2018 to provide the public with an opportunity to express their views ahead of parliamentary initiatives, like the extension of access to open data in 2021. Extending the use of the platform to include consultations on policy issues could be a gateway towards establishing a more systematic approach to involving stakeholders earlier in the development of regulations to inform officials about the policy problem and possible solutions. Austria would benefit from extending the scope of public consultations to subordinate regulations, for which no systematic public consultations are conducted, and from introducing systematic quality control of engagement processes.



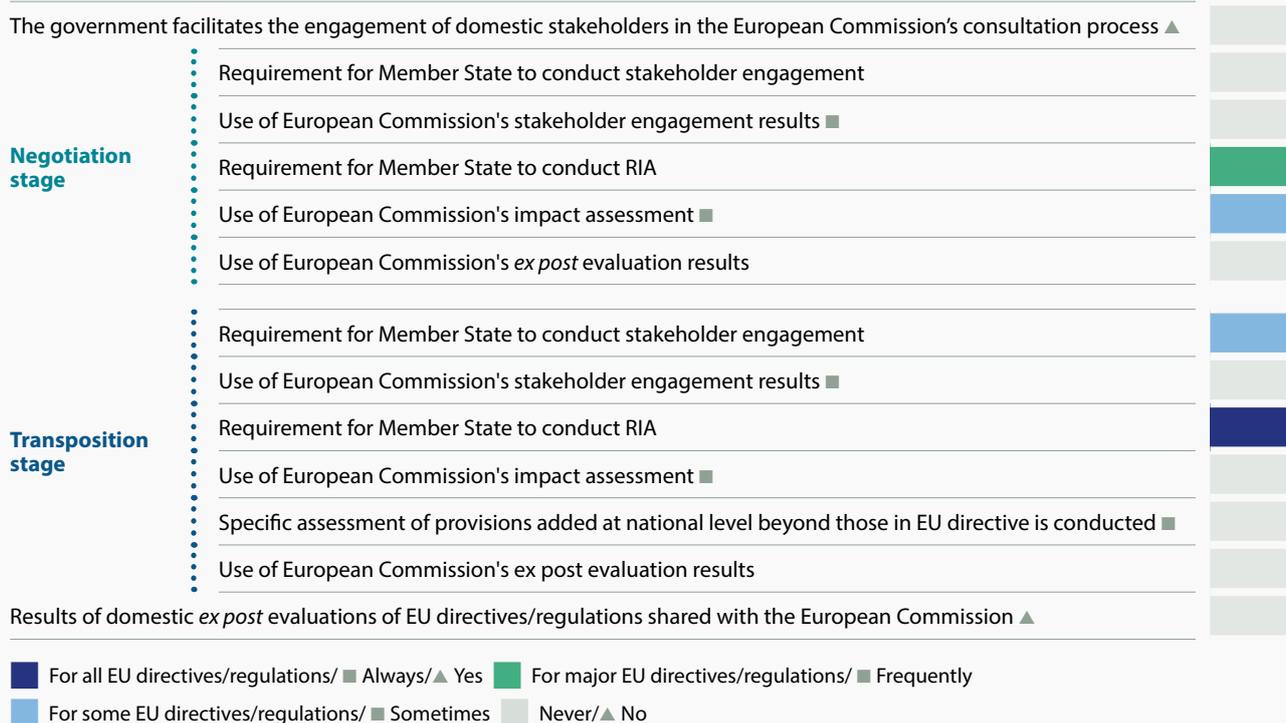
INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG): AUSTRIA, 2021



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 (57% of all primary laws in Austria).

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: AUSTRIA



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](#)
- [2012 Recommendation of the Council on Regulatory Policy and Governance](#)
- [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>

