Organisation for Economic Co-operation and Development

For Official Use **English - Or. English**

1 January 1990

Indicators of Regulatory Policy and Governance (iREG) Questionnaire 2020

Enter any logistical information related to the meeting e.g. meeting date, time and location.

This document presents the questionnaire to update the data underlying the *Indicators of Regulatory Policy and Governance* (iREG), which will feed into the *OECD Regulatory Policy Outlook 2021* to support the monitoring of the implementation of the *OECD Recommendation on Regulatory Policy and Governance*. This questionnaire is a follow-up to the *2014 and 2017 OECD iREG Questionnaires* and was developed in close collaboration with the OECD Steering group on Measuring Regulatory Performance.

govregsurvey@oecd.org

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

Introduction

The *OECD Indicators of Regulatory Policy and Governance (iREG) Questionnaire 2020-21* aims to gather information regarding OECD countries' regulatory policy practices and their progress towards implementing the 2012 *OECD Recommendation of the Council on Regulatory Policy and Governance*. Its focus lies on three principles: stakeholder engagement, Regulatory Impact Assessment and *ex post* evaluation. The questionnaire is a follow-up to the *2014 and 2017 OECD Regulatory Indicators Questionnaire* (GOV/RPC/MRP(2014)3/ANN1 and GOV/RPC(2017)13/ANN1), which in turn builds on the *2008 Regulatory Indicators* questionnaire and intensive exchanges with delegates to the Regulatory Policy Committee (RPC) on the implementation of the *2012 Recommendation*, including a workshop in Stockholm in 2013, discussions on a list of good practices in implementing the Recommendation, and a workshop session in The Hague in 2014.

The information collected through the questionnaire will be used to update the Indicators of Regulatory Policy and Governance (iREG), which will feed into the *OECD Regulatory Policy Outlook 2021* to support the monitoring of the implementation of the *2012 Recommendation*. The monitoring of the *2012 Recommendation* has more recently benefited from the development of Best Practice Principles on Regulatory Impact Assessment and *ex post* evaluation, the latter which is now reflected in the iREG 2020-21 survey.

The 2020-21 iREG Questionnaire includes questions on international regulatory cooperation (IRC). IRC has become a critical dimension of regulatory quality and effectiveness, as illustrated by the inclusion of a principle on IRC in the *2012 Recommendation*. It has been the subject of substantial work within the OECD Regulatory Policy Committee for the past nine years. However, the evidence on regulators' systematic IRC practices remains scant. The IRC questions aim to gather evidence on IRC practices in line with the *2012 Recommendation*. The objective is to map IRC practices in relation to regulatory policy in order to inform analytical work. The collected information is not intended to be used in composite indicators.

The 2020-21 iREG Questionnaire has also integrated key oversight questions from the 2017 regulatory oversight survey [GOV/RPC(2017)13/ANN2]. The regulatory oversight body survey was broad in scope in order to capture a wide variety of situations. The focus of the 2020-21 iREG is on selected core functions that are essential for effective regulatory oversight. Narrowing down the scope aims to reduce survey burden for delegates, improve data quality and comparability, and enable robust analysis.

Scope of the survey

Questions in this questionnaire refer to requirements and practices that are in place at the national government level. *National government* is defined here as the level of government that exercises authority over the entire territory of a country, also referred to as central or federal government.

Questions in this questionnaire refer to requirements and practices that apply to all policy areas under the authority of central government and not to requirements and practices that are in place only for specific policy areas.

Countries are welcome to provide examples of innovative policies that apply to particular policy areas or subnational levels of government in the comments sections.

Questions in this questionnaire may refer to either formal requirements or actual practice. This is made clear in each question respectively. Where respondents are unsure about whether a question refers to a requirement or practice, please indicate in the comments on which basis the question was answered.

Cut-off date

The cut-off date for survey answers is 1st of January 2021:

- *For questions on formal requirements*, answers referring to requirements that have been adopted by that date and that are already implemented or will be implemented in the following 12 months are accepted. If the requirement has not been implemented yet, supporting evidence that shows that it is to be implemented in the following 12 months is required (e.g. a directive issued that specifies by when regulators are required to implement new requirements).
- *For questions on actual practice*, only answers referring to practices in place by 1 January 2021 are accepted. This means the practice has been operationalised and concrete examples of its implementation before the end of 2020 can be provided.

With a view to reducing the burden on respondents, answers in this survey will be pre-filled, to the extent possible, with information based on data collected through the 2017 iREG Questionnaire and from the 2017 regulatory oversight survey. Respondents are requested to fill in the answers for 2020 only where changes have occurred since 1 January 2018.

To avoid positive bias and to track any potential reverse, new supporting evidence in the form of practice examples and references will be required in order to back up positive survey answers for a number of key questions. These questions are marked with an asterisk (*).

Scope of policies and practices

Unless explicitly stated, questions focus exclusively on the policies/practices that take place prior to a regulation being tabled in parliament. While parliamentary processes such as hearings are a key part of developing and implementing regulation, these are not the focus of the questionnaire.

Regulations that are initiated by parliament and do not follow the same procedures as regulations originating in the executive are not covered in this questionnaire, except in Part IV on *ex post* evaluation. There will be opportunities to describe the proportion of regulations that are proposed by parliament rather than by the executive and to provide

information on the use of RIA and public consultation for laws initiated by parliament in specific sections of the questionnaire.

In Parts II and III where the answer option 'all regulations' is provided, this refers to all regulations that are issued at the national level of government and have been initiated in the executive. In Part IV on *ex post* evaluation, the answer option 'all regulations' includes both regulations issued at the national level that were originally initiated in parliament as well as those issued at the national level that were originally initiated in the executive.

The *OECD Recommendation of the Council on Regulatory Policy and Governance* defines Regulation as the "The diverse set of instruments by which governments set requirements on enterprises and citizens. Regulation includes all laws, formal and informal orders, subordinate rules, administrative formalities and rules issued by non-governmental or self-regulatory bodies to whom governments have delegated regulatory powers." However, most questions in this questionnaire refer specifically to a subset of regulation, namely:

- *Primary laws*, which are defined as regulations which must be approved by the parliament or congress. Primary laws are also referred to as "principal legislation" or "primary legislation";
- *Subordinate regulation*, which is defined as regulations that can be approved by the head of government, by the cabinet or by an individual minister or high level official - that is, by an authority other than the parliament/congress. Note that many subordinate regulations are subject to disallowance by the parliament/congress. Subordinate regulations are also referred to as "secondary legislation", "subordinate legislation" or "delegated legislation". These cases are clearly identified.

Unless explicitly otherwise stated, questions refer to both primary and subordinate regulations that are issued by government, and do not refer to regulations issued by non-governmental or self-regulatory bodies.

For some questions in the questionnaire, separate answers should be provided for primary laws and subordinate regulations. These questions are marked with "P/S" in the questionnaire.

When the questionnaire refers to the development of new regulation, please note that this includes changes to existing regulation.

Please note that, for the purpose of this questionnaire "regulation" refers to the rules set by government of general applicability to businesses and citizens. This does not include those types of regulation governing the internal proceedings of government.

Many of the questions refer to the responsibilities of regulators. Regulators are defined as administrators in government departments and other agencies responsible for developing and/or enforcing regulation.

For the purposes of this questionnaire, a "major regulation" is a regulation with economic or non-economic significant impacts. If a requirement is implemented in a *systematic* fashion based on the significance of a regulation's expected impact, then the category of "For major regulations" rather than "For some regulations" should be selected. Hence, there needs to be some form of pre-defined criterion e.g. the expected compliance costs of the regulation are above a certain monetary threshold. This rule needs to be applied across all policy areas. If it applies only in some policy areas (e.g. environment) the answer should

be “For some regulations”. There will be opportunities to describe this in detail where respondent governments have a particular threshold or criteria.

Where the questionnaire refers to public consultation, please note that this refers to consultations where the general public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.

Part I. Content of regulatory policies[1]

Answers should refer exclusively to the national government, unless explicitly stated otherwise in a Section or question. Particularly, Section I below includes questions that refer to sub-national governments, including regional and municipal levels of governments. Additional comments can be made in Section L below which can elaborate on the situation in specific regions/states.

1. Please highlight any major reforms or changes to the content of regulatory policies that have been undertaken since 2017:_____

A. Explicit whole-of-government policy for regulatory quality

1. Is there an explicit, published regulatory policy promoting government-wide *regulatory reform*[2] or regulatory quality improvement? (Yes/No)
    a. If yes, please click on the link to the right and provide further details on the policy in the table that it links you to. More than one document can be referenced. (Please only list the most recent and relevant documents)

[1] Regulatory policy refers to the set of rules, procedures and institutions introduced by government for the express purpose of developing, administering and reviewing regulation.

[2] Regulatory reform refers to changes that improve regulatory quality, that is, enhance the performance, cost-effectiveness, or legal quality of regulation and formalities. "Deregulation" is a subset of regulatory reform.

Title of document	Date of introduction and/or last substantial revision (please indicate to which one the date you provide refers)	What does the policy cover? (Select all that apply)
		• *Ex ante* impact assessments of regulation
		• *Ex post* evaluation of regulations
		• Government transparency and consultation (both with external stakeholders and within government)
		• Compliance and enforcement
		• Policy on performance-based regulation
		• Communications strategy to ensure ongoing support for the goals of regulatory quality
		• Administrative simplification or burden reductions
		• International Regulatory Co-operation
		• Intra-governmental co-ordination
		• Regulatory oversight
		• Measurable targets
		  o If yes, please specify:
		• Other
		  o If other, please specify:
			Weblink or ISBN number (if you link to a document, please provide page numbers to indicate the relevant parts of the document)	Nature of document (Constitution/ Law or statutory requirement / Presidential or cabinet directive/ Ministerial directive/ Other: If other, please specify)	Provide a summary in English of the policy document (maximum of 400 words)

2. Does this policy refer to the OECD's 2012 *Recommendation of the Council on Regulatory Policy and Governance*? (Yes/No)

3. Does your government have an explicit, published whole of government policy or a legal basis on international regulatory co-operation?[3] (Yes, there is a whole of government, cross country policy; Partial, only sectoral policies or policies limited geographically to neighbours/region apply; No, there is no policy on international regulatory co-operation
    a. If yes, please click on the link to the right and provide further details on the published policy or the legal basis in the table that it links you to. More than one document can be referenced. (Please only include the most recent and relevant documents.)

Title of the document	Date of introduction	Weblink	Nature of document (Constitution/ Law or statutory requirement / Presidential or cabinet directive/ Ministerial directive/ Other: If Other, please specify)	Brief overview of document's scope and content

    b. If such a cross-sectoral policy or legal basis exists, is written guidance available for domestic regulators across government to facilitate its application? (Yes/ No)
        i. If yes, please provide the link or describe briefly:

4. Is there a whole-of-government strategy on "risk and regulation" in place? [4,5] (Yes/No)
    a. If yes, briefly explain how the strategy works: _____
    b. If yes, does the strategy provide guidance to identify and inform regulatory actions that will help to (Please select all that apply):
        i. Avoid or mitigate catastrophic or systemic risks (Yes/No)
        ii. Manage unintended consequences (Yes/No)
        iii. Manage risk-risk trade-offs (Yes/No)

[3] For the purpose of this survey, an IRC policy or legal basis is defined as a systematic, national-level, whole-of-government policy promoting international regulatory co-operation in line with Principle 12 of the *OECD Recommendation on Regulatory Policy and Governance*. In that sense, an IRC policy or legal basis codifies domestic regulators' commitment to, inter alia, consider international standards and relevant international regulatory frameworks in their area of activity, and/or support systematic cooperation with their peers in foreign jurisdictions, and/or promote systematic cooperation on regulatory policy. While specific supranational, international, and bilateral commitments, such as trade agreements or standing regional regulatory co-operation efforts are key IRC mechanisms, they do not independently constitute an IRC policy or legal basis. Please let us know if, in light of this clarification, you wish to change your answer to this question.

[4] A whole-of-government strategy on risk and regulation implies a systematic application of risk principles in each stage of the policy cycle.

[5] This question enquires about regulation as a measure to respond to a perceived risk. In such cases, the design of regulatory solutions should be based on an assessment of the risk that they are designed to address. Furthermore, risk assessment, risk management and risk communication are part of a cycle of responsive regulation.

iv. Avoid unnecessarily prescriptive regulations not justified by risk (Yes/No)
v. Other (Yes/No)
   1. If other, please specify: _____
vi. If yes to any, please provide an example to each of the selected option(s):

5. Are there sector specific or policy specific strategies on "risk and regulation" in place? (Yes/No)
   a. If yes, please provide an example of a sector or policy specific strategy, including weblinks to relevant documents

B. Regulatory process (P/S)

1. Are there standard procedures by which the administration develops regulations6? (Yes/No)
   a. If yes, please describe briefly the process, using a concrete example. Please specify:
      - The key steps and the order in which these must be completed
      - How RIA and consultation processes (externally and within government) relate to each other
      - The documents that are required to be prepared
      - Any consequences resulting from a step not being completed
      - Please also provide any documents, or preferably diagrams at your disposal that illustrate or explain the process.

_____
_____
_____
_____

2. Are elements of the regulatory policy subject to judicial review? (e.g. if RIA or consultation requirements are legislatively or constitutionally based, can the validity of primary laws or subordinate regulations be challenged if these requirements are not met?) (Yes/No)
   a. If yes, please explain which elements: _____

C. Oversight

1. Is there a dedicated body (or bodies) responsible for promoting the regulatory policy as well as monitoring and reporting on regulatory reform and regulatory quality in the national administration from a whole-of-government perspective? (Yes/No)
   a. If yes, please indicate which areas are being covered by the oversight body (or bodies): (Please select all that apply.)

[6] Please note that this includes the introduction of new regulation as well as changes to existing regulation.

i. *Administrative simplification*[7] or burden reduction programmes (Yes/No)
ii. Stakeholder engagement and consultation (Yes/No)
iii. *Regulatory Impact Assessment* (RIA)[8] (Yes/No)
iv. Ex post *evaluation*[9] (Yes/No)
v. Legal quality (Yes/No)
vi. International Regulatory Co-operation (IRC) (Yes/No)
vii. Innovation-friendly regulation (i.e. assist ministries and regulators take into account impacts of regulation on innovations) (Yes/No)
viii. Oversight of regulatory quality during a crisis (e.g. oversight of emergency rulemaking) (Yes/No)

b. If in your jurisdiction there is a dedicated body (bodies) with oversight functions, please click on the link to the right and provide further details on the functions of the oversight body (or bodies). More than one body can be referenced.

Oversight bodies mapping table[10]

[7] Administrative simplification is a tool used to review and simplify the stock of administrative regulations. The main goal of activities focusing on administrative simplification is to remove unnecessary costs imposed on regulated subjects by government regulations that can hamper the economic competition and innovation.

[8] Regulatory Impact Assessment refers to the systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost-effectiveness analysis, business impact analysis etc.

[9] *Ex post* evaluation refers to the process of assessing the effectiveness of policies and regulations once they are in force. It can be the final stage when new policies or regulations have been introduced and it is intended to know the extent of which they met the goals they served for. It can also be the initial point to understand a particular situation as a result of a policy or regulation in place, providing elements to discuss the shortcomings and advantages of its existence. *Ex post* evaluation should not be confused with monitoring, which refers to the continuous assessment of implementation in relation to an agreed schedule.

[10] The tables below show the bodies responsible for the different regulatory oversight functions outlined in Principle 3 of the 2012 OECD Recommendation on Regulatory Policy and Governance. The tables have been prefilled based on your country's responses to the 2017 oversight survey.

While the previous data collection exercise in 2017 was broad in scope in order to capture a wide variety of situations, iREG 2020 focuses on selected core functions that are essential for effective regulatory oversight. Narrowing down the scope aims to reduce survey burden for delegates, improve data quality and comparability, and enable robust analysis. This decision is based on discussions with the MRP steering group and is in line with the conclusion from the group's April 2018 meeting that, "for further analytical work, the identification of core and non-core functions of regulatory oversight may be helpful to refine and narrow the analysis".

Functions considered as core are:

• Quality control of regulatory management tools (i.e. reviewing the quality of individual regulatory impact assessments, stakeholder engagement processes, and ex post evaluations);

• Issuance or provision of relevant guidance on the use of regulatory management tools;

• Co-ordination on regulatory policy; and

• Systematic evaluation of regulatory policy.

Please review the table(s) and report any relevant changes that have taken place since 1 January 2018. Please consider only oversight bodies performing at least one core function in a systematic fashion.

Question	2017	2020	Comments
Name of the oversight body			
Where is the oversight body located?			
Oversight functions covered (Please select all that apply)			
Quality control of RIA	Yes/No	Yes/No	
Quality control of stakeholder engagement	Yes/No	Yes/No	

NB: the following criteria apply for the selection of oversight bodies:

• The term"body"might refer to entities that are part of a line ministry or centre of government or to structures with a higher level of autonomy. Bodies with regulatory oversight responsibilities may not be under the supervision of the responding institutions and may include bodies beyond the executive, e.g. units within Parliament, national audit institutions, etc. Unless otherwise stated, please report the smallest unit that has responsibility for a given oversight function, e.g. in cases where the centre of government has a unit dealing with regulatory oversight functions, please refer to that specific unit.

• The term "regulatory oversight bodies" refers to those bodies that have an explicit mandate for any of the core functions considered or carry them out in practice and on a systematic basis (as opposed to occasional or ad hoc involvement). For example, a State Council, an audit institution, or a productivity commission whose approval is required for all RIAs, will fall within the scope of this exercise. However, such institutions with only an ad hoc role (e.g. issuing an opinion on a specific topic) do not.

• Bodies that are exclusively responsible for the scrutiny of legal quality of regulation under development and perform no other regulatory oversight function should not be considered, based on the decision of the MRP Steering Group. Please note that this may be the case for a number of parliamentary units. However, those parliamentary units carrying a core function of regulatory oversight as outlined above should continue being reported and will therefore be included.

• Although relevant actors of regulatory policy, a number of bodies' contribution is ancillary to core regulatory oversight functions. For the sake of consistency, bodies which do not perform core oversight functions or do so only on an ad hoc basis are therefore not included in the 2020 survey. Below is a list of bodies that are excluded from this reporting exercise on those grounds:

o Better regulation units inside ministries/departments

o Public think tanks and advisory bodies

o Behavioural Insights Teams

o Competition authorities

o Ad hoc task forces

o Permanent consultation bodies

o Public training schools for civil servants

o Budget and investment ministries/agencies

o Trade ministries/units

o Ministries of foreign affairs

To avoid unnecessary work, should you wish to report a new oversight body created from 1 Jan. 2018 onwards, please contact Guillermo.HERNANDEZ@oecd.org for preliminary verification and assistance with reporting.

Quality control of *ex post* evaluation	Yes/No	Yes/No	
Systematic improvement and advocacy across government (e.g. by proposing changes to the regulatory policy framework, promoting the use of good regulatory practices or ensuring institutional relations)	Yes/No	Yes/No	
Systematic evaluation of regulatory policy	Yes/No	Yes/No	
Guidance and training in regulatory management tools	Yes/No	Yes/No	
Identifying areas of policy where regulation can be made more effective, e.g. by gathering opinions from stakeholders, preparing reviews of existing regulation or analysing the stock and/or flow of regulation	Yes/No	Yes/No	
Coordination on regulatory policy[11]	Yes/No	Yes/No	
Scrutiny of the legal quality of regulation under development	Yes/No	Yes/No	

i. Has the mandate of the oversight body changed since 1 January 2018? (Yes/No)
   1. If yes, please indicate how the mandate of the oversight body has changed since 1 January 2018 (Please select all that apply)
      1) The mandate has been renewed (Yes/No)
      2) The mandate has become permanent (Yes/No)
      3) The mandate has been expanded to include more functions (for example oversight of *ex post* evaluation, guidance and training etc.) (Yes/No)
      4) The mandate has been expanded to include additional areas (for example regulation of new technologies, international regulatory cooperation etc.) (Yes/No)
      5) The mandate has been reduced (Yes/No)
      6) Other (Yes/No)
   2. If yes, please describe how the mandate has changed and please provide relevant documents/weblinks/reports, etc. and identify page(s):_____

[11] Encompasses the following: Promote a whole of government, co-ordinated approach to regulatory quality; encourage the smooth adoption of the different aspects of regulatory policy at every stage of the policy cycle; facilitate and ensure internal co-ordination across ministries/departments in the application of regulatory management tools.

ii. Have the obligations of the oversight body towards government and/or parliament changed since 1 January 2018 (e.g. responsibilities, budget procedures, reporting requirements)? (Yes/No)
    1. If yes, please describe how the obligations have changed:
iii. Have resources of the oversight body (such as number of staff or budget) changed since 1 January 2018? (Yes/No)
    1. If yes, please indicate how the resources of the oversight body have changed since 1 January 2018: (Please select all that apply)
        1) The number of staff has increased (Yes/No)
        2) The number of staff has decreased (Yes/No)
        3) The budget has increased in real terms (Yes/No)
        4) The budget has decreased in real terms (Yes/No)
        5) Other (Yes/No)
            i. If other, please describe:

2. If in your jurisdiction there is a body responsible for the quality control for RIA, stakeholder engagement or *ex post* evaluation, are reports on the effectiveness of the body prepared (e.g. containing information on its activities, the fulfilment of its mission/mandate, or results of perception surveys of its performance)? (Yes/No)
    a. If yes, how often are reports on the effectiveness of the body usually prepared: (More frequent than annually; annually; every second year; every third year; every fourth year; every fifth year; more than every fifth year)
        i. Please describe the most important indicators:
        ii. Are those reports publically available? (Yes/No)
            1. If yes, please provide a link to an example:

3. How is the oversight of IRC practices or activities organised? [(a) centralised within a single authority; (b) responsibility is shared amongst relevant central government bodies; (c) responsibility is shared among sub-national and central government bodies; (d) no governance structure
    a. If a) or b), please specify which authority(ies) is (are) involved:_____
    b. If a), does this same authority organise regular meetings among authorities across government to coordinate IRC activities? (Yes,/No).
        i. If so, please explain how it works and/or provide an example:
    c. If a), does this same authority hold regular meetings with stakeholders to identify needs for co-operation with other jurisdictions? (Yes,/No).
        i. If so, please explain how it works and/or provide an example:

D. High-level responsibility

1. Is there a specific *minister*[12]/ *high-level official*[13] accountable for promoting government-wide progress on regulatory reform? (Yes/No)
    a. If yes, what is his/her position? (Minister/High-level official/High-level political appointee/Other)

[12] Minister refers to the most senior political role within a portfolio.

[13] High level official refers to a senior public official in the ministry. For example: Permanent Secretary, Departmental Secretary, State Secretary, Secretary-General, Deputy Minister.

i. If other, please specify: _____
ii. What is his/her exact title? _____

b. If yes, does the role include the following responsibilities?
   i. Monitoring and reporting on the co-ordination of regulatory reform activities across portfolios (Yes/No)
   ii. Reporting on the performance of the regulatory management system (Yes/No)
   iii. Identifying opportunities for improvements to regulatory policy settings and regulatory management practices (Yes/No)

E. Access to laws and regulations

1. Is a complete online database of all *primary laws*[14] freely available to the public in a searchable format[15]? (Yes/No)
   a. If yes, is it up-to-date? (Yes/No)
   b. If yes, please provide the weblink:_____

2. Is a complete online database of all *subordinate regulations*[16] freely available to the public in a searchable format? (Yes/No)
   a. If yes, is it up-to-date? (Yes/No)
   b. If yes, please provide the weblink: _____

F. Forward planning

1. Does the government publish online a list of primary laws to be prepared, modified, reformed or repealed in the next six months or more? (Yes/No)
   a. If yes, please provide the weblink:*_____

2. Does the government publish online a list of subordinate regulations to be prepared, modified, reformed or repealed in the next six months or more? (Yes/No)
   a. If yes, please provide the weblink:*_____

[14] Primary laws are defined as: *Regulations which must be approved by the parliament or congress.* Primary laws are also referred to as "principal legislation" or "primary legislation".

[15] E.g. including search engines which allow members of the public to search according to a specific policy area.

[16] Subordinate regulation refers to regulations that can be approved by the head of government, by an individual minister or high level official or by the cabinet - that is, by an authority other than the parliament/congress. Please note that many subordinate regulations are subject to disallowance by the parliament/congress. Subordinate regulations are also referred to as "secondary legislation" or "subordinate legislation".

G. Consistency and co-ordination of regulatory agencies[17]

1. Do you have a public register clearly identifying all *regulatory agencies*, including their regulatory competences? (Yes/No)
    a. If yes, please provide us with the weblink: _____

2. Do you have an overarching published policy document on the governance of *regulatory agencies*? (Yes/No)
    a. If yes, please provide us with the weblink or document: _____

3. Are there any networks of regulators that are systematically involved in the exchange and dissemination of good regulatory practices (e.g. regarding stakeholder engagement, RIA, or *ex post* evaluation)?
    a. If yes, please list the name of the network(s) and explain the function(s) of each network:

H. Systems for reviewing the legality of regulations

1. Are there mechanisms available to affected parties in individual cases for appealing against regulatory enforcement decisions?[18] (Please select all that apply.)
    a. Review by the regulatory enforcement body (Yes/No)
    b. Review by an independent body (Yes/No)
    c. Judicial review (Yes/No)
    d. Review by the ministry (Yes/No)
    e. Administrative review (Yes/No)
    f. Complaint or petition for reconsideration (Yes/No)
    g. Other (Yes/No)
        i. If other, please specify:____
    h. If yes to any, is there a standard period within which parties can expect a decision to be made? (Yes/ No)
    i. If multiple answers were selected, indicate which ones have a standard period, and provide the standard period for each chosen answer: _____

2. Are there ongoing mechanisms by which the public can dispute the legality of an existing regulation? (Please select all that apply)
    a. Judicial challenges (Yes/ No)
    b. Administrative challenges (Yes/ No)
    c. Review by regulatory body (Yes/No)
    d. Other (Yes/No)
        i. If other, please specify:_____

[17] A regulatory agency is an institution or body that is authorised by law to exercise regulatory powers over a sector/policy area or market.

[18] This question refers to mechanisms available at any level of government.

3. Are there ongoing mechanisms by which the public can dispute the constitutionality of an existing regulation? (Yes/ No/ Not Applicable[19])
    a. If yes, please describe the mechanism: _____

I. Coherence across all levels of government and consideration of existing international instruments

Questions in this Section that refer to sub-national governments, include both regional and/or municipal levels of governments.

1. Are there one or several co-ordination mechanism(s) across national and sub-national governments or municipalities to promote regulatory coherence in regulatory approaches and avoid duplication or conflict of regulations? (Yes/No)
    a. If yes, is it a/are they standing co-ordination mechanism(s) (e.g., standing bodies, councils, regular formal meetings, etc.)? (Yes/No)
        i. If yes, please indicate which standing co-ordination mechanism(s) exist and explain how each one works: _____
            1. How effective is it?
            2. What works well and what could be improved?

    b. If yes, is it/are they ad-hoc co-ordination mechanism(s) (e.g., ad-hoc commissions, policy forums, working groups, etc.)? (Yes/No)
        i. If yes, please specify which ad-hoc co-ordination mechanism(s) exist and explain how each one works: _____
            1. How effective is it? _____
            2. What works well and what could be improved? _____.

    c. If yes, is it/are they legal/administrative mechanism(s) (e.g. administrative cooperation, laws, agendas, constitutional arrangements, etc.)? (Yes/No)
        i. If yes, please specify which legal/administrative mechanism(s) exist and explain how each one works: _____
            1. How effective is it? _____
            2. What works well and what could be improved: _____

2. Are there mechanism(s) to share or otherwise promote best practices in regulatory management across different sub-national governments and/or across different levels of government?? (Please select all that apply.)
    a. Benchmarking of performances (Yes/No)
    b. Reports on good practices and lessons learned (Yes/No)
    c. Workshops, seminars and/or conferences (Yes/No)
    d. Other (Yes/No)
        i. If other, please specify: _____
    e. If yes to any, please explain how each of the selected mechanisms works and provide reports and web links for each one:_____

3. Do bodies exist at the sub-national level of government that promote the use of good regulatory practices and evidence-based policy making? (Please select all that apply.)

[19] If your jurisdiction does not have a Constitution, please select "Not Applicable".

   a. At regional/state level (Yes, in all regions/states; Yes, in some regions/states; No)
   b. At local level (Yes, in all local entities; Yes, in some local entities; No)

4. Do you actively support the implementation of regulatory policy at the sub-national level? (e.g. by providing training, financial support, technical support, guidelines, etc.) (Yes/No)
   a. If yes, please specify and explain what kind of mechanisms are used: _____
   b. How effective are they? What works well and what could be improved? _____

5. Do you actively facilitate variation and experimentation in regulatory approaches at the sub-national level of government? (Yes/No)
   a. If yes, in what way and to what extent are variation and experimentation promoted (e.g. allocation of financial resources, training, capacity building, etc.)?
      i. What works well and what could be improved?
   b. If yes, please provide reports and web links: _____

6. Is there a specific mechanism between the national government and sub-national governments to communicate the views of local firms and citizens to inform the development of regulations? (Yes / No)
   a. If yes, please specify how it works:_____

7. Do you have a standing mechanism to verify coherence of the stock of regulations with existing international instruments?[20] (Yes/No)
   a. If yes, which international instruments are covered by such mechanism? (Please select all that apply) (Yes/No)
      i. All international instruments
      ii. Binding international instruments
      iii. *International standards*[21]
      iv. Other international instruments
         1. If Other international instruments, please specify:_____
   b. If yes, please give a brief explanation of how this operates:_____

[20] For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[21] This could be done for example in response to obligations to use international standards as a basis for domestic measures, such as those formulated in framework of the World Trade Organization (see for e.g. article 2.4 of the Agreement on Technical Barriers to Trade, "*Where technical regulations are required and relevant international standards exist or their completion is imminent, Members shall use them, or the relevant parts of them, as a basis for their technical regulations except when such international standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued, for instance because of fundamental climatic or geographical factors or fundamental technological problems*." or article 3 of the Agreement on the Application of Sanitary and Phytosanitary Measures, "*To harmonize sanitary and phytosanitary measures on as wide a basis as possible, Members shall base their sanitary or phytosanitary measures on international standards, guidelines or recommendations, where they exist* (…)").

8. When developing laws and regulations, are regulators required to use information from other jurisdictions or international organisations to inform the rationale for regulating or the assessment of potential impacts? (Yes, there is a cross-sectoral requirement / Yes, in some sectors there is a cross-sectoral requirement / No)
    a. If yes, please provide a reference for the requirement(s)_____

9. If regulators are otherwise incentivised to use information from other jurisdictions or international organisations to inform the rationale for regulating or the assessment of potential impacts of the regulation, please explain how this is done:_____

10. Is there a formal requirement to consider recognition and *incorporation*[22] of international instruments when developing new domestic regulations or revising existing ones? (Yes there is a cross-sectoral requirement /Yes, in some sectors there is a cross-sectoral requirement /No). **If No, please proceed directly to the next section (J).**
    a. If yes, which international instruments have to be considered? (Yes/No) (Please select all that apply.)
        i. All international instruments
        ii. Binding international instruments
        iii. International standards[23]
        iv. EU directives and regulations[24]
        v. Other international instruments
            1. If Other international instruments, please specify:_____
    b. If yes, at what stage does this requirement apply?

[22] For the purpose of this survey, we define the mechanism of incorporation as the incorporation of international standards in legislative instruments by means of a reference to one or more standards or the replacement of entire text in the drafting of a code or regulation.

[23] This could be done for example in response to obligations to use international standards as a basis for domestic measures, such as those formulated in framework of the World Trade Organization (see for e.g. article 2.4 of the Agreement on Technical Barriers to Trade, "*Where technical regulations are required and relevant international standards exist or their completion is imminent, Members shall use them, or the relevant parts of them, as a basis for their technical regulations except when such international standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued, for instance because of fundamental climatic or geographical factors or fundamental technological problems*." or article 3 of the Agreement on the Application of Sanitary and Phytosanitary Measures, "*To harmonize sanitary and phytosanitary measures on as wide a basis as possible, Members shall base their sanitary or phytosanitary measures on international standards, guidelines or recommendations, where they exist* (…)").

[24] EU regulations and EU directives are two main types of EU legislative acts.

EU regulations are directly applicable in all Member States and binding in their entirety. Regulations are used most commonly where it is important to achieve a uniform implementation of a policy intervention such as in the internal market or the governance of mergers. They leave individual Member States limited scope to determine how they implement these laws. EU regulations take effect in individual Member States once they enter into force.

EU directives on the other hand, afford Member States considerable latitude to choose the method and form of implementation. They are binding on the Member States to which they are addressed in respect of the result to be achieved but the specific form and methods are left to national authorities to decide. EU directives are subject to an additional transposition procedure. Transposition is the process that individual Member States undertake to incorporate EU directives into national laws.

i. At the time of defining the policy issue and exploring potential solutions
ii. During the development of a draft/proposed regulation[25]
iii. When a first version of the text of the regulation has been drafted/the proposed regulation has been issued[26]
iv. Before approval of the final version of the draft/proposed regulation[27]

c. If yes, is there a formal requirement to explain the rationale for diverting from international instruments when country-specific rules are proposed. (Yes/No)
d. If there is no formal requirement to systematically consider existing international instruments but it is still done in practice, please describe under which circumstances:_____

11. Is there an authority (or authorities) in charge of ensuring that international instruments are considered in the development and revision of regulation? (Yes/No)
    a. If yes, which authority is responsible? Please select all that apply. (Yes/No)
        i. Authority in charge of regulatory oversight
        ii. Ministry of Foreign Affairs
        iii. Ministry in charge of developing the regulation
        iv. Arm's length body[28]
        v. Other
            1. If Ministry in charge of developing the regulation, Arm's length body or Other, please specify:_____

12. Is there any guidance given to regulators to facilitate consideration of existing international instruments in the development and revision of regulation? (Yes/No)
    a. If publically available, please provide a link to this guidance document:_____

13. Is a database of international instruments accessible to regulators to facilitate consideration of relevant instruments? (Yes, a general database/ Yes, but only in certain sectors/Yes, but only for certain instruments/ No)
    a. If yes, is the database publicly available? (Yes/No)
        i. If yes, please provide a link to the database:_____

J. Proportion of all regulations that are initiated by parliament

1. Please fill in the table below.

[25] i.e. after the preferred solution or option has been identified.

[26] i.e. formally presented internally and/or publicly.

[27] i.e. after processes that may lead to revisions to the first version of the draft/proposed regulation, e.g. inter-ministerial consultation or consultation with stakeholders. In the case of primary laws, "approval" refers to approval of the final version of the draft/proposed regulation by the parliament or congress. In the case of subordinate regulations, it refers to approval by the head of government, by an individual minister or by the cabinet – that is, by an authority other than the parliament/congress.

[28] Arm's length is taken to mean the body is not subject to the direction on individual decisions by executive government, but could be supported by officials who are located within a ministry or have its own staff. They are defined by exception, excluding all traditional, vertically integrated ministries.

Year	Proportion of all national primary laws initiated by parliament	Proportion of all national primary laws initiated by executive
2017		
2018		
2019		

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that originate from international instruments._____

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink: _____

K. Regulatory competences across levels of government P/S

This questionnaire is focussed on the regulatory policies and processes of regulatory management at the national level, as opposed to sub-national. This question aims to help us understand how regulatory competences are distributed across different levels of government.

1. Please complete the following table by indicating which level of government is the competent authority[29] to regulate in each policy area. Please note that these options are not mutually exclusive.

	European Union[30]	**National[31]**	**Sub-national[32]**
Economy			
Business			
Agriculture			
Taxation			

[29] In this case, a competent authority is the level of government that has been legally delegated to develop regulation in a particular policy area.

[30] This option applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[31] also referred to as central or federal government.

[32] including state, regional and municipal levels.

Utilities[33]			
Power generation			
Consumer protection			
Transport			
Air			
Sea			
Automotive vehicles			
Roads			
Health			
Doctors and hospitals			
General health policy			
Education			
Primary and secondary education			
Higher education			
Environment			
Water quality			
Air quality and climate change			
Hazardous substances			
Crime			
Technology			
Cybersecurity			
Telecommunications			

[33] e.g. electricity transmission, natural gas, and water utilities.

a. (Optional) If more than one level of government can make regulations in one of the above policy areas, please describe how the powers to regulate are shared[34]:

L. Additional comments

Please use this space to provide any additional comments you have on this topic.

_____

_____

_____

M. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

_____

_____

_____

N. Optional questions

Please note: Performance-based regulations impose obligations stated in terms of outcomes to be achieved or avoided, giving regulated entities flexibility to determine the means to achieve the mandated or prohibited outcomes. For example, an air pollution regulation that establishes an emissions limit that a regulated entity must not exceed is performance-based, as the entity may choose how it will reduce emissions to meet that limit. On the other hand, an air pollution regulation that mandates that a regulated entity install a specific pollution control device is not performance-based, as the entity has no choice but to install that specific device.

1. Please describe any regulatory policy (e.g. procedure, review process, training, etc.) that your country has established that gives preference to the adoption of *performance-based regulation*[35]

   _____

   _____

2. Please give examples of applications of *performance-based regulation* in your country, explaining whether they have been successful or what challenges they have presented in design or implementation.

[34] e.g. if the powers to regulate overlap or is each level of government responsible for specific aspects within that policy area.

[35] Regulations that impose obligations stated in terms of outcomes to be achieved or avoided, giving regulated entities flexibility to determine the means to achieve the mandated or prohibited outcomes. Also referred to as outcome-based regulation.

Part II. Stakeholder engagement and transparency

This part of the questionnaire asks about the various methods of *stakeholder engagement*[36]. As countries perform consultation at different stages in the process of developing regulations and in some cases undertake two rounds of consultation, Section C asks specific questions regarding separate stages of stakeholder engagement. If it is the case that for any of the other questions, your answer depends on the stage of consultation, please explain this in the column for additional comments.

This part of the questionnaire refers exclusively to engagement with **external stakeholders**. Practices regarding within-government consultation can be described in **Part I, Section B on "Regulatory process"**.

1. Please highlight any major reforms or changes to your country's stakeholder engagement system that have been undertaken since 2017:_____

A. Requirements and guidance P/S

1. Is there a requirement to conduct stakeholder engagement to inform the development of primary laws/subordinate regulation? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, note whether this requirement is described in: (Yes/No)
        i. Constitution[37]
        ii. Law or statutory requirement (e.g. Administrative Procedures Act)
        iii. Cabinet handbook
        iv. Mandatory guidelines
        v. Other
            1. If other, please describe, and also explain if it is mandatory: _____
    b. If so, is it required that consultation open to the general public is conducted[38]? (For all regulations/For major regulations/For some regulations/Never)
    c. [QUESTION REMOVED]
    d. If so, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found: _____

2. Is written guidance available on how to conduct stakeholder engagement? (Yes/No)

[36] Stakeholder engagement refers to the process by which the government informs all interested parties of proposed changes in regulation and receives feedback.

[37] This refers to a specific mandate in the Constitution that requires stakeholder engagement to inform the development of primary laws/subordinate regulations. This does not refer to general constitutional frameworks of participation.

[38] Please note that this refers to consultations where any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.

a. If yes, please provide us with the weblink to the guidance document or send us an electronic version._____

Minimum periods for consultation

3. Is there a formal requirement for a minimum period for consultations with the public, including citizens, business and civil society organisations? (Yes/No)
    a. If yes, what is the minimum period? (Please indicate in number of weeks or number of working days) _____
    b. If yes, what kind of regulations do minimum periods apply to? (All regulations/ Major regulations/ Some regulations/ Never)

Exceptions

4. Where public consultation[39] is required, who is responsible for giving permission for public consultation to be bypassed? (All regulations/ Major regulations/ Some regulations/ Never)
    a. Minister
    b. Head of responsible department
    c. Standing or central oversight body
    d. Official in charge of consultation
    e. Other
        i. If other, please specify: _____

5. If it is decided that public consultation is not conducted, is this decision made public? (Yes/No/ No, but public consultation is always conducted without exception)
    a. If yes, how? Please select all that apply. (Yes/No)
        i. Published alongside final stage RIA
        ii. Made public on website
            1. If you answered "Made public on website", please provide the weblink*: _____
        iii. Other
            1. If other, please specify: _____
    b. If yes, are the reasons also made public? (Yes/No)

B. Openness and forward planning P/S

1. Can any member of the public choose to participate in a consultation?[40] (For all regulations/ For major regulations/ For some regulations/ Never)

[39] Please note that this refers to consultations where any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.

[40] Please note that this refers to consultations where in practice any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.

a. If so, how are members of the public invited to participate in consultation? Please select all that apply. (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   i. Official government publication or "gazette"
   ii. Newspaper
   iii. TV or radio
   iv. Press announcements
   v. Social media
   vi. Website of the ministry
   vii. Central government website for consultation
   viii. Email alerts
b. If so, how can members of the public submit comments? Please select all that apply. (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   i. Submitting comments on webpage
   ii. Through email
   iii. Postal address indicated on website
   iv. Attending a public meeting in person
   v. Attending a public meeting via phone or internet

2. Are members of the public systematically informed in advance[41] that a public consultation is planned to take place?* (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   a. If so, how are they informed? Please select all that apply. (Yes/No)
      i. Through an announcement on a website
      ii. Before the consultation is started through a road map or similar type of early warning document
      iii. Other
         1. If other, please specify: _____
      iv. Please provide an example of how members of the public are informed (including weblinks if relevant)*:_____
      v. How much time in advance are members of the public informed that a consultation is planned to take place? (number of weeks) _____

3. Do individual ministries/departments/government agencies have a web-page for ongoing consultations regarding the development of regulations? (Yes, all ministries/ Yes, some ministries/ No)

[41] Systematically informing the public in advance that a consultation will take place means some sort of public announcement before that consultation is conducted (e.g. an announcement a sufficient period of time prior to the release of the consultation document; a public notice informing stakeholders that at some future date(s) consultation(s) on the actual proposal(s) will take place, etc.), in a way that stakeholders are informed sufficiently in advance such that they can prepare to engage on the consultation proposal when it is released. If notice is released contemporaneously with the consultation, this is not considered as advance notice.

4. Are ongoing consultations listed on a single central government website[42]? (Yes, all ongoing consultations/ Yes, some ongoing consultation/ No)
    a. If yes, please provide a weblink: _____

5. Do regulators pursue specific efforts to engage with foreign stakeholders when developing regulation? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, how do regulators engage with foreign stakeholders? (Please select all that apply.)
        i. Translation of drafts in the language of the targeted audience (Yes/No)
        ii. Dissemination of information through business portals (Yes/No)
        iii. Specific workshops/trainings for foreign stakeholders (Yes/No)
        iv. Targeted invitations to comment (Yes/No)
        v. Other (Yes/No)
            1. If Other, please specify:_____

6. Under the *WTO Agreements on Technical Barriers to Trade and on the Application of Sanitary and Phytosanitary Measures*, countries are required to establish a single central government authority responsible for notifications to the WTO to ensure transparency of domestic measures with a significant effect on trade:[43]
    a. Please specify which authorities have been designated to fulfil this role:_____
    b. Are the notification authorities responsible for coordinating notification across government? (Yes/No)
    c. Do these authorities also process the comments received on domestic regulations notified to the WTO? (Yes/No)
    d. Is guidance provided to regulators on which regulations to notify? (Yes/No)
    e. Is the oversight body playing a role in the notification process? (Yes/No)
        i. If yes, which one?_____

7. Is your country committed to notify proposed or new regulatory measures in any other bilateral, regional or multilateral context beyond the notification obligations under the *WTO Agreements*? (Yes/No)
    a. If yes, please specify:_____

C. Stakeholder engagement in different stages of policy development P/S

This section is divided into two sub-sections. The first sub-section includes questions regarding engagement that occurs at an early stage, to inform officials about the nature of the problem and to inform discussions on possible solutions. This refers to the stage where

[42] This website can include links which direct to consultation pages of ministries, so long as the public can access any of the ongoing consultations regarding the development of regulations from this single site.

[43] Article 10.10 of the TBT Agreement and Article 10 SPS Agreement.

no preferred solution to address a given policy issue has been identified yet. The second sub-section includes questions on stakeholder engagement where the preferred solution has been identified and/or a draft version of the regulation has been issued[44]. Please note that in most countries systematic consultation takes place when a preferred option has been identified, and therefore the questions regarding consultation prior to this stage may not apply to the situation in your country. It is only necessary to complete those sections that apply to the current practices in your country.

1. When does the government conduct stakeholder engagement?[45]
    a. Prior to a regulation being drafted, to inform officials about the nature of the problem and inform discussions on possible solutions and policy options? (Yes/No)
        i. If yes, complete subsection on Sta*keholder engagement to identify possible solutions before regulation is drafted or proposed*
    b. When a preferred solution or option has been identified and/or a draft version of the regulation has been issued[46]? (Yes/No)
        i. If yes, complete subsection on *Stakeholder engagement on draft regulations*

Stakeholder engagement to identify possible solutions before regulation is drafted or proposed

This section refers to stakeholder engagement taking place **prior to a preferred solution being identified and/or a new or revised regulation being drafted**[47], to inform officials about the nature of the problem and to inform discussions on possible solutions (including non-regulatory).

2. How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions? (For all regulations/ For major regulations/ For some regulations/ Never)

Please note that the following questions 3. and 4. should be answered based on the overall number of regulations issued, not based on the number of cases where stakeholder engagement takes place at the early stage. Therefore, **answers to questions 3. and 4. must not exceed the value of the answer in question 2.**, e.g. if the answer to question 2. above is "For some regulations" the answers below may only be "Never" or "For some regulations" (question 3.) and "Never", "Sometimes" or "Frequently" (question 4.).

[44] That is, the text of the regulation was drafted or the proposed regulation was issued.

[45] Please note that you can select "Yes" for both *a* and *b*. The answer "Yes" is to be understood as *at least in some cases / for some regulations / sometimes*. It does not necessarily presuppose a systematic approach for stakeholder engagement at a given stage.

[46] That is, the text of regulation was drafted or the proposed regulation was issued.

[47] i.e. prior to the text of regulation being drafted or the proposed regulation being issued.

3. What types of documents are made available to support such stakeholder engagement? Please select all that apply (For all regulations/ For major regulations/ For some regulations/ Never)
    a. *Green paper*[48]
        i. If so, please provide an example*:_____
    b. *Document of legislative intent*[49]
    c. Consultation document describing the problem and soliciting public input on possible solutions (e.g. through the use of questionnaires)
    d. *Regulatory Impact Assessment*[50] (RIA)
    e. Official gazette
    f. Other analytical documents or studies
    g. Other
        i. If other, please specify:_____

4. What forms of stakeholder engagement are used at this stage? (Always/ Frequently/ Sometimes/ Never)
    a. *Physical public meetings*[51]
    b. *Virtual public meetings*[52]
    c. *Informal consultation with selected groups*[53]
        i. Please specify which types of groups:_____
    d. *Formal consultation with selected groups* (e.g. social partners)[54]
        i. Please specify which types of groups:_____
    e. *Advisory group*[55] or *preparatory committee*[56]
        i. Please provide an example and explain how the advisory group is selected: _____
        ii. Please provide an example and explain how members of the preparatory committee are selected: _____

[48] A green paper is a consultation document designed to stimulate discussion on a particular topic. Green papers invite interested parties (bodies or individuals) to participate in a consultation process and debate a subject and provide feedback on possible solutions. Green papers are intended to provide information for discussion and do not imply any commitment to any specific action.

[49] Document of legislative intent refers to documents that contain the information considered by the legislature prior to reaching its decision to enact a law; for example memoranda from government agencies and legislators, and comments or reports from legislative committees, commissions, legal associations, and lobbying groups.

[50] Regulatory Impact Assessment refers to the systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc.

[51] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[52] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[53] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[54] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[55] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[56] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

f. *Broad circulation for comment*[57]
g. Posting on the internet without invitation to comment
h. *Public consultation conducted over the internet* with invitation to comment[58]
   i. Are there pre-defined criteria for deciding whether a public consultation is conducted over the internet? (Yes/No)
      1. If yes, please describe the criteria (e.g. formal system of thresholds): _____
   ii. Please provide an example of consultation over the internet with the invitation to comment, with weblink*. _____
i. Other
   i. If other, please specify: _____

Stakeholder engagement on draft regulations[59]

This section refers to stakeholder engagement on regulation where the preferred solution has been identified and/or the text of the regulation has been drafted or proposed.

5. How often does the government conduct consultation on draft regulations or proposed rules? (For all regulations/ For major regulations/ For some regulations/ Never)

Please note that the following questions 6. and 7. should be answered based on the overall number of regulations issued, not based on the number of cases where stakeholder engagement takes place at the later stage. Therefore, **answers to questions 6. and 7. must not exceed the value of the answer in question 5.**, e.g. if the answer to question 2. above is "For some regulations" the answers below may only be "Never" or "For some regulations" (question 3.) and "Never", "Sometimes" or "Frequently" (question 4.).

6. What types of documents are made available to support the stakeholder engagement? Please select all that apply (For all regulations/For major regulations/ For some regulations/ Never)
   a. *White paper*[60]
   b. *Document of legislative intent*[61]
   c. Consultation document describing the problem and suggested solutions

[57] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[58] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

[59] Or proposed regulations

[60] White paper refers to a government report which sets out a detailed policy or regulatory proposal. A white paper allows the opportunity to gather feedback before the policy/regulation is formally presented.

[61] Document of legislative intent refers to documents that contain the information considered by the legislature prior to reaching its decision to enact a law, for example memoranda from government agencies and legislators, and comments or reports from legislative committees, commissions, legal associations, and lobbying groups.

d. *Regulatory Impact Assessment*[62] (RIA)
e. Summary of RIA
f. Explanatory memorandum or preamble
g. Draft text of the regulation[63]
h. Official gazette
i. Other analytical documents or studies
j. Other
   i. If other, please specify:_____

7. What forms of stakeholder engagement are used at this stage? Please select all that apply. (Always/ Frequently/ Sometimes/ Never)

   a. *Physical public meetings*[64]
   b. *Virtual public meetings*[65]
   c. *Informal consultation with selected groups*[66]
      i. Please specify which types of groups:_____
   d. *Formal consultation with selected groups* (e.g. social partners)[67]
      i. Please specify which types of groups:_____
   e. *Advisory group*[68] or *preparatory committee*[69]
      i. Please provide an example and explain how the advisory group is selected: _____
      ii. Please provide an example and explain how members of the preparatory committee are selected: _____
   f. *Broad circulation of proposals for comment* [70]
   g. Posting proposals on the internet without invitation to comment
   h. *Public consultation conducted over the internet* with invitation to comment[71]
      i. Are there pre-defined criteria for deciding whether a public consultation is conducted over the internet? (Yes/No)

[62] Regulatory Impact Assessment refers to the systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc.

[63] Or proposed regulation.

[64] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[65] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[66] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[67] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[68] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[69] This refers to a committee of interested parties/experts who are formally responsible for helping find solutions to the problem and draft the regulations.

[70] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[71] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

1. If yes, please describe the criteria (e.g. formal system of thresholds): _____

ii. Please provide us with an example of consultation over the internet with the invitation to comment, with weblink*: _____

i. Other
   i. If other, please specify: _____

D. Consideration of and response to consultation comments (P/S)

1. Are the views of participants in the consultation process made public72? (Yes/No)
   a. If yes, how? Select all that apply. (Yes/No)
      i. Individual comments made available on the internet
      ii. Summary of comments made available on the internet
      iii. Published alongside RIA
      iv. Formal report on the results of the consultation
      v. Other
         1. If other, please describe:_____
      vi. If yes to any, please provide a weblink to an example of published comments*: _____

2. Are *regulators*[73] required to publish a response to consultation comments online? (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   a. If so, please provide a weblink(s) to an example*: _____

3. Are *regulators* required to respond in writing to the authors of consultation comments[74]? (Yes/No)
   a. If yes, how do regulators respond? Select all that apply. (Yes/No)
      i. Individual answers to each author of consultation comments
      ii. Summary responding to most important or significant comments published online
      iii. Other
         1. If other, please describe: _____
   b. If yes, please provide a link to an example: _____

4. Are the views expressed in the consultation process included in the Regulatory Impact Assessment[75]? (Yes/No)
   a. If not, are they passed on to decision makers in some other way together with the draft regulation or proposed rule? (Yes/No)

[72] i.e. the views of those consulted

[73] Regulators - Administrators in government departments and other agencies responsible for making regulation.

[74] i.e. respond directly to the people who have provided comments in the consultation.

[75] That is, noted in the RIA document or Regulation Impact Statement.

i. If yes, please select the form in which they are provided to decision makers. (Explanatory memorandum/ Regulatory preamble/ Separate document/ Other)
   1. If other, please specify: _____

5. Are regulators formally required to consider consultation comments when developing the final regulation? (Yes/No)
   a. If yes, please give the source for this requirement: _____
   b. If yes, how are regulators held accountable for this? Please select all that apply. (Yes/No)
      i. Judicial review
      ii. Review by standing or central oversight body
      iii. Other
         1. If other, please describe:_____

E. Information and Communications Technology

1. Does the government use interactive websites[76] to consult with stakeholders on: (please select all that apply) (Yes/No)
   a. Plans to regulate
   b. Draft regulations[77]
   c. Plans to change existing regulations
   d. Finalised regulations
   e. If yes to any, does government use: (please select all that apply) (Yes/No)
      i. Website(s) operated by the government
         1. If yes, do they offer discussion forums (where participants and regulators can directly respond to each other)? (Yes/No)
         2. If yes, please provide an example of consultation and weblinks*: _____
      ii. LinkedIn
         1. If yes, please provide an example of consultation and weblinks*: _____
      iii. Facebook
         1. If yes, please provide an example of consultation and weblinks*: _____
      iv. Twitter
         1. If yes, please provide an example of consultation and weblinks*: _____
      v. Other
         1. If other, please specify:_____
         2. If yes, please provide examples and weblinks*: _____

[76] i.e. websites that allow members of the general public to post visibly comments online.

[77] Or proposed regulations

F. Evaluation of consultation systems

1. Are reports published online in your country on the performance of consultation practices on draft regulations, i.e. how they function in practice? (Yes/No)

Please note this question is not about conducting consultation but about evaluating whether the consultation system functions well in practice. **Please only answer "Yes" if you publish evaluation reports of your consultation system online.** This is an advanced practice, which is in place in only a few countries. For an example, see here the European Commission's Review of the Commission Consultation Policy (2012).

Please note that the term **"regulation" includes both primary laws and subordinate regulations**. Evaluation reports looking into consultation systems on either or both types of regulation are accepted as supporting evidence.

   a. If yes, is this report published every year, every 2-3 years, or ad hoc. (Every year / Every 2-3 years / Ad hoc)
   b. If yes, please provide a weblink to the report or an electronic copy: _____

2. Are the following indicators available to your government? Please select all that apply. (Yes, this indicator is publicly available / Yes, this indicator is internally available / No)

   a. Percentage of consultations that comply with formal requirements/guidelines
      i. If yes, please provide a weblink to the report containing the indicator or an electronic copy: _____
   b. Results of perception/opinion surveys on the usefulness/quality of consultations
      i. If yes, please provide a weblink to the report containing the indicator or an electronic copy: _____

3. As part of the evaluation of the consultation processes, do you evaluate the participation of foreign stakeholders? (Yes/No)

   a. If so, please give a brief explanation of how it is done and provide an example: _____

G. Definition of answer categories P/S

If you have answered 'for major regulations' for any of the questions above, please answer the questions below.

1. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)

   a. Please explain: _____

2. If the criteria for defining major differs amongst questions, please explain: _____

3. If you have answered 'for some regulations' for any of the questions above, please explain how these have been selected. _____

H. EU legislation and international instruments

1. Is there a requirement for the government to conduct stakeholder engagement to define a negotiating position for the development of EU directives/regulations? [78] (For all EU directives/regulations/ For major EU directives/regulations/ For some EU directives/regulations/ Never/ Not applicable)
    a. If so, is it required that stakeholder engagement is open to the general public? (For all EU directives/regulations / For major EU directives/regulations / For some EU directives/regulations / Never/ Not applicable)
    b. If so, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found.

2. Please describe the process to select proposals that undergo stakeholder engagement as well as the forms of consultations used (e.g. open consultation via the internet, formal consultation with specific stakeholder groups, etc.) [79]

3. Is there a requirement to conduct stakeholder engagement when transposing[80] EU directives into national law?[81] (For all EU directives/ For major EU directives/ For some EU directives/ Never/ Not applicable)
    a. If so, do the same requirements and processes apply as for regulations originating domestically? (Yes/No/Not applicable)
        i. If no, please describe how the specific procedure differs from standard requirements:_____
    b. If so, is it required that stakeholder engagement is open to the general public? (For all EU directives/ For major EU directives/ For some EU directives/ Never/ Not applicable)

4. Does the government facilitate the engagement of domestic stakeholders in the consultation process conducted by the European Commission in the development of

[78] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please write 'Not applicable'.

[79] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[80] i.e. the process of adopting national legislation to give effect to EU directives.

[81] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

EU directives and regulations (e.g. raising awareness of current initiatives, linking to the consultation webpage, etc.)?[82];[83] (Yes/No/Not applicable)

a. If yes, please describe how this is done:_____
b. If yes, please provide an example (e.g. a website on which stakeholders are invited to participate in a consultation conducted by the Commission).
c. If not, please explain briefly why is this not undertaken.

5. Does the government facilitate the engagement of government officials in the consultation process conducted by the European Commission in the development of EU directives and regulations? [84] (Yes/No/Not applicable)

   a. If yes, please describe how this is done.

6. Are the results of the European Commission's consultation processes used as an input to[85] (Please select all that apply):

   a. Inform the national negotiating position for the development of EU directives/regulations[86] (Always/ Frequently/ Sometimes/ Never / Not applicable)

      i. If so, please explain how this is done

   b. Inform the transposition of EU directives (Always/ Frequently/ Sometimes/ Never / Not applicable)

      i. If so, please explain how this is done

   c. If the results of the European Commission's consultation processes are used for other purposes, please explain

[82] The European Commission uses a range of different tools to engage with stakeholders at different points in the policy process:

- At the initial stage of policy development, the public has the possibility to provide feedback on the Commission's policy plans through roadmaps and inception impact assessments (IIA).
- As a second step, for major policy initiatives, a 12 week public consultation is conducted through the "Have your say" portal and may be accompanied by other consultation methods.
- Stakeholders can also provide feedback to the Commission on its proposals and their accompanying final impact assessments once they are adopted by the College.
- The Commission also consults stakeholders as part of the *ex post* evaluation of existing EU regulations.

[83] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[84] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[85] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[86] This answer option refers to the use of the results of the Commission's stakeholder engagement processes during the legislative process, prior to the adoption of an EU directive/ regulation by Council and European Parliament.

7. In your opinion, which of the European Commission's consultation processes are the most relevant as an input to inform the domestic policy process on EU directives/ regulations? [87]

8. Is specific guidance available to government officials for conducting stakeholder engagement to[88], [89] (Select all that apply):
    a. Inform the national negotiating position for the development of EU directives/regulations (Yes/ No/ Not applicable)
        i. If yes, provide a link or reference
    b. Inform the transposition of EU directives (Yes/ No/ Not applicable)
        i. If yes, please provide a link or reference

9. Is there a requirement to conduct stakeholder engagement prior to the adoption/transposition of international instruments in legislation? (For all international instruments/ For major international instruments/ For some international instruments/Never)[90]
    a. If for major or some international instruments, please specify for which ones:_____
    b. If yes, is it required that consultation open to the general public is conducted? (Yes/No/Not applicable)
    c. If yes, do the same requirements and processes apply as for regulations originating domestically? (Yes/No/Not applicable)
    d. If a specific procedure is applied, please specify: _____

I. Laws initiated by parliament

1. Do the answers provided above also apply to laws initiated by parliament[91]? (Yes, all answers/Yes, some answers/No)

2. Do you have specific requirements, processes or exceptions for conducting public consultations with respect to primary laws initiated by parliament? (Yes/No)
    a. If yes, please provide details: _____

[87] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please write 'Not applicable'.

[88] In case it is applicable, the same document can be referenced at both stages.

[89] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[90] Please note that, for the purpose of this question, international instruments do not include EU legislation (which is covered in the previous questions).

[91] i.e. in the section on stakeholder engagement, are the answers provided for primary laws initiated by the executive also valid for primary laws initiated by parliament.

3. Is there a requirement to conduct consultations with the general public to inform the development of primary laws initiated by parliament? (For all primary laws/ For major primary laws/ For some primary laws/ Never)

J. Scope of answers to questions on Part II Stakeholder Engagement and Transparency

1. To what proportion of national regulations do your answers provided above apply to? (Please fill in the table below)

Proportion of national primary laws covered in survey Part II on Stakeholder Engagement (expressed as % of the total number of national primary laws)	Proportion of national subordinate regulations covered in survey Part II on Stakeholder Engagement (expressed as % of the total number of national subordinate regulations)

If you have answered yes to question G1, G2 or G3 please include the regulations originating from the respective international instruments in the proportion of regulations covered in Part II.

If you have answered 'Yes, all answers' to question H 1, please include the number of laws initiated by parliament in the proportion of primary laws covered in Part II.

2. If you do not have exact numbers, please provide an estimate and explain how you estimated the proportion of regulations covered in this part of the survey. _____

K. Statistics on stakeholder engagement

1. Please fill in the following table.

	Consultations open to the general public conducted over the internet, before the text of the primary law was drafted		Consultations open to the general public conducted over the internet, before the text of the subordinate regulation was drafted or the proposed regulation was issued	
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations
2017				
2018				
2019				

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

   _____

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide a weblink. If the information is part of a report, please reference the page number: _____

4. Please fill in the table.

	Draft primary laws on which consultation open to the general public was conducted over the internet after the text of the primary law was drafted		Draft subordinate regulations on which consultation open to the general public was conducted over the internet after the text of the subordinate regulation was drafted or the proposed regulation was issued	
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations
2017				
2018				
2019				

5. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

   _____

6. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide a weblink. If the information is contained in a report, please reference the page number: _____

Statistics - Communication campaigns on specific consultations (Optional)

If your government conducted mass-communication campaigns (which involved paid or unpaid advertising on TV, radio, newspapers, news sites, social media, search engines, websites, etc.) for specific consultations in the past three years, please fill in the following table.

Note: if your government ran campaigns on various media for the same consultation (e.g. social media and TV advertisement), and there are no aggregate reach statistics (e.g. there is risk of double counting, since the same person may have seen the advertisement both on TV and on social media), please provide reach separately for each media.

	Name of consultation	Deadline for comments for the consultation	Type of media used [92]	Number of days the campaign ran[93]	Reach [94]	Target audience	Total number of comments received for the consultation	Comments
1								
2								
3								
4								
5								

7. Do you have information on the average number of respondents to consultations? (Yes, internally available/ Yes, publicly available/ No)
    a. If yes, please provide further information on the nature of the data. _____
    b. If publicly available, please provide weblink. If the information is contained in a report, please reference the page number. _____
    c. If available, please give an estimate of the level of foreign stakeholder participation in your domestic processes, in terms of the share of total stakeholder participation:_____

8. Do you have information on the number of draft regulations[95] that have been revised as a result of information received during consultation? (Yes, internally available/ Yes, publicly available/ No)
    a. If yes, please provide the number or percentage.

9. Do you publish any other statistics on stakeholder engagement practices? (Yes/No)

[92] e.g. TV, radio, social media, search engine, newspaper, news site.

[93] If more than one campaign (e.g. TV and social media) ran over the same period of time, do not dobule count. For example, if two campaigns for the same consultation ran from October 1st to October 31st, please write 31 days.

[94] The number of individuals/households who have been exposed to the advertisement

[95] or proposed regulations

a. If yes, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information can be found: _____

L. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

_____
_____
_____

M. Additional comments

Please use this space to provide any additional comments you have on this topic.
_____
_____
_____

Part III. Regulatory Impact Assessment (RIA)

Where the answer option 'all regulations' is provided, this refers to all regulations that are issued at the **national level of government** and have **originated from the executive**. This does not include regulations that are initiated by parliament and do not follow the same procedures as regulations initiated in the executive.

When filling in this part of the questionnaire, please bear in mind that 'regulation' refers to the **rules set by government of general applicability to businesses and citizens**. This does not include those types of regulation governing the internal proceedings of government.

When the questionnaire refers to the development of new regulation, please note that this includes changes to existing regulation.

1. Please highlight any major reforms or changes to your country's Regulatory Impact Assessment system that have been undertaken since 2017: _____

A. Process, requirements and proportionality (Regulatory Impact Assessment[96]) P/S

1. In practice, is Regulatory Impact Assessment (RIA) conducted to inform the development of regulations for: (All regulations/ Major regulations/ Some regulations/ Never)

2. Is there a requirement to conduct a *Regulatory Impact Assessment* (RIA) to inform the development of: (All regulations/ Major regulations/ Some regulations/ Never)
   a. If so, is this requirement expressed in: (please select all that apply) (Yes/No)
      i. Constitution
      ii. Law or statutory requirement (e.g. Administrative Procedures Act)
      iii. Cabinet handbook
      iv. Mandatory guidelines
      v. Other
         1. If other, please describe and also explain if it is mandatory:_____
         2. If yes, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found: _____
   b. If there are exceptions to these requirements, please select which of the following reasons are accepted: (please select all that apply) (Yes/No)
      i. Regulation is being introduced in response to an emergency
      ii. Regulation is considered to have insignificant impacts

[96] Regulatory Impact Assessment refers to the systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc.

1. If yes, please describe how it is established that a regulation has insignificant impacts and give examples:_____

iii. Regulation must be introduced before a certain date
iv. Regulation is implementing an international treaty or legislation of an inter- or supranational organisation (e.g. EU)
v. Regulation is part of an election promise
vi. Other
1. If other, please specify: _____

3. When does the public first learn that a RIA is due to take place? (Before the RIA is started through an announcement on a website/ Before the RIA is started through a road map or similar type of early warning document/At the time of any public consultation on the RIA/ When the regulation is adopted/ Other/ Never)

a. If other, please specify:_____

4. If it is decided that a RIA will not be conducted, is this decision made publicly available? (Yes/No/No, but RIA is always conducted without exception)

a. If yes, how? Please provide us with the weblink*: _____
b. If yes, when[97]? _____
c. Can members of the general public contest this decision? (Yes/No/ No, but RIA is always conducted without exception)
i. If yes, please describe how:_____

5. Is there a body responsible for reviewing the decision made by officials about whether a RIA is required? (Yes/No/ No, but RIA is always conducted without exception)

a. If yes, what is the name of the body? _____
b. If yes, where in the administration is it located? _____

6. If a RIA does not take place, is a post-implementation review required? (Yes/No/ No, but RIA is always conducted without exception)

Proportionality and thresholds

7. Is there a threshold test to determine whether a RIA is undertaken at all? (Yes/No)

a. If yes, is the threshold expressed: (Qualitatively/ Quantitatively/ Qualitatively and quantitatively)
b. Please provide details of the threshold test: _____
c. If yes, are the results of the threshold test made public before the regulation is drafted? (Yes/No)

8. Is there a threshold to determine whether a full RIA (as opposed to a simplified RIA) is undertaken? (Yes/No)

[97] Please describe in what stage of the development of a new regulation this is made public, e.g. before the draft regulation or proposed rule is submitted to the cabinet or the council of ministers.

a. If yes, is the threshold expressed: (Qualitatively/ Quantitatively/ Qualitatively and quantitatively)
b. Please provide details of the threshold test: _____
c. If yes, please provide details of the difference in requirements for a simplified RIA versus a full RIA: _____
d. If yes, are the results of the threshold test made public before the regulation is drafted? (Yes/No)

Responsibility and transparency

9. Is it mandatory for RIAs to be 'signed-off' when completed? (For all RIAs/ For RIAs regarding major regulations/ For some RIAs/ Never)
    a. If so, who is responsible for signing off (please select the highest level that is required):
        i. RIAs regarding major regulations (Minister/ High level official/Head of responsible department/ Official responsible for developing the regulation/ Standing or central oversight body/ Other)
            1. If other, please specify: _____
        ii. RIAs regarding non-major regulations (Minister/ High level official/ Head of responsible department/ Official responsible for developing the regulation/ Standing or central oversight body/ Other)
            1. If other, please specify: _____

10. Are RIAs made publicly available online? (All RIAs/ RIAs regarding major regulations/ Some RIAs/ Never)
    a. If so, where are RIAs published online? Please select all that apply. (Yes/No)
        i. On a central registry (e.g. parliament or government website)
        ii. On the websites of each ministry
            1. Please provide the weblink(s)*: _____
    b. If so, when are RIAs published? Please select all that apply. (Yes/No)
        i. Prior to a regulation being put before parliament
        ii. After regulation is put before parliament
        iii. Other specific stage in regulatory process
        iv. Publication dates vary
            1. If other specific stage in regulatory process, please specify: _____
    c. If so, are RIA documents required to be released for consultation with the general public? (All RIAs/ RIAs regarding major regulations/ Some RIAs/ Never)
        i. If yes, please provide the weblink*:_____

B. Assessment of impacts, costs and benefits P/S

1. When developing regulation, are *regulators*[98] required to identify and assess the impacts of the following: (For all regulations/ For major regulations/ For some regulations/ Never)
    a. The preferred regulatory option
    b. The baseline or 'do nothing' option
    c. Alternative regulatory options
        i. If so, how many alternative regulatory options are usually assessed? (1/More than 1)
    d. Alternative non-regulatory options
        i. If so, how many alternative non-regulatory options are usually assessed? (1/More than 1)

2. Is there a requirement that impact assessment practices be proportionate to the significance of the regulation, i.e. the expected impact? (Yes/No)
    a. If yes, where is this described (e.g. guidelines)? _____
    b. If yes, please provide details: _____

3. When developing regulation, are regulators required to include assessments of the following: (For all regulations/ For major regulations/ For some regulations/ Never)
    a. Impact on the budget
    b. Impact on competition
    c. Impact on trade
    d. Impact on market openness
    e. Impact on small businesses
    f. Impact on specific regional areas
    g. Impact on specific social groups
    h. Impact on other groups (non-profit sector including charities)
    i. Impact on the public sector[99]
    j. Impact on gender equality
    k. Impact on poverty
    l. Impact on environment
    m. Impact on social goals
    n. Impact on income inequality
    o. Impact on foreign jurisdictions
    p. Impact on sustainable development
    q. Impact on innovation

[98] Administrators in government departments and other agencies responsible for making and enforcing regulation.

[99] e.g. costs to central or local government

4. Where it is required to assess a particular type of impact, please describe how it is ensured that this assessment is completed. Please select all that apply. (Yes/No)
    a. Checklist of impacts which must be completed
    b. Written statement that each of the required impacts have been considered, including when they have been identified as zero or very low
    c. The analysis of these impacts are reviewed by a body outside the ministry sponsoring the regulation
    d. Other
        1. If other, please specify:_____

5. When developing regulation, are regulators required to identify the likely distributional effects of the regulation? (i.e., who is likely to benefit and who is likely to bear costs) (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, please describe the methodology, including how distributional effects are identified, e.g. distributional effects relating to income, gender, age: _____

6. When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation's goals? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, are regulators required to specify
        i. The methodology of measuring progress (Yes/No)
        ii. The indicators/data that can measure
            1. Progress in achieving the immediate policy goals (Yes/No)
            2. The contribution towards a country's long-term goals or agenda (Yes/No)
        iii. If so, please provide details: _____
        iv. If so, please provide an example: _____

7. Is risk assessment required when developing regulation?
    a. For all areas of regulation (For all regulations/ For major regulations/ For some regulations/ Never)
    b. For health and safety regulation (For all regulations/ For major regulations/ For some regulations/ Never)
    c. For environmental regulation (For all regulations/ For major regulations/ For some regulations/ Never)
    d. For other areas of regulation (For all regulations/ For major regulations/ For some regulations/ Never)
        1. Please specify which areas: _____
        i. If risk assessment is required, must it involve quantitative analysis? (Yes, for all areas of regulation/ Yes, in specific areas/ No)
        ii. If risk assessment is required, is it included in RIA? (Yes, for all areas of regulation/ Yes, in specific areas / No)

8. When developing regulation, are regulators required to (please select all that apply): (For all regulations/ For major regulations/ For some regulations/ Never)

a. Assess the level of compliance
b. Identify and assess potential enforcement mechanisms

Impacts on foreign jurisdictions

9. If regulators are required to assess impacts on foreign jurisdictions, how are these impacts assessed? (Please select all that apply.) (Yes/No)
    a. Communication with other jurisdictions' regulators
    b. Business and other stakeholders' perception surveys
    c. Modelling exercise
    d. Other, please specify
        i. If other, please specify:_____

10. When looking at impacts on foreign jurisdictions, are specific country groups or jurisdictions targeted? (Please select all that apply.) (Yes/No)
    a. Developing countries
    b. Neighbouring countries
        i. If yes, please specify:_____
    c. Major trading partners
        i. If yes, please specify:_____
    d. Other
        i. If yes, please specify:_____

11. If an impact on a foreign jurisdiction is found in a RIA, is the relevant jurisdiction contacted? (Yes, to inform it of the regulation/ Yes, to obtain feedback on the regulation/ No)

Assessment of costs

For information and examples of different categories of costs, please see *OECD Regulatory Compliance Costs Assessment Guidance*.

12. Are regulators required to identify the costs of a new regulation[100]? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, are regulators required to quantify the costs? (For all regulations/ For major regulations/ For some regulations/ No)
        i. If so, are regulators required to quantify the costs for more than one policy option? (Yes/No)
        ii. If so, please indicate where costs are separately quantified for the following groups: (For all regulations/ For major regulations/ For some regulations/ Never)
            1. Individuals/citizens
            2. Businesses
            3. NGOs/charities
            4. Government

[100] When the questionnaire refers to new regulation, please note that this includes changes to existing regulation.

iii. If so, what kind of costs are quantified:
   1. *Cost of Compliance*[101] (For all regulations/ For major regulations/ For some regulations/ Never)
      a) If so, does this include:
         a. *Administrative burdens*[102] (for example the costs involved in reading and understanding regulations and reporting requirements) (For all regulations/ For major regulations/ For some regulations/ Never)
         b. *Substantive compliance costs*[103] (the direct costs of meeting requirements other than administrative burdens) (For all regulations/ For major regulations/ For some regulations/ Never)
         c. *Government administration and enforcement costs*[104] (For all regulations/ For major regulations/ For some regulations/Never)
         d. Other (For all regulations/For major regulations/For some regulations/Never)
            i. If other, please specify: _____

b. If regulators are required to identify the costs of new regulations, is there a requirement to assess any of the following additional categories of costs? (For all regulations/ For major regulations/ For some regulations/ Never)
   i. *Macroeconomic costs*[105] (for example the impact on employment or economic growth)
   ii. *Financial costs*[106] (for example the interest paid on a loan needed to purchase new equipment)

[101] Compliance costs are the costs that are incurred by businesses or other parties at whom regulation may be targeted in undertaking actions necessary to comply with the regulatory requirements, as well as the costs to government of regulatory administration and enforcement. This includes *substantive compliance costs*, *administrative burdens* and Government administration and enforcement costs.

[102] The costs involved in obtaining, reading and understanding regulations, developing compliance strategies and meeting mandated reporting requirements, including data collection, processing, reporting and storage, but NOT including the capital costs of measures taken to comply with the regulations, nor the costs to the public sector of administering the regulations.

[103] The incremental costs to the target group of complying with a regulation, other than administrative costs. They include only the direct costs borne by those for whom the regulation imposes compliance obligations. Substantive compliance costs include the following broad categories: implementation costs, direct labour costs, overheads, equipment costs, materials costs and the costs of external services.

[104] Costs incurred by government in administering and enforcing the regulatory requirements.

[105] Cost impacts on key macroeconomic variables such as GDP and employment caused by regulatory requirements.

[106] The financial cost of regulations is the cost of capital deployed in meeting regulatory compliance obligations. That is, where investments must be undertaken (i.e. equipment purchased, etc.) in order to comply with regulations, the cost to the firm includes both the purchase price of these items and the cost of financing the purchase – whether from debt or equity.

iii. *Indirect costs*[107] (costs that are incidental to the main purpose of the regulations)
iv. The loss of country competitiveness/attractiveness (e.g. the costs to trade and foreign direct investment or on insertion in global value chains)
v. If yes to any of the above options, please provide a concrete example for each type of cost assessed*._____

13. Where it is required to assess and/or quantify a particular type of cost, please describe how it is ensured that this assessment is completed: _____

Assessment of benefits

14. Are regulators required to identify the benefits of a new regulation? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, are regulators required to qualitatively assess these benefits? (For all regulations/ For major regulations/ For some regulations/ Never)
        i. If so, what kind of benefits must be qualitatively assessed? (e.g. economic, social, environmental) _____
    b. If so, are regulators required to quantify the benefits? (For all regulations/ For major regulations/ For some regulations/ Never)
        i. If so, are regulators required to quantify the benefits for more than one policy option? (Yes/No)
        ii. If so, please indicate for which groups benefits are quantified separately (For all regulations/ For major regulations/ For some regulations/ Never):
            1. Individuals/citizens
            2. Businesses
            3. NGOs/charities
            4. Government (for example fiscal benefits)
        iii. What kinds of benefits are quantified? (e.g. economic, social, environmental) _____

15. Where it is required to quantify and/or assess a particular type of benefit, please describe how it is ensured that this assessment is completed: _____

16. Is there a formal requirement for regulators to demonstrate that the benefits of a new regulation justify the costs? (For all regulations/ For major regulations/ For some regulations/ Never)
    a. If so, please describe the methodology used to demonstrate this. (For example based on life satisfaction of individuals or willingness to pay (WTP))_____

[107] Indirect costs are incidental to the main purpose of the regulations and often affect third parties. For example dynamic costs – i.e. costs caused by negative changes in market conditions over time.

C. Effectiveness of RIA

1. Have assessments been undertaken of the effectiveness of RIA in leading to modifications of regulatory proposals? (Yes/No)
    a. If yes, are these publicly available, e.g. in a report or review? (Yes/No)
        i. Please provide the weblink to the report: _____

2. How often does a RIA lead to improvements of regulatory proposals? (Never/ Rarely/ Sometimes/ Often/ Always/ Not enough information to judge)

3. Please describe a case study or example of an area of regulation where the use of RIA has helped to improve a regulatory proposal: _____

4. Have there been any attempts to quantify the total benefits through more efficient regulations resulting from RIAs? (Yes/No)
    a. If yes, are the results publicly available? (Yes/No)
        i. Please provide a weblink: _____

5. Are good practice examples of RIAs available to policy officials to act as additional guidance? (Yes/No)

D. Oversight of RIA

1. Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA[108]? (Yes/No)
    a. If yes:
        i. What is it called? _____
        ii. Where is it located within the administration? _____
        iii. Is the authority of the oversight body established in a legally binding document, such as a law, statute or executive order? (Yes/No)
        iv. Does the oversight body review RIA for:
            1. Primary laws (Yes/No)
            2. Subordinate regulation (Yes/No)
        v. Please indicate how many full time equivalent staff at the oversight body are responsible for reviewing RIAs: _____
    b. If yes, can an oversight body return the Impact Assessment for revision where it is deemed inadequate? (Yes/No) **P/S**
        i. If yes, on what grounds can the oversight body return the Impact Assessment for revision? (please select all that apply) (Yes/No)
            1. Lack of effective consultation
            2. Benefits not assessed correctly
            3. Administrative burdens for business not assessed correctly

[108] If the body is located within a ministry, which might also issue regulation, the answer "Yes" would still be acceptable as long as it is a unit dedicated to quality control from a whole-of-government perspective. This would however not include cases where every ministry is responsible for reviewing their own RIAs.

4. Administrative burdens for individuals not assessed correctly
5. Substantive compliance costs to business not assessed correctly
6. Substantive compliance costs to individuals not assessed correctly
7. Alternative options not assessed
8. Justification for intervention not described adequately
9. Any requirement not fulfilled[109]
10. Other
    1. If other, please indicate: _____

ii. Please provide an example of the oversight body asking for and receiving a revised RIA*:_____

iii. Explain how the oversight body can ensure that inadequate Regulatory Impact Assessments are improved: (For example, must the oversight body approve or conclude its review of the Impact Assessment before it can be presented to cabinet or parliament?) _____

c. If yes, who is responsible for deciding whether a regulation can proceed to the next step[110] without approval of the RIA from the reviewing body? (please select the highest level that is required) (Ministers responsible/ High level official/ Official responsible for developing the regulation/ Other/ It is not possible) **P/S**

i. If other, please specify: _____

ii. If approval from the reviewing body of the RIA has not been given, is this fact made public? (Yes/No)

1. If yes, how? (e.g. published on government website – Please provide the weblink) _____
2. If yes, when[111]? _____

2. Are reports prepared on the level of compliance by government department[112] with the above requirements of RIA? (Regularly/ On ad hoc basis/ Never) **P/S**

a. If so, please indicate where these are available*. _____

3. Is there a specific parliamentary committee or other parliamentary body with responsibilities for reviewing the quality of:

a. Individual RIAs (Yes/No)

i. If yes, please specify and describe: _____

b. The RIA system as a whole (Yes/No)

i. If yes, please specify and describe: _____

[109] E.g. any of the requirements described in the questions above not fulfilled

[110] E.g. proceed to parliament for primary laws or be legally implemented for subordinate regulation.

[111] Please describe at what stage of the development of a new regulation this is made public, e.g. before draft regulation or proposed rule is submitted to cabinet or council of ministers.

[112] 'Government department' includes agencies or ministries.

E. Guidance

1. Is written guidance on the preparation of RIA provided? (Yes/No)
    a. If yes, when was it last updated?_____
    b. If yes, does the guidance give advice on: (Yes/No)
        i. Identification of the baseline scenario
        ii. Scope of RIA
        iii. Regulatory alternatives
        iv. Threshold tests
        v. Cost-benefit analysis
        vi. Monetisation of costs and benefits
        vii. Risk assessment
        viii. Methodology to trigger and guide the assessment of specific impacts
            1. If yes, please specify for which types of impacts. (Please select all that apply.) (Yes/No)
                1) Impact on the budget
                2) Impact on competition
                3) Impact on trade
                4) Impact on market openness
                5) Impact on small businesses
                6) Impact on specific regional areas
                7) Impact on specific social groups
                8) Impact on other groups (non-profit sector including charities)
                9) Impact on the public sector
                10) Impact on gender equality
                11) Impact on poverty
                12) Impact on environment
                13) Impact on social goals
                14) Impact on income inequality
                15) Impact on foreign jurisdictions
                16) Impact on sustainable development
                17) Impact on innovation
        ix. Other
            1. If other, please specify:_____
    c. Please provide us with weblink to guidance or if not publicly available, please provide us with a copy of the guidance: _____

F. Use of RIA

1. Are RIAs submitted to the following authorities? (Please select all that apply.) (Yes/No) **P/S**
    a. Parliament/legislature[113]
    b. Cabinet/council of ministers
    c. Other relevant authorities, e.g. consultative bodies

[113] Including parliamentary committees according to the area of policy concerned.

i. If Other relevant authorities, please specify:_____

2. Are summaries of RIA submitted to the following authorities? (Please select all that apply.) **P/S**
   a. Parliament/legislature[76]
   b. Cabinet/council of ministers
   c. Other relevant authorities e.g. consultative bodies
      i. If Other relevant authorities, please specify:_____

G. Evaluation of Regulatory Impact Assessment (RIA) systems

1. Are reports published online in your country on the performance of the Regulatory Impact Assessment system on draft regulations, i.e. how they function in practice? (Yes/No)

Please note this question is not about conducting RIA but about evaluating whether the RIA system functions well in practice. **Please only answer "Yes" if you publish evaluation reports of your Regulatory Impact Assessment system online.**

Please note that the term **"regulation" includes both primary laws and subordinate regulations**. Evaluation reports looking into RIA on either or both types of regulation are accepted as supporting evidence.

   a. If yes, is this report published every year, every 2-3 years, or ad hoc? (Every year / Every 2-3 years / Ad hoc)
   b. If yes, please provide a weblink to the report or an electronic copy*: _____

2. Are the following indicators available to your government? Please select all that apply. (Yes, this indicator is publicly available / Yes, this indicator is internally available / No)
   a. Percentage of RIAs that comply with formal requirements/guidelines
      i. If yes, please provide a weblink to the report containing the indicator or an electronic copy:_____
   b. Results of perception/opinion surveys on the usefulness/quality of RIA
      i. If yes, please provide a weblink to the report containing the indicator or an electronic copy*:_____

H. Definition of answer categories P/S

If you have answered 'for major regulations' for any of the questions above, please answer the questions below.

1. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)
   a. Please explain. _____

2. If the criteria for defining 'major' differs amongst questions, please explain. _____

3. If you have answered 'for some regulations', 'for some primary laws' or 'for some subordinate regulations' for any of the questions above, please explain how these have been selected. _____

I. EU legislation and international instruments

1. In practice, does the government conduct RIAs on EU directives/ regulations? [114] (Yes/ No / Not applicable)
    a. If yes, at what stage of the EU's legislative process is the domestic RIA process on EU directives/ regulations initiated? (Please select all options that apply and specify below in case multiple answers are selected)
        i. Once the European Commission's work programme is published (Yes/ No)
        ii. Once the European Commission has published a roadmap/inception impact assessment on a legislative initiative (Yes/No)
        iii. Once the European Commission has started its 12 weeks consultation process on a legislative proposal (Yes/ No)
        iv. Once a legislative proposal and its accompanying final RIA have been published by the European Commission (Yes/ No)
        v. Once a legislative proposal has been adopted by Council/ European Parliament (Yes/ No)
        vi. Once a measure has been published in the Official Journal of the EU (Yes/No)
        vii. Other (Yes/ No)
            1. If Other, please specify
        viii. If multiple options have been selected, please explain why and specify the difference between the answers (e.g. in case practices differ between policy areas)

2. Is there a requirement for the government to conduct a RIA to inform the negotiating position for the development of EU directives/regulation[115] (For all EU directives/regulations / For major EU directives/regulations / For some EU directives/regulations / Never/ Not applicable)?
    a. If so, do the same requirements and processes apply as for regulations originating domestically? (Yes/ No/ Not applicable)
        i. If no, please describe the specific procedure

[114] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[115] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

b. If so, please provide the weblink/ reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found
c. If no, is the Commission's impact assessment used to inform a negotiating position for the development of EU directives/regulations? (Always/Frequently/Sometimes/Never/Not applicable)

3. When RIA is conducted to inform the negotiation position for the development of EU directives/regulations, please specify how the proposals that undergo RIA are identified[116]: _____

4. Is there a requirement to conduct a RIA when transposing[117] EU directives into national law?[118] (For all EU directives/ For major EU directives/ For some EU directives/ Never/ Not applicable)
   a. If so, do the same requirements and processes apply as for regulations originating domestically? (Yes/No/Not applicable)
      i. If no, please describe the specific procedure:_____

5. When transposing EU directives, is a specific assessment conducted of potential provisions added at the national level going beyond the requirements set out in the EU directives?[119], [120] (Always/ Frequently/ Sometimes/ Never/ Not applicable)
   a. If yes, please provide an example:
   b. If yes, does this RIA distinguish between impacts stemming from the EU requirements versus additional national implementation measures? (Yes/No/Not applicable)

6. Is the RIA conducted by other Member States used to inform your RIA when transposing EU directives? [121] (Always/ Frequently/ Sometimes/ Never)
   a. If yes, which elements of RIA are utilised?[122] Please specify

[116] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please write 'Not applicable'.

[117] i.e. the process of adopting national legislation to give effect to EU directives.

[118] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[119] i.e. if RIA's of EU directives generally assess whether and how provisions are added at the national level that go beyond the minimum requirements of EU Directives.

[120] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[121] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[122] Elements of RIA can include: Problem definition; policy objectives; options identified; data collection methods; assessment of impacts; stakeholder engagement; enforcement, compliance and monitoring mechanisms.

b. If yes, could you please explain how you access RIAs of other Member States?

7. Are the Commission's impact assessments used to[123] (Please select all that apply):
   a. Inform the national negotiating position for the development of EU directives/regulations[124] (Always/ Frequently/ Sometimes/ Never/ Not applicable)
      i. If so, please specify how this is done: _____
   b. Inform the transposition of EU directives (Always/ Frequently/ Sometimes/ Never/ Not applicable)
      i. If so, please specify how this is done: _____
   c. If the Commission's impact assessments are used for other purposes, please explain: _____
8. Is specific guidance available to government officials for conducting RIA to[125],[126] (Select all that apply):
   a. Inform the national negotiating position for the development of EU directives/regulations (Yes/ No/ Not applicable)
      i. If yes, please provide a link or reference: __
   b. Inform the transposition of EU directives (Yes/ No/ Not applicable)
      i. If yes, please provide a link or reference:
9. Do you have specific mechanisms to systematically share or exchange information and evidence on potential impacts of EU directives/regulations with other Member States and the European Commission? [127] (Yes/ No/ Not applicable)
   a. If yes, please specify what kind of mechanisms and explain how it works: ___
10. Is there a requirement to conduct a RIA when adopting or transposing international instruments in domestic legislation? (For all international instruments/ For major international instruments/ For some international instruments/Never)[128]

[123] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[124] This answer option refers to the use of the Commission's impact assessment during the legislative process, prior to the adoption of an EU directive/ regulation by Council and European Parliament.

[125] In case it is applicable, the same document can be referenced at both stages.

[126] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[127] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[128] Please note that, for the purpose of this question, international instruments do not include EU legislation (which is covered in the previous questions).

J. Laws initiated by parliament

1. Do the answers provided above also apply to laws initiated by parliament? (Yes, all answers/Yes, some answers/ No)

2. Do you have specific requirements, processes or exceptions for using RIA with respect to laws initiated by parliament? (Yes/No)
   a. Please provide details: _____

3. Is there a requirement to conduct RIA to inform the development of primary laws initiated by parliament? (For all primary laws/ For major primary laws/ For some primary laws/ Never)

K. Scope of answers to questions on Part III Regulatory Impact Assessment

1. To what proportion of national regulations do your answers provided above apply to? (Please fill in the table below)

Proportion of national primary laws covered in survey Part III on RIA (expressed as % of the total number of national primary laws)	Proportion of national subordinate regulations covered in survey Part III on RIA (expressed as % of the total number of national subordinate regulations)

If you have answered yes to question I2, I4 or I10, please include the regulations originating from the respective international instruments in the proportion of regulations covered in Part III.

If you have answered 'Yes, all answers' to question J 1, please include the number of laws initiated by parliament in the proportion of primary laws covered in Part III.

2. If you do not have exact numbers, please provide an estimate and explain how you estimated the proportion of regulations covered in this survey section. If the proportion of regulations covered in the RIA part of the survey is the same as the proportion for stakeholder engagement, you can just make reference to your answer in the part on consultation:

_____

L. Statistics

Number of RIAs

1. Please fill in the table below.

	Regulatory Impact Assessment conducted	Regulatory Impact Assessment conducted	Total

	before the text of the primary law was drafted		**before the text of the subordinate regulation was drafted** or the proposed regulation was issued			
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations	In absolute numbers	% of all draft regulations
2017						
2018						
2019						

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

   _____

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number: _____

4. Please fill in the table below.

	Regulatory Impact Assessment conducted **during or after the text of the primary law was drafted**		Regulatory Impact Assessment **conducted during or after the text of the subordinate regulation was drafted** or the proposed regulation was issued		Total	
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations	In absolute numbers	as % of all draft regulations
2017						
2018						
2019						

5. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

   _____

6. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number: _____

Statistics on the RIA oversight body

7. Please fill in the table below.

	The number of RIAs for primary laws presented to the central oversight body		The number of RIAs for subordinate regulations presented to the central oversight body		Total	
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations	In absolute numbers	as % of all draft regulations
2017						
2018						
2019						

8. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

   _____

9. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number: _____

10. Please fill in the table below.

	The number of RIAs regarding primary laws returned for revision and improvement by the central oversight body		The number of RIAs regarding subordinate regulations returned for revision and improvement by the central oversight body		Total	
Year	In absolute numbers	% of all draft primary laws	In absolute numbers	% of all draft subordinate regulations or proposed regulations	In absolute numbers	as % of all draft regulations
2017						
2018						
2019						

11. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
    - originate from international instruments, and/or
    - were initiated by parliament.

    _____

12. Are these statistics publicly available? (Yes/No)
    a. If yes, provide weblink. If the information is contained in a report, please reference the page number: _____

M. Additional comments

Please use this space to provide any additional comments you have on this topic.
_____
_____
_____

N. Innovative practices

Please describe any particular practices you wish to highlight as innovations.

_____
_____
_____

Part IV. *Ex* post evaluation of regulations, reviews and management of the stock of regulations

Ex post evaluation of regulations is a relatively new area for many OECD countries and therefore a lot of the questions may not apply to the situation in your country. If you are unsure about how to answer a question, please contact us at GOVREGSURVEY@oecd.org

In this section, the term regulation covers both primary laws[129] and subordinate legislation[130].

1. Please highlight any major reforms or changes to *ex post* evaluation processes for existing regulation that have been undertaken since 2017: _____

A. Ad-hoc reviews of the stock of regulation/legislation

Please note the questions in Section A refer exclusively to reviews of a large number of regulations. Reviews of individual regulations are covered in Section B.

1. In the last 5 years, have any major reviews of the following kind been conducted?
    a. Principle-based reviews, i.e. the use of a principle (e.g. administrative burdens or effect of regulation on competition) as an initial filter to identify which regulations warrant review or potential reform. (Yes/No)
        i. If yes, which principles was the review/were the reviews based on? Please select all that apply.
            1. *Competition* (Yes/No)
            2. *Administrative burdens*[131] (Yes/No)
            3. *Compliance costs*[132](Yes/No)

[129] Primary laws are defined as: *Regulations which must be approved by the parliament or congress.* Primary laws are also referred to as "principal legislation" or "primary legislation".

[130] Subordinate regulation refers to regulations that can be approved by the head of government, by an individual minister or high level official or by the cabinet - that is, by an authority other than the parliament/congress. Please note that many subordinate regulations are subject to disallowance by the parliament/congress. Subordinate regulations are also referred to as "secondary legislation" or "subordinate legislation".

[131] The costs involved in obtaining, reading and understanding regulations, developing compliance strategies and meeting mandated reporting requirements, including data collection, processing, reporting and storage, but NOT including the capital costs of measures taken to comply with the regulations, nor the costs to the public sector of administering the regulations.

[132] Costs that are incurred by businesses or other parties at whom regulation may be targeted in undertaking actions necessary to comply with the regulatory requirements, as well as the costs to government of regulatory administration

4. *Compliance with international instruments* (Yes/No)
5. Risk (Yes/No)
6. *Overlaps between local, regional and federal regulation* (Yes/No)
7. Other (Yes/No)

ii. If yes, please provide an example for each review category by clicking on the link to the right and filling in the table.

b. Public stocktakes, i.e. reviews that invite businesses and citizens to provide information on the effectiveness, efficiency and burdens imposed by any legislation/regulation, either economy-wide or in a specific sector or policy area (Yes/No)
   i. If yes, please provide one or more examples (max. 3) by clicking on the link to the right and filling in the table:

c. Reviews which compare regulation, regulatory processes, and/or regulatory outcomes across countries, regions or jurisdictions (Yes/No)
   i. If yes, please provide one or more examples (max. 3) by clicking on the link to the right and filling in the table:
d. *"In-depth" reviews*[133], i.e. comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy area or sectors and its effects (Yes/No)
   i. If yes, please provide one or more examples (max. 3) by clicking on the link to the right and filling in the table.
e. Other (Yes/No)
   i. If yes, please provide one or more examples (max. 3) by clicking on the link to the right and filling in the table.

[AD-HOC REVIEWS SHEET]
Principle-based reviews of the stock of regulation/legislation
If principle-based reviews have been conducted in the last 5 years, please provide an examples in the table below.

Name	Principle	Date	Scope	Conclusions/recommendations of the review	Actions taken following the review	Weblink to the report or, if only internally available, a copy of the report
	Competition		Was the review: (Economy-wide, Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)			

and enforcement. This includes *substantive compliance costs*, *administrative burdens* and *Government administration and enforcement costs*.

[133] In-depth reviews are comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy areas or sectors and its effects. While efforts to assess costs of regulation, e.g. administrative burdens or compliance costs, may trigger in-depth reviews (see section A question 1), these do not of themselves constitute an in-depth review.

	Administrative burdens			If undertaken in a specific sector or policy area, please specify:				
	Compliance costs							
	Compliance with international instruments							
	Risk							
	Overlaps between local, regional and federal regulation							
	Other							
	If other, please specify:							

Public stocktakes of the stock of regulation/legislation

If public stocktakes of the stock of regulation/legislation have been conducted in the last 5 years, please provide one or more examples in the table below. Up to three reviews can be described.

Name	Date	Scope		Who was invited to provide information and how?	Conclusions/recommendations of the review	Actions taken following the review	Weblink to the report or, if only internally available, a copy of the report
		Was the review: (Economy-wide, Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)					
		If undertaken in a specific sector or policy area, please specify:					

Reviews which compare regulation, regulatory processes, and/or regulatory outcomes across countries, regions or jurisdictions

If reviews which compare regulation, regulatory processes, and/or regulatory outcomes across countries, regions or jurisdictions have been conducted in the last 5 years, please provide one or more examples in the table below. Up to three reviews can be described.

Name	Date	Which countries, regions or jurisdictions were compared?	Conclusions/recommendations of the review	Actions taken following the review	Weblink to the report or, if only internally available, a copy of the report

"In-depth" reviews
If "in-depth" reviews have been conducted in the last 5 years, please provide one or more examples in the table below. Up to three reviews can be described.

Name	Date	Industry/sector/policy area covered	Conclusions/recommendations of the review	Actions taken following the review	Weblink to the report or, if only internally available, a copy of the report

Other kind of reviews
If other reviews have been conducted in the last 5 years, please provide one or more examples in the table below. Up to three reviews can be described.

Name	Date		Conclusions/recommendations of the review	Actions taken following the review	Weblink to the report or, if only internally available, a copy of the report

B. *Ex post* evaluation of regulation P/S

1. Have *ex post* evaluations of existing regulations been undertaken in the last three years? (Yes, frequently/ Yes, some/ No)
    a. If yes, what triggered the *ex post* evaluation? (Frequently/ Sometimes/ Never)
        i. Government or party programme
        ii. Accidents
        iii. Emergency
        iv. Results of ad-hoc review or pre-screening to select regulations for further evaluation
        v. Threshold test
        vi. Legal requirements
        vii. Ad-hoc political decisions
        viii. Request from parliament
        ix. Decision by audit office to review

x. Request by external group or committee
xi. Other
1. If other, please specify:_____

2. Is periodic *ex post* evaluation of existing regulation mandatory?[134] (For all regulations/ For major regulations/ For some regulations/ Never)
   a. If so, since when? _____
   b. If so, how many years after implementation of the regulation does the *ex post* evaluation take place?_____
   c. If so, are *ex post* evaluations required to assess whether the underlying policy goals have been achieved?[135]* (For all regulations/ For major regulations/ For some regulations/ Never)
      i. If so, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found: _____

If no to 1 and 2, proceed to section C.

3. Is there a "threshold"[136] for deciding whether an *ex post* evaluation is required?[137] (Yes/No)
   a. If yes, please provide details: _____
   b. If yes, is the threshold test comprehensive, i.e. does it cover both costs and benefits relating to social, economic and environmental impacts? (Yes/No)
   c. If yes, please provide a practical example of a specific law/regulation when the threshold test was applied including the calculations and/or assessments and outcome of the threshold test: _____

4. Do regulations include '*sunsetting*'[138] clauses? (For all regulations/ For major regulations/ For some regulations/ Never)
   a. If yes, what is the standard period within which a regulation must sunset? _____

5. Do regulations include automatic evaluation requirements? (For all regulations/ For major regulations/ For some regulations/ Never)

6. Are some evaluations deferred or brought forward together to enable packages of regulation on similar issues to be considered together? (For all regulations/ For major regulations/ For some regulations/ Never)

[134] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[135] For further clarity, this question is about requirements.

[136] This includes multiple-criteria and pre-defined conditions or rules. Thresholds can be quantitatively or qualitatively based.

[137] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[138] The automatic repeal of regulations a certain number of years after they have come into force.

Ex post *evaluation methodology*

7. Are there standardised evaluation techniques (scientific and statistical methods) that are required to be used when existing regulation is evaluated?[139] (Yes/No)

    a. Is an ongoing training programme[140] available to officials to assist them in applying *ex post* evaluation techniques? (Yes/No)

        i. If yes, please provide reports or weblinks of an active practical training programme (e.g. reporting on activities, training catalogue, etc.):

8. Is written guidance[141] on *ex post* evaluations available to regulatory officials?[142] (Yes/No)

    a. If yes, please provide us with the weblink to the guidance document or send us an electronic version. _____

9. Do *ex post* evaluations contain by default an assessment of whether the underlying policy goals of regulation have been achieved?[143]* (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

    a. If so, please provide an example:

10. Are *ex post* evaluations required to contain an assessment of costs? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

    a. If so, is it required to quantify these costs? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)
    b. If so, which costs are included in the assessment? (Please select all that apply.) (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)
        i. *Administrative burdens* (for example the costs involved in reading and understanding regulations and reporting requirements)
        ii. *Substantive compliance costs* (the direct costs of meeting requirements other than administrative burdens)

[139] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[140] Training programmes provide direct and potentially tailored assistance to officials so that they can undertake *ex post* evaluations.

[141] Guidance means documentation that is used to inform government officials in how to conduct *ex post* evaluations.

[142] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[143] For further clarity, this question is about actual practice.

iii. *Government administration and enforcement costs*
iv. Trade and other costs of diverging from international standards
v. Other
1. If other, please specify: _____

11. Are *ex post* evaluations required to contain an assessment of benefits? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)
    a. If so, is it required to quantify these benefits? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

12. Where it is required to assess and/or quantify cost or benefits, how is it ensured that this assessment is completed? (Please select all that apply.) (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)
    a. Checklist of types of assessment which must be completed
    b. Written statement that each of the types of assessment have been considered
    c. The *ex post* evaluations are reviewed by an independent[144] body who is responsible for ensuring each type of assessment is completed
    d. Other
        i. If other, please specify:_____

13. Are existing regulations evaluated by conducting a Regulatory Impact Assessment[145]? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

14. Are comparisons of the actual vs predicted impacts of a regulation made? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

15. Do *ex post* evaluations compare the impact of the existing regulation to alternative options? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

16. In principle, do *ex post* evaluations identify unintended consequences? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)
    a. If yes, does this include identification of unintended consequences related to diverging from existing international instruments? (All *ex post* evaluations/

[144] Please note that may include units dedicated to quality control at the level of sector ministries that are part of government but outside the ministry preparing the *ex post* evaluation. If such a unit is located within a ministry, which might also prepare its own *ex post* evaluations "Yes" would still be acceptable as long as it is a dedicated unit within a specific ministry. This would however not include cases where every ministry is responsible for reviewing their own *ex post* evaluations.

[145] Systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc.

Ex post evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

i. If so, please explain the methodology used and provide an example:

17. Are *ex post* evaluations required to consider the consistency of regulations and take steps to address areas of overlap/duplication/inconsistency? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

18. Are *ex post* evaluations required to assess consistency with comparable international instruments? (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations/ Never)

19. Please specify any other impacts considered and any other requirements for *ex post* evaluation not covered in previous questions: _____

20. [QUESTION REMOVED]

Institutional setting and oversight[146]

21. Who prepares *ex post* evaluations of regulations?
    a. Standing body (Yes/No)
        i. If so, please specify (including name and location): _____
    b. Official/department responsible for developing the regulation (Yes/No)
    c. Private-sector consultants (Yes/No)
    d. Academics (Yes/No)
    e. Unit in the parliament or legislature (Yes/No)
        i. If so, please specify (including name and location): _____
    f. Group or committee outside government (Yes/No)
        i. If so, please provide details: _____
    g. Other (Yes/No)
        i. If other, please specify:_____

[146] Please note that this section refers to the quality control of individual *ex post* evaluations, e.g. by scrutinising if an *ex post* evaluation complies with formal requirements or guidelines. This is different from conducting *ex post* evaluation of regulations, which is surveyed in the other areas of this part of the questionnaire.

22. Is there a body[147] outside the unit conducting the evaluation[148] responsible for reviewing the quality[149] of *ex post* evaluations?* (Yes/No)

    a. If so, does the body review the quality of *ex post* evaluations for individual regulations?*[150] (All *ex post* evaluations/ *Ex post* evaluations regarding major regulations/ Some *ex post* evaluations / Never) **(P/S)**:

        i. If so, please provide a document or report with the body's assessment of an *ex post* evaluation:

        ii. Please describe which *ex post* evaluations for individual regulations are reviewed, elaborate on the scrutiny process and provide an example:

        iii. What mechanisms does the body use to perform its quality control function for *ex post* evaluation of individual regulations? Please select all that apply.

            1. Advice and/or feedback during the preparation of the *ex post* evaluation?* (Yes/No)

            2. Formal opinion on the quality of *ex post* evaluation (Yes/No)

                1) Is this formal opinion made public?* (Yes/No)

                i. If yes, please provide a link to an example

    b. If so, does the body review the quality of ad-hoc reviews of the regulatory stock, e.g. administrative burden reviews/in-depth reviews?* (Yes/No)

        i. If so, please describe in detail which ad-hoc reviews the body scrutinises, elaborate on the scrutiny process and provide an example:

    c. Does the body review the quality of *ex post* evaluations[151] of packages of individual primary laws/subordinate regulations?* (Yes/No)

        i. If so, please describe in detail the scrutiny process and provide an example:

23. How are findings and recommendations of *ex post* evaluations dealt with?

---

[147] Quality control bodies must be outside the ministry/agency conducting the evaluation, but can include one unit in one specific ministry that provides a quality control function from the whole-of-government perspective across the entire administration, covering all aspects of *ex post* evaluation.

[148] This question refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[149] Quality control refers to scrutiny of the quality before an *ex post* evaluation is finalised, i.e. the document will only be finalised following feedback from the oversight body. This is different from providing an opinion on a finalised *ex post* evaluation.

[150] Questions a. to c. refer to quality control in practice, i.e. if no *ex post* evaluations are conducted in practice or the body has a mandate for quality control but does not carry out quality control in practice, positive answers cannot be maintained.

[151] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

24. Are there any other mechanisms to scrutinise the quality of *ex post* evaluations besides a standing body or unit responsible for the scrutiny of *ex post* evaluation? (Yes/No)
    a. If yes, please describe these mechanisms

25. Do you have a co-ordination mechanism for *ex post* evaluation[152] efforts across the public administration from a whole-of-government perspective (e.g. a body, unit, network, or other)?* (Yes/No)
    a. If so, please describe and provide an example: _____
    b. If good practice examples are available, please provide the weblink or document:_____

26. Do you have one or several dedicated evaluation units to assist officials in conducting *ex post* evaluations[153]? (Yes, several/ Yes, one/ No)
    a. If yes, is practical assistance[154] available to officials?* (Yes, officials from all ministries/ Yes, officials from some ministries/ No)
    b. If yes, is detailed guidance[155] available to officials?* (Yes, officials from all ministries/ Yes, officials from some ministries/ No)
    c. If yes to any of the above, please specify where the body or bodies are located and what kind of assistance or guidance they provide (including weblinks if applicable): _____

C. Ongoing management, feedback mechanisms and consolidation programmes

1. Do you currently use 'Stock-flow linkage rules', i.e. requirements to remove or rationalise existing regulation when introducing new regulations? (e.g. one-in, one-out rule) (Yes/No)
    a. If yes, has there been an independent evaluation of the efficiency and effectiveness of these programmes? (Yes/No)
        i. If yes, is there a publicly available report on the findings? (Yes/No)
            1. If yes, please provide a weblink: _____

2. Are there ongoing mechanisms by which the public can make recommendations to modify or provide feedback on specific regulations?[156] (Yes/No)
    a. If yes, please select all that apply:
        i. Electronic mailboxes (Yes/No)

[152] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[153] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[154] Practical assistance means aid in conducting an *ex post* evaluation, for example, assistance with identifying particular impacts, stakeholders, etc.

[155] Guidance means documentation that is used to inform government officials in how to conduct *ex post* evaluations.

[156] Please note that this question refers to mechanisms to provide feedback on **existing** regulations. Mechanisms for consultation and feedback on designing regulations (*ex ante* consultation) are covered in Part II *Stakeholder Engagement and Transparency.*

ii. Standing Committee* (Yes/No)
    1. If yes, please provide an example:
iii. Dedicated websites* (Yes/No)
    1. If yes, please provide the weblink:_____
iv. Other (Yes/No)
    1. If other, please specify: _____

3. Do you use, or have you used in the last 5 years, any of the following approaches?
    a. Regulator mechanisms (e.g. complaints portals and regular reviews to examine complaints and other problems, internal review and evaluation by the regulator) (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
        i. If yes, please describe the mechanism, who administers it, when it was introduced and the results: _____
    b. Recasting, codification or consolidation programmes for existing legislation, including repeal of obsolete acts (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
        i. If yes, please describe the mechanism, who administers it, when it was introduced and the results: _____
    c. Other (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
        i. If yes, please describe the mechanism, who administers it, when it was introduced and the results: _____

D. Standing bodies

1. Is there a standing body that regularly undertakes reviews of existing regulations? (Yes/No)
    a. If yes, what is its name? _____
    b. If yes, where is it situated within the administration? _____
    c. If yes, does it have a degree of independence from government? (Yes/No)
        i. If yes, how is its independence assured? (e.g. through legislation) _____
    d. What resources does the body have to undertake reviews of existing regulations? (please specify annual budget and number of full time staff in charge of reviewing the stock of regulation)
    e. Can it review:
        i. Primary laws (Yes/No)
        ii. Subordinate regulations (Yes/No)
    f. Has this body conducted any in-depth reviews[157] of specific regulatory areas in the last 3 years?* (Yes/No)
        i. If yes, how many in the last 3 years? _____
        ii. If yes, what regulatory areas were covered? _____
        iii. If yes, please provide one or more examples (max. 3) of in-depth reviews from the last 3 years.* Please specify for each review:
            1. Name: _____

[157] In-depth reviews are comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy areas or sectors and its effects. While efforts to assess costs of regulation, e.g. administrative burdens or compliance costs, may trigger in-depth reviews (see section A question 1), these do not in themselves constitute an in-depth review.

2. Date: _____
3. Key policy recommendations: _____
4. How many of the policy recommendations were implemented? _____
5. Weblink to report: _____

iv. If yes, did this body report its findings publicly? (Yes/No)
1. If yes, please provide weblinks to findings: _____

g. Has this body conducted any other major reviews in the last 3 years?* (Yes/No)
i. If yes, please provide one or more examples (max. 3) of other major reviews from the last 3 years*. Please specify for each review:
1. Name: _____
2. Date: _____
3. Key policy recommendations: _____
4. How many of the policy recommendations were implemented? _____
5. Weblink to report: _____

ii. If yes, did this body report its findings publicly? (Yes/No)
1. If yes, please provide weblinks to findings: _____

h. Who is responsible for deciding what the body reviews?
i. Government
ii. The body itself
iii. Board[158]
iv. Other
1. If other, please specify: _____

i. Is the body a permanent entity, or convened for a fixed duration? (Permanent entity/ Fixed duration)

E. Stakeholder engagement and transparency

1. Are members of the public informed in advance that *ex post* evaluations[159] are planned to take place?* (All *ex post* evaluations/ *Ex post* evaluations for major regulations/ Some *ex post* evaluations/ Never)
   a. If yes, please provide an example

2. Are stakeholders actively engaged in *ex post* evaluation of existing regulation? (For all regulations/ For major regulations/ For some regulations / Never)
   a. If yes, at what stage and how do you involve stakeholders in *ex post* evaluation? _____

[158] That is if the governance structure of the standing body is a board.

[159] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

3. Can you provide an example demonstrating how stakeholder engagement or public consultation has been used to inform *ex post* evaluation of regulation? _____

4. Is the initial RIA referenced as part of *ex post* evaluations?*[160] (All *ex post* evaluations/ *Ex post* evaluations for major regulations/ Some *ex post* evaluations/Never)
   a. If yes, which elements of RIA[161] are referred to? Please specify: _____
5. In practice, does the government provide a public response to recommendations made in *ex post* evaluations[162]?* (Always/ Frequently/ Sometimes/ Never)
   a. If yes, please provide an example of a public response:_____

6. Are evaluations of existing regulations made publicly available over the internet?* (Yes/No)

   a. If yes, please provide the weblink*: _____

F. Effectiveness of *ex post* evaluations and experience

1. How are reviews of the stock of regulation linked to general evaluation practices in government? (e.g. programme evaluation, performance-based budgeting, evaluation of policy areas etc.)

2. Can you provide an example where the recommendations identified in an *ex post* evaluation have led to a tangible improvement[163] in the evaluated regulation(s)?* (Yes/ No)

   a. If yes, please describe the example and provide a relevant weblink: ___

3. Does your government frequently use any of the following mechanisms to ensure that *ex post* evaluations take place?[164] (Please select all that apply)
   a. Explicit cost estimate included as part of the regulatory proposal* (Yes/No)
   b. Hypothecated/earmarked[165] funds for conducting evaluation (Yes/No)

[160] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[161] Elements of RIA can include: Problem definition; policy objectives; options identified; data collection methods; assessment of impacts; stakeholder engagement; enforcement, compliance and monitoring mechanisms.

[162] Evaluations can be undertaken by any relevant body inside the executive, such as individual ministries or agencies, or bodies outside of the executive. Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[163] A tangible improvement in the evaluated regulation(s) can include a change or abolition of the evaluated regulation(s), as well as non-regulatory actions. Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[164] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

[165] Hypothecating/earmarking of funds means that the funds to conduct a future evaluation are formally approved at a point in the past e.g. through a budget or similar process where the costs of conducting the future evaluation are explicitly included in the forecast expenditure for the entity responsible for the evaluation. This could be done on either a collective or individual basis, depending on the number of evaluations to be performed.

c. **Individually** hypothecated/earmarked funds for conducting evaluations (Yes/No)
d. Consequences for non-compliance (e.g. public reporting on non-compliance, remuneration penalties for senior official(s)) (Yes/No)
e. Other (Yes/No)
   i. If other, please specify: _____
f. If yes to any, please describe for each answer how this is done and provide an example

4. Has the effectiveness of *ex post* evaluations[166] in improving the regulatory stock been assessed in the last five years? (Yes/ No)
   a. If yes, are the results publically available, e.g. in a report or review?* (Yes/ No)
      i. If yes, please provide the weblink: ___

G. Definition of answer categories P/S

If you have answered 'for major regulations', for any of the questions above, please answer the questions below.

1. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)
   a. Please explain. _____

2. If the criteria for defining major regulations differ amongst questions, please explain. _____

3. If you have answered 'for some regulations' for any of the questions above, please explain how these have been selected.

   _____

H. Statistics

1. Are there statistics available on the number of evaluations that have been reviewed by the body? (Yes/No)

   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number: ____

2. Please fill in the following table.

[166] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

	Number of **primary laws** on which *ex post* evaluation was conducted (in absolute numbers)	Number of **subordinate regulations** on which *ex post* evaluation was conducted (in absolute numbers)	Total (in absolute numbers)
2017			
2018			
2019			

Note: Please only provide data for those evaluations that have included in their assessment whether the policy objectives of regulation had been achieved.

3. Please provide information on the methodology and definitions used to calculate the numbers. _____

I. Evaluation of *ex post* evaluation systems

1. Are reports published online in your country on the performance of the *ex post* evaluation system, i.e. how they function in practice?* (Yes/No)

Please note this question is not about conducting *ex post* evaluation but about evaluating whether the *ex post* evaluation system functions well in practice. **Please only answer 'yes' if you publish evaluation reports of your *ex post* evaluation online.**

Please note that the term **"regulation" includes both primary laws and subordinate regulations**. Evaluation reports looking into *ex post* evaluation on either or both types of regulation are accepted as supporting evidence.

a. If yes, is this report published every year, every 2-3 years, or ad hoc? (Every year / Every 2-3 years / Ad hoc)
b. If yes, please provide a weblink to the report or an electronic copy: _____

2. Are the following indicators available to your government? (Please select all that apply)

a. Percentage of *ex post* evaluations that comply with formal requirements/guidelines* (Yes, this indicator is publicly available / Yes, this indicator is internally available / No)
   i. If yes, please provide a weblink to the report containing the indicator or an electronic copy:_____
b. Results of perception surveys on the usefulness/quality of *ex post* evaluations (Yes, this indicator is publicly available/ Yes, this indicator is internally available/ No)

i. If yes, please provide a weblink to the report containing the indicator:_____

J. *Ex post* evaluation of EU legislation and international instruments

1. Do you review the implementation of the international instruments to which you adhere to? (Yes, always/ Yes, frequently/ Yes, sometimes/ Never)[167]
   a. If yes, please provide an example:_____
   b. If yes, do you share the results of such evaluations with the relevant international organisation? (Yes/No)
   c.

2. Are the results of *ex post* evaluations carried out by the European Commission used to[168] (Please select all that apply):
   a. Inform the national negotiating position for the development of new/redesigned EU directives/regulations (For all EU directives/regulations / For major EU directives/regulations / For some EU directives/regulations / Never / Not applicable)
      i. If so, please specify how this is done:_____
   b. Inform the transposition of new/redesigned EU directives (For all EU directives/ For major EU directives/ For some EU directives/ Never/ Not applicable)
      i. If so, please specify how this is done: ____
   c. If the Commission's *ex post* evaluations are used for other purposes, please explain: ____
3. Do you feed the results of your own *ex post* evaluations of EU directives/regulations back to the European Commission[169] (Yes/ No/ Not applicable)
   a. If yes, please explain the mechanism or process to share results with the European Commission: _____
   b. If no, please explain briefly why is this not undertaken: _____

K. Additional comments

_____
_____
_____
_____

[167] Please note that EU legislation is part of international instruments. Please use the comments section to indicate whether your response to [4JI] refers to EU legislation, other international instruments, or both.

[168] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

[169] This question applies to EU Member States and EEA countries only. If your country is not an EU Member State or EEA country, please select 'Not applicable'.

L. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

_____
_____
_____
_____

Part V. Regulatory management during the COVID-19 pandemic

Some of these questions have been prefilled based on your responses to the 2017 iREG or to your 2020 iREG answers, if there were changes to the 2017 answers. The rest of the questions should be answered based on regulations that were enacted or amended as a response to the COVID-19 pandemic.

A. Stakeholder Engagement

1. Is there a formal requirement for a minimum period for consultations with the public, including citizens, business and civil society organisations? (Yes/No) [Q. 2A3] (P/S)
    a. If yes, have these minimum periods been formally changed, shortened or eliminated for consultations on regulations regarding the COVID-19 pandemic? (Yes/No)
        i. If changed or shortened, what is the new minimum period? _____
        ii. Does the amendment to the minimum period have a sunset clause and/or expiration date? (Yes/No)
            1. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)

2. Were required public consultations bypassed due to the COVID-19 pandemic? (P/S) (For all regulations / For major regulations / For some regulations / Never)
    a. If yes, was this decision made (Please select all that apply):
        i. For each individual regulation (Yes/No)
        ii. For all regulations
            1. If yes, please provide evidence or a weblink: _____

3. If it was decided that public consultation was not conducted for any proposed regulations during the COVID-19 pandemic, was the decision made public? (Yes / No / No, but public consultation is always conducted without exception)
    a. If yes, how was the decision made public? (Please select all that apply)
        i. On the ministry/department's website for each individual regulation (Yes/No)
            1. Please provide a weblink:

ii. A regulation was enacted exempting all regulatory-making processes from conducting public consultation (Yes/No)
    1. Please provide a weblink to the regulation:
iii. Other (Yes/No)
    1. Please explain and provide evidence if relevant:

4. How often does the government conduct consultation on draft regulations or proposed rules? [Q. 2C5]
    a. How often did the government conduct consultation on draft regulations or proposed rules that were a response the COVID-19 pandemic? (For all regulations/ For major regulations/ For some regulations/ Never):

5. Please use this space to describe in more detail particular policies or practices you wish to highlight regarding stakeholder engagement during the COVID-19 pandemic (e.g., early stage consultation to discuss how to address a policy problem, ministry discretion on which type of consultations where conducted, special groups of stakeholders that were consulted, scientific committees, special advisory bodies, innovative means of consultations, procedures or measures in place to engage with stakeholders and collect information to guarantee service availability, etc.): _____

B. Regulatory Impact Assessment

1. Is there a requirement to conduct a *Regulatory Impact Assessment* (RIA)[170] to inform the development of: (P/S) [Q. 3A2]
    a. If so, was this requirement bypassed, relaxed, or suspended in relation to regulations stemming from the COVID-19 pandemic? (Yes/No)

2. Please use this space to describe in more detail particular policies or practices you wish to highlight regarding RIA during the COVID-19 pandemic (e.g., the extent of impact analysis that was conducted on regulatory proposals, oversight of regulatory proposals, etc.)

C. *Ex post* evaluation

1. Have *ex post* evaluations of existing regulations been undertaken in the last three years? (Yes, frequently/ Yes, some/ No) [Q. 4B1]
    c. If yes, were any *ex post* evaluations[171] undertaken as a result of the COVID-19 pandemic? (Yes/No)
        i. If yes, please provide an example and a weblink: _____

[170] Regulatory Impact Assessment refers to the systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc.

[171] Evaluation refers to evaluations of a regulation's effectiveness and efficiency overall, rather than an assessment of a regulation's costs or administrative burdens.

2. Please use this space to describe in more detail particular policies or practices you wish to highlight regarding *ex post* evaluation during the COVID-19 pandemic (e.g., impact assessment undertaken as part of *ex post* evaluations, stakeholder engagement undertaken as part of *ex post* evaluations, how it will be ensured that planned *ex post* evaluations take place, oversight of *ex post* evaluations, use of foreign experience to feed into the *ex post* evaluations, plans to share results of *ex post* assessment with other countries, plans to conduct joint *ex post* assessments with specific partner countries, etc.)

D. Risk regulation

1. In response to the COVID-19 pandemic, was/were there (Please select all that apply):
    d. An explicit use made of the "risk and regulation" strategy (whole-of-government or sectoral) [172,173] (Yes/No)
    e. Specific assessment of risk proportionality and "risk-risk" trade-offs for existing regulations? (Yes/No)
        i. If yes, was there a discussion of whether or not to lift, suspend or amend said existing regulations? (Yes/No)
    f. Specific assessments of risk proportionality and "risk-risk" trade-offs for new proposed regulations? (Yes/No)
    g. Based on risk assessments[174] were any **existing** regulations specifically
        i. Amended (Yes/No)
        ii. Repealed (Yes/No)
        iii. If yes to any, provide an example if available
    h. Based on risk assessments were any **proposed** regulations specifically
        i. Adopted (Yes/No)

[172] A whole-of-government strategy on risk and regulation implies a systematic application of risk principles in each stage of the policy cycle.

[173] This question enquires about regulation as a measure to respond to a perceived risk. In such cases, the design of regulatory solutions should be based on an assessment of the risk that they are designed to address. Furthermore, risk assessment, risk management and risk communication are part of a cycle of responsive regulation.

[174] Risk assessment is to be understood here as a process (more-or-less formalized) to assess the level of risk involved for the public in the different aspects of the situation: status quo, possible impact of proposed new rule or change of rule, etc. The risk considered here (given the context) is primarily for health – but with the sources/types of risk having to be balanced against one another (e.g. reduced certainty that personal protective equipment is effective vs. decreased/delayed availability of personal protective equipment). It can also be the balancing of different types of risks (short-term health risk vs. longer term health or social impact etc.).

Risk is defined as the combination of probability and potential magnitude of harm. In turn, magnitude is the combination of severity, and number of people affected.

The assessment can be based on quantitative data and models, if available, but can also be done based on a more "qualitative" appraisal of the situation and potential outcomes, particularly in an emergency context. What is specifically being considered here is that there should have been a formal discussion of possible options, with a specific consideration of what the different risks to be assessed and balanced were, and some assessment of the causes/sources of risk, of possible mitigation approaches, and of the relative level of different risks (i.e. is risk A greater than risk B, or the opposite, considering the definition of risk given above).

ii. Rejected (Yes/No)
iii. If yes to any, provide an example if available

i. As part of any risk assessment, was *uncertainty*[175] considered as a separate element? (Yes/No)
    1. If so, briefly explain how this was done_____

j. Elaboration/adoption of a specific risk communication approach (or adaptation of an existing one) for public communication? (Yes/No)
    1. If so, please provide a brief explanation

4. Please use this space to describe in more detail particular policies or practices you wish to highlight regarding risk management during the COVID-19 pandemic (e.g., specific attempt to estimate and balance different, competing or conflicting risks; adaptation of existing rules based on risk proportionality and focus; consideration of risks within the development of new rules or adaptation of existing ones, etc.).

E. International regulatory cooperation[176] during the covid-19 pandemic

1. When developing laws and regulations, are regulators required to use information from other jurisdictions or international organisations to inform the rationale for regulating or the assessment of potential impacts? [Q. 1I8]
    a. Were specific recommendations / guidance issued in this regard to support regulators in gathering information from other jurisdictions or international organisations to inform regulating in the context of the COVID-19 pandemic? (Yes/No)
2. If regulators are otherwise incentivised to use information from other jurisdictions or international organisations to inform the rationale for regulating or the assessment of potential impacts of the regulation, please explain how this is done: [Q. 1I9]
    a. Were any specific incentives given to regulators to use information from other jurisdictions or international organisations in their responses to the COVID-19 pandemic? (Yes/No)

F. Oversight of regulatory management during the COVID-19 pandemic

1. Which of the following aspects has the oversight body (or bodies) in charge of regulatory quality been addressing during the COVID-19 pandemic (please select all that apply):
    a. Ensure emergency regulatory measures are proportionate to crisis-related threats (Yes/No)

[175] Risk refers to the combination of the probability of an adverse event occurring and of the potential magnitude of the harm caused; while uncertainty refers to the situation where it is not possible to ascertain the probability of the risk materialising.

[176] International regulatory co-operation: Any agreement, formal or informal, between countries to promote some form of cooperation in the design, monitoring, enforcement, or *ex post* management of regulation.

Principle 12: In developing regulatory measures, give consideration to all relevant international standards and frameworks for co-operation in the same field and, where appropriate, their likely effects on parties outside the jurisdiction.

b. Ensure the objectives and rationale of emergency regulatory measures are clearly spelled out and appropriately communicated to the public at the time of adoption (Yes/No)
c. Ensure emergency regulatory measures are time-limited and/or subject to review (Yes/No)
d. Ensure relevant information from implementation of emergency regulatory measures is collected with a view to informing post-implementation reviews/ex post evaluations (Yes/No)
e. Ensure that regulators consider approaches in other countries when developing measures (eg. in order to learn from international experience, to pursue consistency in crisis response and to avoid that emergency regulatory measures create unnecessary impacts to supply chains or to the delivery of essential cross-border services, etc.) (Yes/No)
f. Promote and help organise the post-implementation reviews /ex post evaluation of emergency regulatory measures (Yes/No)

G. Regulatory management during the COVID-19 pandemic

1. Describe in more detail particular policies or practices you wish to highlight regarding regulatory management during the COVID-19 pandemic.

H. Regulatory management during the COVID-19 pandemic in specific regulatory areas

Please fill in the following questions regarding specific regulations that were issued in response to the COVID-19 pandemic.

1. Confinement, lock-downs, travel bans and/or travel restrictions (Max. 3)

If in response to the COVID-19 pandemic was/were any regulation(s) issued or amended regarding confinement, lock-downs, travel bans and/or travel restrictions, please fill in these questions. Please provide at least one example and maximum three examples.

1. Title of the regulation[177]:
2. When was this regulation first passed?[178]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)

[177] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[178] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

a. If yes, was required public consultation bypassed? (Yes/No)

i. If yes, who made this decision?

6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)

a. If yes, what forms of stakeholder engagement were used? (Select all that apply)

i. *Physical public meetings*[179] (Yes/No)

ii. *Virtual public meetings*[180](Yes/No)

iii. *Informal consultation with selected groups*[181](Yes/No)

1. Please specify which types of groups:_____

iv. *Formal consultation with selected groups* (e.g. social partners)[182] (Yes/No)

v. Virtual formal consultations with selected group (Yes/No)

vi. *Advisory group*[183] or *preparatory committee*[184] (Yes/No)

vii. Virtual consultations with advisory group or preparatory committee (Yes/No)

viii. *Broad circulation for comment*[185] (Yes/No)

ix. Posting on the internet without invitation to comment (Yes/No)

x. *Public consultation conducted over the internet* with invitation to comment[186] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)

[179] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[180] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[181] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[182] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[183] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[184] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[185] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[186] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

a. If yes, please provide a weblink to the impact assessment conducted

b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):

a. Consider the measures taken in other jurisdictions (Yes/No)

b. Consult with partner countries (Yes/No)

c. Consider relevant international instruments/data (Yes/No)

d. If yes to any, please describe briefly and share relevant documentation.

10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?

a. If so, please mention which foreign regulations or international instruments[187] was this regulation aligned with:

11. Was a sunset clause[188] inserted in this regulation? (Yes/No)

a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)

12. Was an automatic evaluation clause inserted? (Yes/No)

a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)

13. Was the regulation subsequently amended? (Yes/No)

a. If yes, did the amendment relate to (Please select all that apply):

i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)

[187] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[188] The automatic repeal of regulations a certain number of years after they have come into force.

ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No)

b. If yes, in total how many times has the regulation been amended?

2. Public events and closure of public places

If in response to the COVID-19 pandemic was/were any regulation(s) issued or amended regarding cancellation of public events or closure of public places, please fill in these questions. Please provide at least one example and maximum three examples.

1. Title of the regulation[189]:
2. When was this regulation first passed?[190]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)
    a. If yes, was required public consultation bypassed? (Yes/No)
        i. If yes, who made this decision?
6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)
    a. If yes, what forms of stakeholder engagement were used? (Select all that apply)
        i. *Physical public meetings*[191] (Yes/No)
        ii. *Virtual public meetings*[192](Yes/No)
        iii. *Informal consultation with selected groups*[193](Yes/No)
            1. Please specify which types of groups:_____
        iv. *Formal consultation with selected groups* (e.g. social partners)[194] (Yes/No)
        v. Virtual formal consultations with selected group (Yes/No)

[189] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[190] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[191] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[192] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[193] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[194] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

vi. *Advisory group*[195] or *preparatory committee*[196] (Yes/No)

vii. Virtual consultations with advisory group or preparatory committee (Yes/No)

viii. *Broad circulation for comment*[197] (Yes/No)

ix. Posting on the internet without invitation to comment (Yes/No)

x. *Public consultation conducted over the internet* with invitation to comment[198] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)
   a. If yes, please provide a weblink to the impact assessment conducted

   b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

      i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

   c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

   d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):
   a. Consider the measures taken in other jurisdictions (Yes/No)

   b. Consult with partner countries (Yes/No)

   c. Consider relevant international instruments/data (Yes/No)

[195] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[196] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[197] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[198] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

d. If yes to any, please describe briefly and share relevant documentation.

10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?
    a. If so, please mention which foreign regulations or international instruments[199] was this regulation aligned with:
11. Was a sunset clause[200] inserted in this regulation? (Yes/No)
    a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)
12. Was an automatic evaluation clause inserted? (Yes/No)
    a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)
13. Was the regulation subsequently amended? (Yes/No)
    a. If yes, did the amendment relate to (Please select all that apply):
        i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)
        ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No
    b. If yes, in total how many times has the regulation been amended?

3. Economic activities

If in response to the COVID-19 pandemic was/were any regulation(s) issued or amended regarding obligatory shut-down of economic activities, please fill in these questions. Please provide at least one example and maximum three examples.

1. Title of the regulation[201]:

[199] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[200] The automatic repeal of regulations a certain number of years after they have come into force.

[201] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

2. When was this regulation first passed?[202]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)
    a. If yes, was required public consultation bypassed? (Yes/No)
        i. If yes, who made this decision?
6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)
    a. If yes, what forms of stakeholder engagement were used? (Select all that apply)
        i. *Physical public meetings*[203] (Yes/No)
        ii. *Virtual public meetings*[204](Yes/No)
        iii. *Informal consultation with selected groups*[205](Yes/No)
            1. Please specify which types of groups:_____
        iv. *Formal consultation with selected groups* (e.g. social partners)[206] (Yes/No)
        v. Virtual formal consultations with selected group (Yes/No)
        vi. *Advisory group*[207] or *preparatory committee*[208] (Yes/No)
        vii. Virtual consultations with advisory group or preparatory committee (Yes/No)
        viii. *Broad circulation for comment*[209] (Yes/No)
        ix. Posting on the internet without invitation to comment (Yes/No)

[202] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[203] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[204] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[205] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[206] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[207] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[208] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[209] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

x. *Public consultation conducted over the internet* with invitation to comment[210] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)
   a. If yes, please provide a weblink to the impact assessment conducted

   b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

      i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

   c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

   d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):
   a. Consider the measures taken in other jurisdictions (Yes/No)

   b. Consult with partner countries (Yes/No)

   c. Consider relevant international instruments/data (Yes/No)

   d. If yes to any, please describe briefly and share relevant documentation.

10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?
    a. If so, please mention which foreign regulations or international instruments[211] was this regulation aligned with:

11. Was a sunset clause[212] inserted in this regulation? (Yes/No)

---

[210] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

[211] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[212] The automatic repeal of regulations a certain number of years after they have come into force.

a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)

12. Was an automatic evaluation clause inserted? (Yes/No)
    a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)
13. Was the regulation subsequently amended? (Yes/No)
    a. If yes, did the amendment relate to (Please select all that apply):
        i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)
        ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No
    b. If yes, in total how many times has the regulation been amended?

4. Overall fiscal measures, support to individuals and/or support households

If in response to the COVID-19 pandemic was/were any regulation(s) issued or amended for overall fiscal measures, support to individuals and/or support households, please fill in these questions. Please provide at least one example and maximum three examples.

1. Title of the regulation[213]:
2. When was this regulation first passed?[214]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)
    a. If yes, was required public consultation bypassed? (Yes/No)
        i. If yes, who made this decision?
6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)
    a. If yes, what forms of stakeholder engagement were used? (Select all that apply)
        i. *Physical public meetings*[215] (Yes/No)
        ii. *Virtual public meetings*[216](Yes/No)

[213] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[214] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[215] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[216] This refers to public meetings where members of the public can attend and comment via telephone or internet.

iii. *Informal consultation with selected groups*[217](Yes/No)

1. Please specify which types of groups:_____

iv. *Formal consultation with selected groups* (e.g. social partners)[218] (Yes/No)

v. Virtual formal consultations with selected group (Yes/No)

vi. *Advisory group*[219] or *preparatory committee*[220] (Yes/No)

vii. Virtual consultations with advisory group or preparatory committee (Yes/No)

viii. *Broad circulation for comment*[221] (Yes/No)

ix. Posting on the internet without invitation to comment (Yes/No)

x. *Public consultation conducted over the internet* with invitation to comment[222] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)
   a. If yes, please provide a weblink to the impact assessment conducted

   b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

      i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

   c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

---

[217] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[218] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[219] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[220] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[221] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[222] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

   d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):
   a. Consider the measures taken in other jurisdictions (Yes/No)
   b. Consult with partner countries (Yes/No)
   c. Consider relevant international instruments/data (Yes/No)
   d. If yes to any, please describe briefly and share relevant documentation.
10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?
   a. If so, please mention which foreign regulations or international instruments[223] was this regulation aligned with:
11. Was a sunset clause[224] inserted in this regulation? (Yes/No)
   a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)
12. Was an automatic evaluation clause inserted? (Yes/No)
   a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)
13. Was the regulation subsequently amended? (Yes/No)
   a. If yes, did the amendment relate to (Please select all that apply):
      i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)
      ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No
   b. If yes, in total how many times has the regulation been amended?

5. Health system measures

If in response to the COVID-19 pandemic was/were any regulation(s) issued or amended for health system measures, please fill in these questions. Please provide at least one example and maximum three examples.

[223] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[224] The automatic repeal of regulations a certain number of years after they have come into force.

1. Title of the regulation[225]:
2. When was this regulation first passed?[226]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)
    a. If yes, was required public consultation bypassed? (Yes/No)
        i. If yes, who made this decision?
6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)
    a. If yes, what forms of stakeholder engagement were used? (Select all that apply)
        i. *Physical public meetings*[227] (Yes/No)
        ii. *Virtual public meetings*[228](Yes/No)
        iii. *Informal consultation with selected groups*[229](Yes/No)
            1. Please specify which types of groups:_____
        iv. *Formal consultation with selected groups* (e.g. social partners)[230] (Yes/No)
        v. Virtual formal consultations with selected group (Yes/No)
        vi. *Advisory group*[231] or *preparatory committee*[232] (Yes/No)
        vii. Virtual consultations with advisory group or preparatory committee (Yes/No)
        viii. *Broad circulation for comment*[233] (Yes/No)

[225] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[226] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[227] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

[228] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[229] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[230] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[231] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[232] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[233] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

ix. Posting on the internet without invitation to comment (Yes/No)

x. *Public consultation conducted over the internet* with invitation to comment[234] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)
   a. If yes, please provide a weblink to the impact assessment conducted

   b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

      i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

   c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

   d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):
   a. Consider the measures taken in other jurisdictions (Yes/No)

   b. Consult with partner countries (Yes/No)

   c. Consider relevant international instruments/data (Yes/No)

   d. If yes to any, please describe briefly and share relevant documentation.

10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?
    a. If so, please mention which foreign regulations or international instruments[235] was this regulation aligned with:

[234] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

[235] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

11. Was a sunset clause[236] inserted in this regulation? (Yes/No)
    a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)
12. Was an automatic evaluation clause inserted? (Yes/No)
    a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)
13. Was the regulation subsequently amended? (Yes/No)
    a. If yes, did the amendment relate to (Please select all that apply):
        i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)
        ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No
    b. If yes, in total how many times has the regulation been amended?

6. Other measures or policies

If in response to the COVID-19 pandemic was/were any other regulation(s) issued or amended, please fill in these questions. Please provide at least one example and maximum three examples.

1. Title of the regulation[237]:
2. When was this regulation first passed?[238]
3. Please provide a weblink to the regulation:
4. What is the nature of the regulation (Primary law / Subordinate regulation/ Guidelines)
5. Was stakeholder engagement required for this regulation? (Yes/No)
    a. If yes, was required public consultation bypassed? (Yes/No)
        i. If yes, who made this decision?
6. In practice, was stakeholder engagement conducted for this regulation? (Yes/No)
    a. If yes, what forms of stakeholder engagement were used? (Select all that apply)
        i. *Physical public meetings*[239] (Yes/No)

[236] The automatic repeal of regulations a certain number of years after they have come into force.

[237] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[238] Please reference here the first version of the regulation that was passed. If the regulation had subsequent amendments or updates, please explain this below.

[239] Public meeting refers to a meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person.

ii. *Virtual public meetings*[240](Yes/No)

iii. *Informal consultation with selected groups*[241](Yes/No)

1. Please specify which types of groups:_____

iv. *Formal consultation with selected groups* (e.g. social partners)[242] (Yes/No)

v. Virtual formal consultations with selected group (Yes/No)

vi. *Advisory group*[243] or *preparatory committee*[244] (Yes/No)

vii. Virtual consultations with advisory group or preparatory committee (Yes/No)

viii. *Broad circulation for comment*[245] (Yes/No)

ix. Posting on the internet without invitation to comment (Yes/No)

x. *Public consultation conducted over the internet* with invitation to comment[246] (Yes/No)

xi. Other forms of stakeholder engagement (Yes/No)

1. If other, please specify:

7. Was RIA required for this regulation? (Yes/No)

8. In practice, was RIA conducted? (Yes/No)

a. If yes, please provide a weblink to the impact assessment conducted

b. If RIA was conducted, were regulators required to assess impacts on trade, to ensure that the costs of these regulations did not prevent access to goods in your jurisdiction during the COVID-19 pandemic? (Yes/No)

i. If yes, please briefly describe what guidance was given to regulators and share relevant weblink.

c. If RIA was conducted, were regulators required to assess impacts on foreign jurisdictions, to identify whether there may be unintended consequences for other

[240] This refers to public meetings where members of the public can attend and comment via telephone or internet.

[241] This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

[242] This refers to exchanges with selected interested parties where the proceedings are formally recorded.

[243] This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

[244] This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.

[245] This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

[246] Public consultation over the internet refers to consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

jurisdictions (e.g. by limiting access to goods produced in your country, enabling the possible spread of the virus to other countries, etc.)? (Yes/No)

d. If RIA was not conducted, was a post-implementation review required? (Yes/No/Not applicable)

9. In the development of this regulation, were regulators required and/or incentivised to (Please select all that apply):
    a. Consider the measures taken in other jurisdictions (Yes/No)
    b. Consult with partner countries (Yes/No)
    c. Consider relevant international instruments/data (Yes/No)
    d. If yes to any, please describe briefly and share relevant documentation.
10. Was this regulation aligned with regulations of other jurisdictions or approaches set by international organisations?
    a. If so, please mention which foreign regulations or international instruments[247] was this regulation aligned with:
11. Was a sunset clause[248] inserted in this regulation? (Yes/No)
    a. If yes, please provide the length of time before the regulation sunsets (i.e. the number of months or years)
12. Was an automatic evaluation clause inserted? (Yes/No)
    a. If yes, please provide the length of time before the regulation is due to be evaluated (i.e. the number of months or years)
13. Was the regulation subsequently amended? (Yes/No)
    a. If yes, did the amendment relate to (Please select all that apply):
        i. Extending the period of time before the regulation was due to sunset or be evaluated? (Yes/No)
        ii. The scope/application of the regulation (i.e. its coverage was changed in some way)? (Yes/No
    b. If yes, in total how many times has the regulation been amended?

[247] International Instruments:

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

[248] The automatic repeal of regulations a certain number of years after they have come into force.

Glossary

Administration and enforcement costs

Costs incurred by government in administering and enforcing the regulatory requirements. These costs include the costs of publicising the existence of the new regulations, developing and implementing new licensing or registration systems, assessing and approving applications and processing renewals. They will also include devising and implementing inspection and/or auditing systems and developing and implementing systems of regulatory sanctions to respond to non-compliance. (*OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Administrative burdens

The costs involved in obtaining, reading and understanding regulations, developing compliance strategies and meeting mandated reporting requirements, including data collection, processing, reporting and storage, but NOT including the capital costs of measures taken to comply with the regulations, nor the costs to the public sector of administering the regulations. (*OECD Regulatory Indicators Questionnaire 2008*)

Advisory groups

Selected experts and/or interested parties (*e.g.* social partners, environmental groups) are brought together to form a consultative body, either on an *ad hoc* or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method. (*OECD Regulatory Indicators Questionnaire 2008*)

Benefits

Benefits are to be understood as the overall benefits of a regulation (e.g. economic, social, environmental, etc.), not just savings or reductions of administrative burdens or compliance costs.

Broad circulation for comment

Consultation materials, and request for comments, are sent to a selected group of stakeholders, rather than being openly advertised to the general public. (Adapted from *OECD Regulatory Indicators Questionnaire 2008*)

Compliance costs

Costs that are incurred by businesses or other parties at whom regulation may be targeted in undertaking actions necessary to comply with the regulatory requirements, as well as the costs to government of regulatory administration and enforcement. This includes *substantive compliance costs*, *administrative burdens* and *Government administration and enforcement costs*. (*OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Document of legislative intent

The documents that contain the information considered by the legislature prior to reaching its decision to enact a law; for example memoranda from government agencies and legislators, and comments or reports from legislative committees, commissions, legal associations, and lobbying groups.

Elements of RIA

Elements of RIA can include: Problem definition; policy objectives; options identified; data collection methods; assessment of impacts; stakeholder engagement; enforcement, compliance and monitoring mechanisms.

Ex post *evaluation*

Ex post evaluation refers to the process of assessing the effectiveness of policies and regulations once they are in force. It can be the final stage when new policies or regulations have been introduced and it is intended to know the extent of which they met the goals they served for. It can also be the initial point to understand a particular situation as a result of a policy or regulation in place, providing elements to discuss the shortcomings and advantages of its existence. *Ex post* evaluation should not be confused with monitoring,which refers to the continuous assessment of implementation in relation to an agreed schedule.

Financial costs

The financial cost of regulations is the cost of capital deployed in meeting regulatory compliance obligations. That is, where investments must be undertaken (i.e. equipment purchased, etc.) in order to comply with regulations, the cost to the firm includes both the purchase price of these items and the cost of financing the purchase – whether from debt or equity.

Formal consultation with selected groups

Exchanges with selected interested parties where the proceedings are formally recorded.

Government administration and enforcement costs

Costs incurred by government in administering and enforcing the regulatory requirements. (*OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Green paper

A consultation document designed to stimulate discussion on a particular topic. Green papers invite interested parties (bodies or individuals) to participate in a consultation process and debate a subject and provide feedback on possible solutions. Green papers are intended to provide information for discussion and do not imply any commitment to any specific action.

High level official

A senior public official in the ministry. For example Permanent Secretary, Departmental Secretary, State Secretary, Secretary-General, Deputy Minister, etc.

Indirect costs

Indirect costs are incidental to the main purpose of the regulations and often affect third parties. They are likely to arise as a result of behavioural changes prompted by the first round impacts of the regulations. Dynamic costs – i.e. costs caused by negative changes in market conditions over time – may be included in this category. Indirect costs are also called "second round" costs. (Adapted from *OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Informal consultation with selected groups

Ad hoc meetings with selected interested parties, held at the discretion of regulators. (*OECD Regulatory Indicators Questionnaire 2008*)

International instruments

For the purpose of this survey, international instruments cover legally binding requirements that are meant to be directly binding on member states and non-legally binding instruments (including technical standards) that may be given binding value through transposition in domestic legislation or recognition in international legal instruments. This broad notion therefore covers e.g. treaties, legally binding decisions, non-legally binding recommendations, model treaties or laws, declarations and voluntary international standards.

International Regulatory Co-operation (IRC)

IRC is defined as any agreement, formal or informal, between countries to promote some form of cooperation in the design, monitoring, enforcement, or *ex post* management of regulation. (Based on OECD, *International Regulatory Co-operation - Addressing Global Challenges*, 2013)

Macroeconomic costs

Cost impacts on key macroeconomic variables such as GDP and employment caused by regulatory requirements. Few specific regulatory measures will have discernible macroeconomic costs. However, they may constitute a highly significant cost item in some cases. (*OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Minister

The most senior political role within a portfolio. In Westminster system governments, these are typically styled "ministers", but the title varies. (*OECD Best Practice Principles of the Governance of Regulators*, 2014)

National government

The national, central, or federal government that exercises authority over the entire economic territory of a country, as opposed to local and regional governments. (Adapted from OECD, *Managing Public Expenditure - A Reference Book for Transition Countries*, 2001)

Perception survey

Perception surveys can be conducted with different types of audiences, including experts, academics, public officials working on ex post evaluations or the broader public. They can for instance collect valuable information on the experience of officials or others participating in this exercise.

Performance-based regulation

Regulations that impose obligations stated in terms of outcomes to be achieved or avoided, giving regulated entities flexibility to determine the means to achieve the mandated or prohibited outcomes. Also referred to as outcome-based regulation.

Post-implementation review

A review of a rule or regulation after it has come into being.

Primary law(s)

See primary legislation.

Primary legislation

Regulations which must be approved by the parliament or congress. Also referred to as "principal legislation" or "primary law". (*OECD Regulatory Indicators Questionnaire 2008*)

Preparatory committee

A committee of interested parties/experts who are formally responsible for helping find solutions to the problem and draft the regulations. Also referred to as 'preparatory commission'.

Public consultation over the internet

Consultation open to any member of the public, inviting them to comment with a clear indication how comments can be provided. The public should be able to either submit comments online and/or send them to an e-mail address that is clearly indicated on the website. This excludes simply posting regulatory proposals on the internet without provision for comment.

Public meeting

A meeting where members of the general public are invited to attend and to provide comments. A physical public meeting is a public meeting where members of the public must attend in person. Please note that for the purposes of this questionnaire parliamentary debates should not be considered as public meetings even when members of the public are allowed to witness them.

Regulation

The diverse set of instruments by which governments set requirements on enterprises and citizens. Regulation include all laws, formal and informal orders, subordinate rules, administrative formalities and rules issued by non-governmental or self-regulatory bodies to whom governments have delegated regulatory powers. (OECD, *Recommendation of the Council on Regulatory Policy and Governance*, 2012)

Regulators

Administrators in government departments and other agencies responsible for making and enforcing regulation. (*OECD Regulatory Indicators Questionnaire 2008*)

Regulatory agency

A regulatory agency is an institution or body that is authorised by law to exercise regulatory powers over a sector/policy area or market.

Regulatory Impact Assessment (RIA)

Systematic process of identification and quantification of benefits and costs likely to flow from regulatory or non-regulatory options for a policy under consideration. May be based on benefit/cost analysis, cost effectiveness analysis, business impact analysis etc. (adapted from *OECD Regulatory Indicators Questionnaire 2008*)

Regulatory policy

The set of rules, procedures and institutions introduced by government for the express purpose of developing, administering and reviewing regulation.

Regulatory reform

Changes that improve regulatory quality, that is, enhance the performance, cost-effectiveness, or legal quality of regulation and formalities. "Deregulation" is a subset of regulatory reform. (*OECD Regulatory Indicators Questionnaire 2008*)

Risk

Risk should be understood as the combination of the likelihood of an adverse event (hazard, harm) occurring, and of the potential magnitude of the damage caused (itself combining the number of people affected, and severity of the damage for each). (OECD, *Best Practice Principles of Regulatory Enforcement and Inspections*, 2014)

Subordinate regulation

Regulations that can be approved by the head of government, by an individual minister or by the cabinet - that is, by an authority other than the parliament/congress. Please note that many subordinate regulations are subject to disallowance by the parliament/congress. Subordinate regulations are also referred to as "secondary legislation" or "subordinate legislation" or "delegated legislation". (Adapted from *OECD Regulatory Indicators Questionnaire 2008*)

Substantive compliance costs

The incremental costs to the target group of complying with a regulation, other than administrative costs. They include only the direct costs borne by those for whom the regulation imposes compliance obligations. Substantive compliance costs include the following broad categories: implementation costs, direct labour costs, overheads, equipment costs, materials costs and the costs of external services. (*OECD Regulatory Compliance Costs Assessment Guidance*, 2014)

Sunsetting

The automatic repeal of regulations a certain number of years after they have come into force.

Virtual public meeting

A meeting where members of the general public can attend and make comments via internet or phone.

White paper

A government report which sets out a detailed policy or regulatory proposal. A white paper allows for the opportunity to gather feedback before the policy/regulation is formally presented.