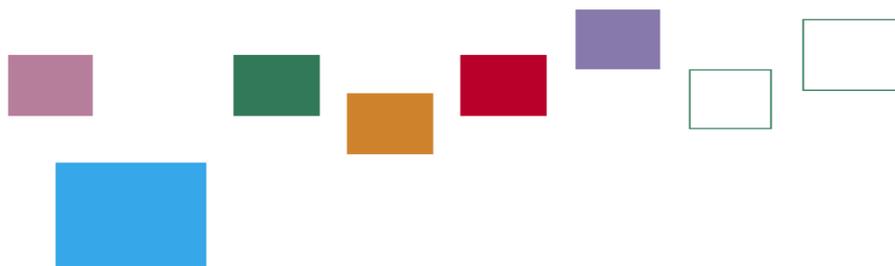




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# *Institutional Supports and Resources for RIA: The Irish Experience*

Lisa Hennessy  
Better Regulation Unit  
Department of the Taoiseach (Prime Minister)  
May 2009





# Background



- Better Regulation Unit established in 2000 as an integral part of the Public Service Modernisation Division in the Department of the Taoiseach (Prime Minister)
- Participation in OECD Review, *Regulatory Reform in Ireland, 2000-2001*
- OECD Review, inter alia, pointed to need to upgrade the administrative capacity for Better Regulation, **eg. through the introduction of Regulatory Impact Analysis (RIA)**
- Introduction of RIA committed to in the 2004 White Paper, *Regulating Better*.

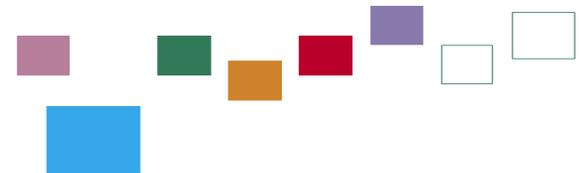




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# Mainstreaming RIA

- An integrated model was introduced in June 2005 following an extensive piloting process
- Officials asked to: describe the **policy context and objectives** of regulatory proposals; identify the **costs, benefits and other impacts** of options; detail **consultation**; describe how **enforcement and compliance** will be achieved and to indicate how the regulations will be **reviewed**
- Express commitment to revise the operation of RIA made in the context of Social Partnership Agreement, *Towards 2016*





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# When RIA Applies

- Since June 2005, RIA must be applied to all proposals for primary legislation, significant Statutory Instruments, draft EU Directives and significant EU Regulations
- Before recommending regulations, policy review groups asked to prepare a RIA
- Focus on asking officials to conduct RIAs where there is a substantive change to the regulatory environment





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# Institutional Arrangements

- RIAs conducted by Departmental officials overseeing policy area where regulation proposed
- Oversight role for Department of the Taoiseach (Prime Minister) and Department of Finance
- Cross-Departmental RIA Network
  - Facilitates exchange of information
  - Allows experience and best practice to be shared
  - Vehicle to highlight issues of concern

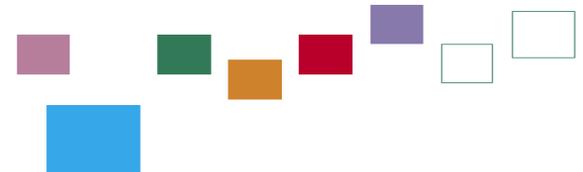




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# Supports

- RIA Guidelines and Template
- RIA Helpdesk
- eCabinet Link
- 2 Day Training Course and modules on other courses (both on RIA and Better Regulation generally)
- Provision of Expert Economic Support



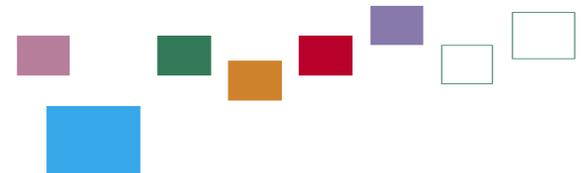


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# Review of Operation of RIA

## Review Terms of Reference

- Assess the effectiveness of the current RIA model
- Assess RIA outputs
- **Assess effectiveness of current supports**
- Consult with internal and external stakeholders
- **Recommend any changes to the model or its operation**

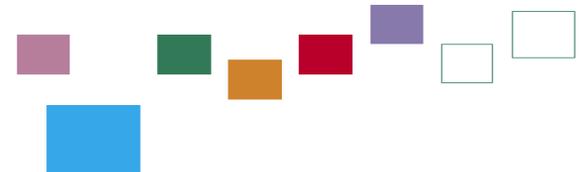




# Review of Operation of RIA

## **Key Findings : The Good News!**

- RIA now generally carried out on proposals for primary legislation
- Existing supports highly regarded by officials
- No need to fundamentally change institutional arrangements



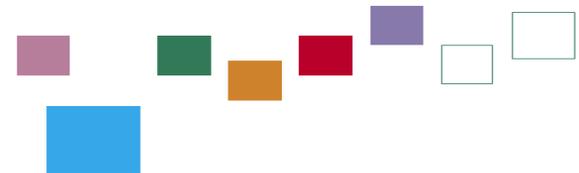


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# Review of Operation of RIA

## Key Findings: The Challenges

- Quality of some RIAs needs improvement
- Rates of publication need to increase and when RIAs are published they are sometimes difficult to find
- Compliance seems to be lower in relation to secondary and EU legislation

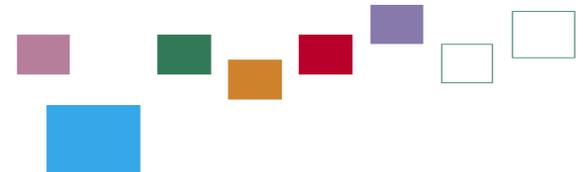




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# Other Challenges

- Competing policy priorities and limited resources for Better Regulation
- Achieving the correct balance between carrot and stick approaches-communicating that RIA is a useful policy tool and not simply an “add-on” requirement

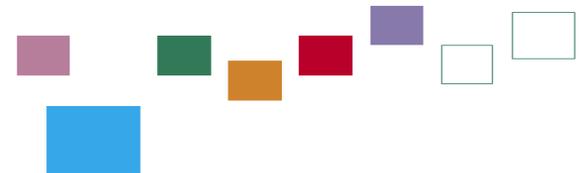




# Overcoming the Challenges (1)

## *Quality*

- Improving the quality and clarity of methodological guidance in partnership with analytical experts in Department of Finance
- Clearer direction on the meaning of significance and proportionality
- Strengthening of RIA Network Role
- Increasing the focus on practical exercises in training



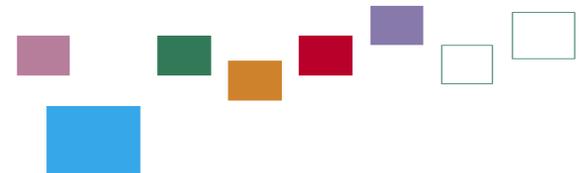


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# Overcoming the Challenges (2)

## *Quality (Contd.)*

- Including more practical examples in revised guidelines
- Inclusion of summary template in guidelines to increase the accessibility of RIAs
- Engaging Parliament, Social Partners and other stakeholders

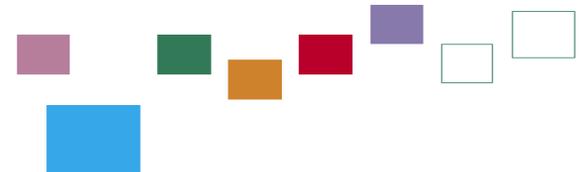




# Overcoming the Challenges (3)

## *Publication*

- Inclusion of publication as a formal step of the RIA process
- Clearer direction on publication in guidelines (arrangements actively discussed with all Departments through RIA Network)
- Publication stressed in RIA Network discussions and presentations to Departments
- Engagement with Stakeholders





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# Working with Other Departments

- There is a limit to what central institutions alone can achieve.
- Key role for RIA Network moving forward reflecting importance of Departmental “buy-in”. Departments themselves choose most appropriate representative.
- RIA Network have already played an active role in developing revised RIA Guidelines including through the EU Subgroup and helping to devise specific instructions for publication. It is expected that they will have an increased role in co-ordinating RIAs on EU and secondary legislation

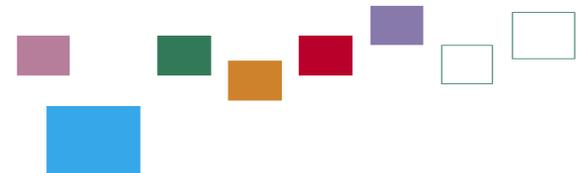




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# Working with Other Departments

- RIA Network enables Departments to feed in to RIA developments based on their practical experience
- Continuing informality of RIA Network allows for honest exchange of views and strong relationships with other Departments. These relationships help to facilitate targeted presentations in Departments
- Working closely with the Department of Finance and the Department of Enterprise, Trade and Employment to ensure a consistent “Whole of Government” message on Better Regulation.

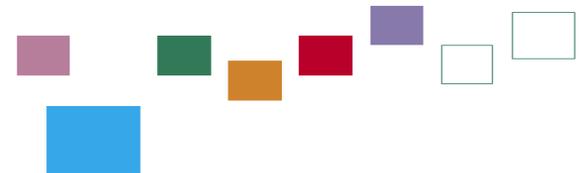




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# Key Points

- It is useful to have a central Better Regulation Unit at the centre of Government but it is vital that it builds strong relationships across Departments
- There needs to be a balance between the quality control and support functions of any central unit especially in the context of limited resources
- External review can help to identify where improvements are needed and how central unit activities might be targeted to address these issues
- Stakeholder engagement is important





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***QUESTIONS?***

