OECD Regulatory Policy Outlook 2015

Country profile

FRANCE

Access links

- OECD Regulatory Policy Outlook 2015: www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm
- Indicators of Regulatory Policy and Governance and the underlying data: www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm
- Regulatory policy in France: www.oecd.org/regreform/regulatory-policy/france.htm
- Regulatory Policy Outlook country profiles: www.oecd.org/regreform/regulatory-policy/outlook-country-profiles.htm
- OECD regulatory policy website: www.oecd.org/governance/regulatory-policy/

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BETTER POLICIES FOR BETTER LIVES

Overview

France has made significant efforts to place the quality of its regulatory policy system at the forefront of its priorities. Since 2009, impact assessment has been a constitutional requirement for all draft laws prepared by the executive. In 2013, the government introduced a "simplification movement" that involved the creation of a Business Simplification Council (January 2014) and the appointment of a Minister of State for State Reform and Simplification attached to the Prime Minister (June 2014). A first package of 124 business simplification measures was announced in July 2013 and 50 new business simplification measures have been announced every six months since April 2014. Measures include the "Tell us once" programme designed to reduce the provision of redundant information requested from businesses and the "silence means consent" principle for first 1 200 procedures.

However, much remains to be done to stem the regulatory inflation that is regularly denounced by business and citizens. Efforts in this area remain patchy. The government has just adopted a moratorium on new regulations (the "one-in, one-out" approach) and has announced the creation of an independent body to evaluate impact assessment studies and oversee the implementation of the moratorium on new legislation for business. However, the decision to establish this body has stalled.

In the area of environment, public consultation is a constitutional requirement. However, France could make consultation a more cross-sectoral and systematic practice including on SME's. *Ex post* evaluation of specific regulations is the exception. The launch of a major evaluation programme in 2012 provides an important foundation for systematising evaluation. In addition to programme evaluations, authorities could assess more systematically whether the goals of regulation have been achieved and systematise the approach through the development of a specific methodology.

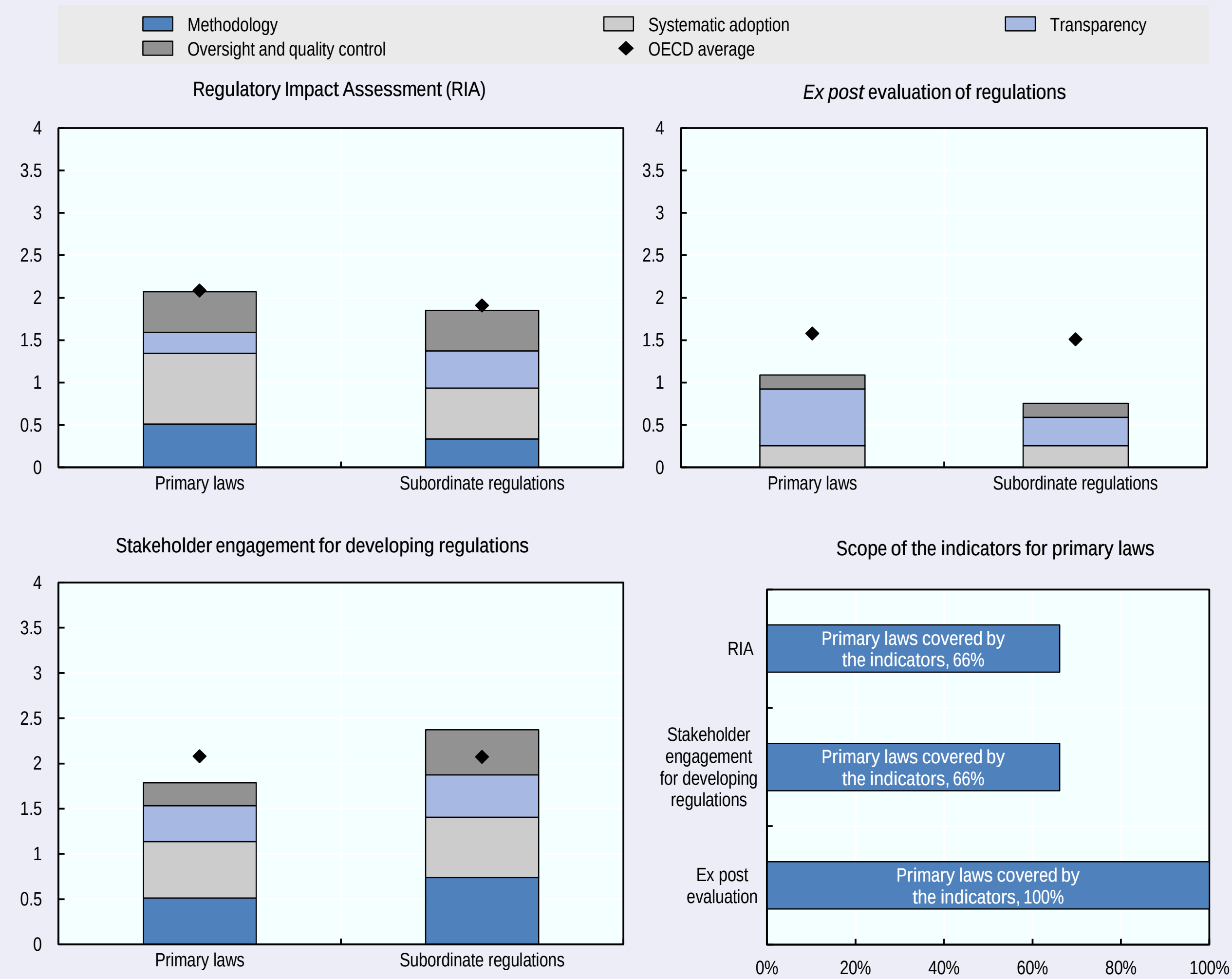
Spotlight: The Business Simplification Council

The "Business Simplification Council" (*Conseil de la simplification pour les entreprises*) is co-chaired by a parliamentarian and an entrepreneur. It brings together 14 independent members, including business representatives, elected officials, experts and senior civil servants. Collaborative workshops with business and public administration officials help define priorities, assess challenges and identify simplification measures. www.simplifier-entreprise.fr.

In 2012, the French government launched a major evaluation programme to simplify, improve coherence, effectiveness and efficiency of public policies.

www.modernisation.gouv.fr/laction-publique-se-transforme/en-evaluant-ses-politiques-publiques/evaluer-les-politiques-publiques#sthash.gbj3dcip.dpuf.

Indicators of Regulatory Policy and Governance 2015



1. The figures display the aggregated scores from all four categories giving the total composite score for each indicator. The maximum score for each category is one and the maximum score for each aggregated indicator is four.

2. The information presented in the indicators for primary laws on RIA and stakeholder engagement only covers processes of developing primary laws that are carried out by the executive branch of the national government. As in France approx. 66% of primary laws are initiated by the executive, the indicators on RIA and stakeholder engagement approx. cover 66% of primary laws. There is no formal requirement in France for consultation with the general public and for conducting RIAs to inform the development of primary laws initiated by parliament. The information presented in the indicators for primary laws on *ex post* evaluation covers processes in place for both primary laws initiated by parliament and by the executive. The percentage of primary laws initiated by parliament is an average between the years 2011 to 2013.

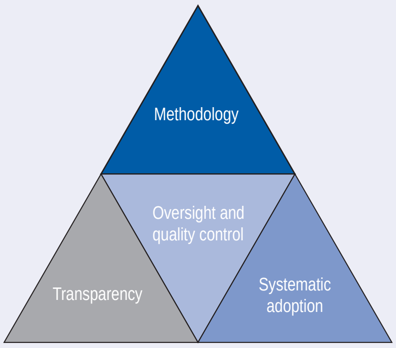
Source: 2014 Regulatory Indicators Survey results, www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm*.*

Statlink: http://dx.doi.org/10.1787/888933263147

Indicators of Regulatory Policy and Governance (iREG)

The three composite indicators provide an overview of a country's practices in the areas of stakeholder engagement, Regulatory Impact Assessment (RIA) and *ex post* evaluation. Each indicator comprises four equally weighted categories:

- Systematic adoption which records formal requirements and how often these requirements are conducted in practice.
- Methodology which gathers information on the methods used in each area, e.g. the type of impacts assessed or how frequently different forms of consultation are used.
- Oversight and quality control records the role of oversight bodies and publically available evaluations.
- Transparency records information from the questions that relate to the principles of open government, e.g. whether government decisions are made publically available.



The composite indicators are based on the results of the *OECD 2014 Regulatory Indicators Survey*, which gathers information from all 34 OECD countries and the European Commission as of 31 December 2014. The survey focuses on regulatory policy practices as described in the 2012 *OECD Recommendation on Regulatory Policy and Governance*. The more of these practices a country has adopted, the higher its indicator score. Further information on the methodology is available online at www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

Whilst the indicators provide an overview of a country's regulatory framework, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform.

OECD Regulatory Policy Outlook 2015

The *OECD Regulatory Policy Outlook* (www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm) provides the first evidence-based, cross-country analysis of the progress made by OECD countries in improving the way they regulate. Findings are based on the results of the *OECD 2014 Regulatory Indicators Survey*.

Key findings:

- Laws and regulations are essential instruments, together with taxes and spending, in attaining policy objectives such as economic growth, social welfare and environmental protection. OECD countries have generally committed at the highest political level to an explicit whole-of-government policy for regulatory quality and have established a standing body charged with regulatory oversight.
- Implementation of regulatory policy varies greatly in scope and form across countries. While RIA has been widely adopted, few countries systematically assess whether their laws and regulations achieve their objectives. Stakeholder engagement on rule making is widespread in OECD countries, taking place mostly in the final phase of developing regulation.
- The national executive government has made important progress over the last decade to improve the quality of regulations. Parliaments, regulatory agencies and sub-national and international levels of government need to be more engaged to ensure that there are evidence-based and efficient laws and regulations for stimulating economic activity and promoting well-being.
- The impact of regulatory policy could be further improved by addressing shortcomings in the implementation and enforcement of regulations and by considering new approaches to regulatory design and delivery such as those based on behavioural economics.

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