Czech Republic
Overview and recent developments

The Czech Republic has a well-developed regulatory impact assessment process including mechanisms for quality control through the RIA Board operating at arm’s length from the government. All draft primary and secondary legislation prepared by the executive has to be accompanied by a basic impact assessment; a full RIA has to be carried out for those drafts with new and significant impacts. The quality of RIA could be improved especially in terms of quantifications of impacts. RIA is not obligatory for legislative initiatives of the MPs, which represent about 40% of laws.

All legislative drafts submitted to the government are published on a government portal accessible by the general public. It is obligatory to conduct consultations within the RIA process and summarise their outcomes in RIA Reports. There are, however, no compulsory rules specifying the length or form of such consultations. The Czech Republic should standardise the public consultation process and stimulate stakeholders including the general public to contribute to consultations.

The Czech Republic was among the first to launch a programme on reducing administrative burdens. Cutting red tape is still a priority for the government, however, contrary to many other countries, the focus has not yet been widened to other regulatory costs. Evaluation of the performance of existing regulations takes place usually on an ad hoc basis and is used rather rarely. The Czech Republic plans to introduce more systematic ex post reviews of existing regulations.

INSTITUTIONAL SETUP FOR REGULATORY OVERSIGHT

The Government Legislative Council is an advisory body to the Government overseeing the quality of draft legislation before it is presented to the Government. One of its working commissions, the RIA Board, evaluates quality of RIAs and adherence to the procedures as defined in the mandatory RIA Guidelines, provides assistance to drafting authorities if requested, and provides opinions on whether draft legislation should undergo a full RIA. The Government Legislation Department of the Office of the Government is responsible for monitoring legal quality of draft legislation as part of the interministerial comments procedure and when draft legislation is submitted to the Government Legislative Council and its working commissions. The RIA Department of the Office of the Government co-ordinates the RIA process within central government, provides methodological assistance and issues guidance materials for the RIA process. Compatibility with EU law is overseen by the Department for Compatibility of the Office of the Government.
INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG): CZECH REPUBLIC, 2018

Note: The more regulatory practices as advocated in the OECD Recommendation on Regulatory Policy and Governance a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (59% of all primary laws in the Czech Republic).


REQUIREMENTS TO USE REGULATORY MANAGEMENT TOOLS FOR EU-MADE LAWS: CZECH REPUBLIC

<table>
<thead>
<tr>
<th>Stakeholder engagement</th>
<th>Regulatory impact assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Stage</strong></td>
<td></td>
</tr>
<tr>
<td>The government facilitates the engagement of domestic stakeholders in the European Commission's consultation process</td>
<td>No</td>
</tr>
<tr>
<td><strong>Negotiation stage</strong></td>
<td></td>
</tr>
<tr>
<td>Stakeholder engagement is required to define the negotiating position for EU directives/regulations</td>
<td>No</td>
</tr>
<tr>
<td>Consultation is required to be open to the general public</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Transposition stage</strong></td>
<td></td>
</tr>
<tr>
<td>Stakeholder engagement is required when transposing EU directives</td>
<td>Yes</td>
</tr>
<tr>
<td>The same requirements and processes apply as for domestically made laws</td>
<td>Yes</td>
</tr>
<tr>
<td>Consultation is required to be open to the general public</td>
<td>No</td>
</tr>
<tr>
<td>RIA distinguishes between impacts stemming from EU requirements and additional national implementation measures</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The data presented in the 2019 Better Regulation Practices across the EU report are the results of the 2014 and 2017 indicators of Regulatory Policy and Governance (iREG) surveys. The results from these surveys for OECD members and accession countries as well as the European Union have also been presented in the 2015 and 2018 Regulatory Policy Outlooks. Composite indicators and country profiles for the five EU countries that are not members of the OECD are published for the first time and are solely based on the data from the 2017 iREG survey.

The Regulatory Indicators Survey investigates in detail three principles of the 2012 OECD Recommendation of the Council on Regulatory Policy and Governance: stakeholder engagement, regulatory impact assessment (RIA) and ex post evaluation. Three composite indicators were developed based on information collected through the surveys for these areas. Each composite indicator is composed of four equally weighted categories:

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

The data underlying the composite indicator reflect practices and requirements in place at the national level of government, as of 31 December 2017. Whilst the indicators provide an overview of a country’s regulatory policy system, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform. A full score on the composite indicators does not imply full implementation of the Recommendation. To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of sensitivity analysis are available publicly on the OECD website (http://oe.cd/ireg).

Related links:
- Full report: Better Regulation Practices across the European Union
- Indicators and underlying data and methodology
- Regulatory Policy Outlook 2015 and Regulatory Policy Outlook 2018
- 2012 Recommendation of the Council on Regulatory Policy and Governance
- OECD Measuring Regulatory Performance Programme
- OECD work on regulatory policy

For more information:

mrp@oecd.org

http://oe.cd/ireg