



Indicators of Regulatory  
Policy and Governance  
EUROPE 2019  
Ireland

# Ireland

## Overview and recent developments

Ireland recently made some improvements to its regulatory policy system, particularly in the areas of consultation and *ex post* evaluation.

A Consultation Principles and Guidance document was issued in 2016, and the government is more broadly promoting open data, citizen participation and greater public governance and accountability via the Open Government Partnership (OGP) National Action Plan. Progress is also underway to consolidate various department consultation notices on a central government website by the end of 2018. Despite these recent improvements, Ireland's consultation practices do not yet operate on a systematic basis across government departments.

Since June 2016, standing orders from Parliament state that the Minister responsible for implementing a law must provide an *ex post* assessment of its functioning within a year. A number of sectoral Departments have also started to carry out policy and mandate reviews, which are required at least every seven years according to the Policy Statement on Economic Regulation issued in 2013.

Ireland continues to conduct mandatory RIA for all primary laws and major subordinate regulations. In order to more effectively monitor and assess the quality of RIA implementation, Ireland should consider establishing a central oversight body.

### INSTITUTIONAL SETUP FOR REGULATORY OVERSIGHT

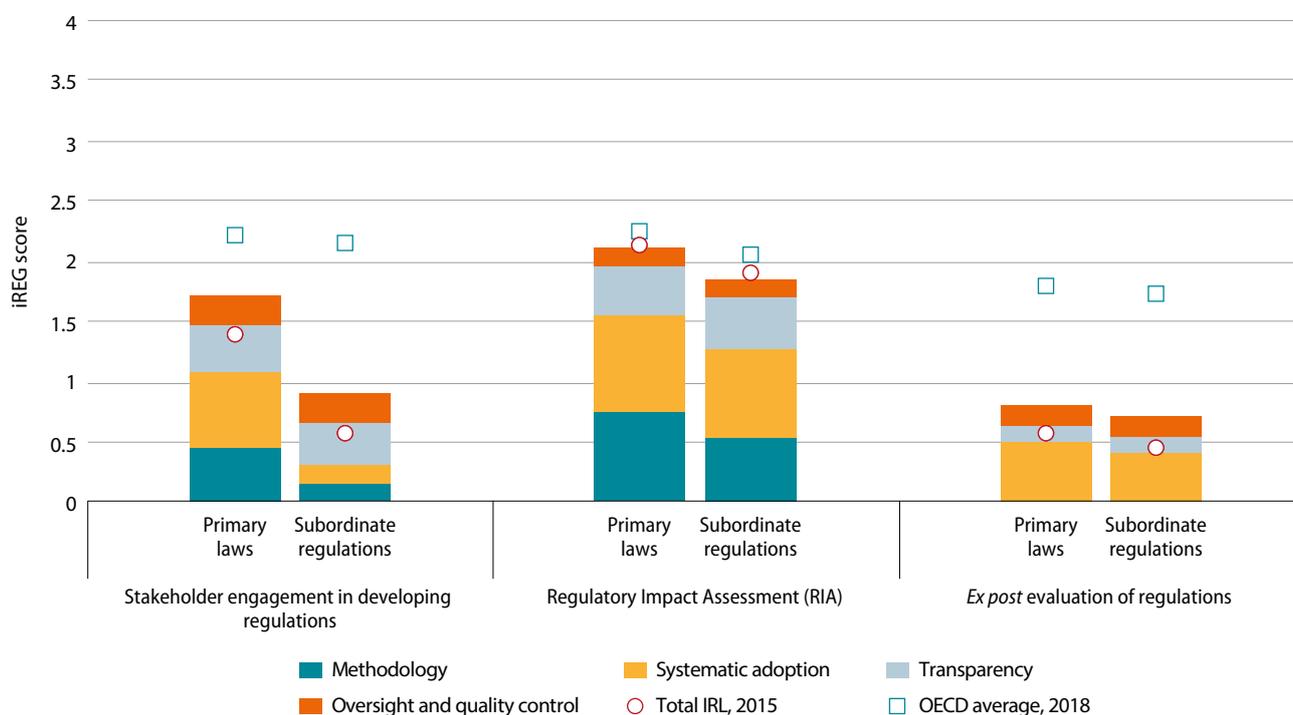
The **Department of the Taoiseach** is responsible for the effectiveness of regulators and, together with the **Office of the Attorney General**, ensures the transparency and quality of legislation. It is also responsible for setting the overall government multi-sectoral policy in Ireland. As part of its overarching policy-setting, the Department of the Taoiseach aims to reduce regulatory burden, promote regulatory quality, encourage a business-friendly regulatory environment, and ensure inter-departmental co-ordination in regulatory development. The Department of the Taoiseach has pioneered the Better Regulation agenda in Ireland in 2004 and issued Ireland's first guidance document on RIA in 2005. The **Department of Public Expenditure and Reform (DPER)** has since taken over responsibilities on RIA guidance. DPER also provides training in various regulatory management tools, including RIA, *ex-post* evaluation, and stakeholder engagement. Most recently, DPER issued

a Consultation Principles and Guidance document in 2016. However, the implementation of regulatory management tools and oversight of sectoral economic regulators remains the responsibility of the relevant Department(s).





## INDICATORS OF REGULATORY POLICY AND GOVERNANCE (IREG): IRELAND, 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 (98% of all primary laws in Ireland).

Source: *OECD Indicators of Regulatory Policy and Governance (iREG) 2018*, <http://oe.cd/ireg>.

## REQUIREMENTS TO USE REGULATORY MANAGEMENT TOOLS FOR EU-MADE LAWS: IRELAND

Stakeholder engagement	Regulatory impact assessment		
<b>Development Stage</b>			
The government facilitates the engagement of domestic stakeholders in the European Commission's consultation process	Yes		
<b>Negotiation stage</b>			
Stakeholder engagement is required to define the negotiating position for EU directives/regulations	No	RIA is required to define the negotiating position for EU directives/regulations	Yes
Consultation is required to be open to the general public	No		
<b>Transposition stage</b>			
Stakeholder engagement is required when transposing EU directives	No	RIA is required when transposing EU directives	Yes
The same requirements and processes apply as for domestically made laws	No	The same requirements and processes for RIA apply as for domestically made laws	Yes
Consultation is required to be open to the general public	No	RIA includes a specific assessment of provisions added at the national level beyond those in the EU directives	Yes
		RIA distinguishes between impacts stemming from EU requirements and additional national implementation measures	Yes

Source: *OECD Indicators of Regulatory Policy and Governance (iREG) 2018*, <http://oe.cd/ireg>.

## THE OECD REGULATORY INDICATORS SURVEY AND THE COMPOSITE INDICATORS

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**

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 <http://oe.cd/ireg>

  
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