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Please cite this paper as:

Arndt, C. *et al.* (2015), "2015 Indicators of Regulatory Policy and Governance: Design, Methodology and Key Results", *OECD Regulatory Policy Working Papers*, No. 1, OECD Publishing, Paris.
http://dx.doi.org/10.1787/5jrnwqm3zp43-en

OECD Regulatory Policy Working Papers
No. 1

2015 Indicators of Regulatory Policy and Governance

DESIGN, METHODOLOGY AND KEY RESULTS

Christiane Arndt, Antonia Custance Baker, Tobias Querbach, Rebecca Schultz

JEL Classification: J5, K2, O5

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2015 INDICATORS OF REGULATORY POLICY AND GOVERNANCE:

DESIGN, METHODOLOGY AND KEY RESULTS

by Christiane Arndt, Antonia Custance Baker, Tobias Querbach and Rebecca Schultz

ABSTRACT

This paper presents the methodology, key results and statistical analysis of the 2015 Indicators for Regulatory Policy Governance (iREG) to complement the OECD Regulatory Policy Outlook 2015. Three composite indicators were constructed corresponding to three key principles of the 2012 OECD Recommendation of the Council on Regulatory Policy and Governance: Regulatory Impact Assessment; stakeholder engagement; and *ex post* evaluation. This paper explains the process by which the indicators were developed, presents main results, and outcomes of different sensitivity analyses that were performed to test the robustness of the methodology, including principal components analysis, Monte Carlo analysis and weight-sensitivity analysis.

JEL classification codes: K2, J5, O5

Key words: stakeholder engagement, consultation, open government, Regulatory Impact Assessment, evidence-based decision making, *ex post* evaluation, red tape, review, evaluation, composite indicators, sensitivity analysis, transparency, oversight, quality control, methodology

NOTE BY THE SECRETARIAT

This paper was prepared by Christiane Arndt, Antonia Custance Baker, Rebecca Schultz and Tobias Querbach under the guidance of Nick Malyshev and Céline Kauffmann. Filippo Cavassini, Manuel Flores, Jacobo Garcia, Céline Kauffmann, Nick Malyshev, Faisal Naru, Laura Seiffert, James Sheppard, Minsup Song and Daniel Trnka provided comments and input in the design of the Indicators and the data quality check. The authors would like to thank the statisticians Alessandro Lupi and Daniel Sanchez Serra from the OECD Government at a Glance team for support in checking the methodological soundness of the composite indicators, and Jennifer Stein for her help in the final document preparation.

The OECD Secretariat is grateful to the Governments of the Netherlands and Norway, and the Business Industry and Advisory Committee (BIAC) for their financial contributions to this project. The Secretariat would like to thank the members of the Steering Group on Measuring Regulatory Performance who worked intensively together with the Secretariat on the design of questions and the design of the composite indicators. Members of the Steering Group include Australia, Austria, Belgium, Canada, the Czech Republic, Denmark, Estonia, the European Union, Germany, Ireland, Mexico, the Netherlands, Norway, Spain, Sweden, the United Kingdom, and the United States. The group is currently chaired by Canada. The OECD Secretariat also thanks the Chair of the OECD Regulatory Policy Committee, Gary Banks, the OECD Government at a Glance team and members of the OECD internal Horizontal Network for Measuring Regulatory Performance for providing comments and suggestions for improvement, and Australia, Estonia, Mexico and Switzerland for piloting the questionnaire.

TABLE OF CONTENTS

I. Introduction 7

II. Design of the 2015 Indicators of Regulatory Policy znd Governance 9

Questionnaire design, data collection and quality control 9
Methodology of composite indicators 11
Limitations of the composite indicators 12

III. Results 14

Regulatory Impact Assessment 14
Stakeholder engagement 16
Ex post evaluation 18

IV. Principal components analysis 21

V. Monte Carlo Analysis 25

VI. Results of sensitivity analysis 29

VII. References 33

Annex I. Country information on shares of national laws 34

Annex II. Process for developing the 2015 Indicators of Regulatory Policy and Governance (iREG) ... 35

Annex III. Final methodology of composite indicators 37

Annex IV. Glossary 61

Figures

1. Structure of the 2014 OECD Regulatory Indicators Survey 10
2. Overview of Indicators and main categories 12
3. Regulatory Impact Assessment for developing primary laws 15
4. Regulatory Impact Assessment for developing subordinate regulations 16
5. Stakeholder engagement on developing primary laws 17
6. Stakeholder engagement on developing subordinate regulations 18
7. *Ex post* evaluation for reviewing primary laws 19
8. *Ex post* evaluation for reviewing subordinate regulations 20
9. Regulatory Impact Assessment on the development of primary laws: Total score of composite indicators under Monte Carlo simulations 26
10. Regulatory Impact Assessment on the development of subordinate regulations: Total score of composite indicators under Monte Carlo simulations 26
11. Stakeholder engagement on the development of primary laws: Total score of composite indicators under Monte Carlo simulations 27
12. Stakeholder engagement on the development of subordinate regulations: Total score of composite indicators under Monte Carlo simulations 27
13. *Ex post* evaluation of primary laws: Total score of composite indicators under Monte Carlo simulations 28
14. *Ex post* evaluation of subordinate regulations: Total score of composite indicators under Monte Carlo simulations 28

15. Regulatory Impact Assessment for developing primary laws: Total score of composite indicators under different weights assigned to answer options 30
16. Regulatory Impact Assessment for developing subordinate regulations: Total score of composite indicators under different weights assigned to questions..... 30
17. Stakeholder engagement on the development of primary laws: Total score of composite indicators under different weights assigned to answer options 31
18. Stakeholder engagement on developing subordinate regulations: Total score of composite indicators under different weights assigned to answer options 31
19. *Ex post* evaluation of primary laws: Total score of composite indicators under different weights assigned to answer options..... 32
20. *Ex post* evaluation of subordinate regulations: Total score of composite indicators weights assigned to answer options 32

Tables

1. Regulatory Impact Assessment – Results from principal components analysis..... 22
2. Stakeholder engagement – Results from principal components analysis..... 23
3. *Ex post* evaluation – Results from principal components analysis..... 24
4. Summary of categories and sub-categories 37
5. Regulatory Impact Assessment 40
6. Stakeholder Engagement..... 50
7. *Ex post* evaluation..... 56

I. INTRODUCTION

The 2015 Indicators of Regulatory Policy and Governance (iREG) present information on regulatory policy practices as described in the *2012 Recommendation of the Council on Regulatory Policy and Governance* (OECD, 2012) for all OECD member countries and the European Commission. They cover in detail three principles of the *2012 Recommendation*: Regulatory Impact Assessment (RIA), stakeholder engagement and *ex post* evaluation. The information presented in the indicators presents the situation in OECD member countries as of 31 December 2014. As it is envisaged to update the information on a regular basis, these indicators are designed to allow countries to easily compare their progress in different areas of regulatory policy over time.

Indicator results are analysed in the 2015 OECD Regulatory Policy Outlook (OECD, 2015b) which assesses progress in OECD countries in establishing the conditions for good regulations. It provides insights into the organisation and institutional settings in countries to design, enforce and revise regulations and proposes options to use regulatory policy more strategically. The composite indicator scores and the full disaggregated dataset underlying the indicators are available at www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

The purpose of this paper is threefold. First, it describes the design, content and methodology of the 2015 Indicators of Regulatory Policy and Governance and outlines the data collection and verification process (Section II). Second, it presents key findings of the composite indicators in the areas of RIA, stakeholder engagement and *ex post* evaluation (Section III). Results show that OECD countries have invested in developing the key elements of their RIA and stakeholder engagement systems. Countries are less advanced in *ex post* evaluation where only a few countries systematically evaluate the impact of their regulations *ex post*. Transparency and quality control remain underdeveloped in most countries in all three areas.

Third, the paper presents the outcomes of different statistical tests to assess the robustness of the results. Principal components analysis was used to identify areas of covariance, which helps highlight potential unintended double-counting within the composite indicators. No evidence for double-counting was found. Only in a few cases were high levels of covariance detected. These cases were examined more extensively and it was concluded that the underlying variables are conceptually distinct and should not be merged. The full details and results of this analysis can be found in Section IV.

Monte Carlo simulations were run to test the sensitivity of the composite indicators to different weighting schemes. This technique uses 1 000 sets of randomly generated simulated weights to calculate possible composite indicator scores for each country under different weighting schemes. This is equivalent to assuming uncertainty about the most appropriate value of each of the individual weights assigned to construct the composite indicators. It should be noted that the combinations of weights used in these simulations are not meant to be realistic outcomes. Rather, they illustrate how a country's score on a composite indicator would vary across different statistically possible weighting scenarios. The outcomes of the Monte Carlo simulations can be displayed as an interval of values around the actual country score, reflecting the range of possible outcomes for the composite indicators for each country, depending on the weighting scheme applied.

The results show that the indicators are overall not particularly sensitive to different weighting schemes. Intervals around countries' scores are useful to look at when comparing two countries or groups of countries. Where intervals do not overlap, scores are clearly different even under varying weighting schemes. Where they overlap, comparisons between two countries should be made with caution. The

results of the Monte Carlo simulation including country intervals around their score can be found in Section V.

Finally, the composite indicators' sensitivity to different values assigned to answer options was tested. The composite indicators are based on answers to closed survey questions, many of which followed the format "For all regulations", "For major regulations", "For some regulations" and "Never". Results indicate that the composite indicators are not very sensitive to the weights assigned to each of the answer options. Full results can be found in Section VI.

II. DESIGN OF THE 2015 INDICATORS OF REGULATORY POLICY AND GOVERNANCE

Questionnaire design, data collection and quality control

The 2015 Indicators draw upon survey responses to the 2014 Regulatory Indicators survey. Answers were provided by delegates to the OECD Regulatory Policy Committee (RPC) and central government officials. The questionnaire and indicators methodology were developed in close co-operation with delegates to the RPC and the Steering Group on Measuring Regulatory Performance (see Box 1). Survey questions were built around key high impact practices for implementing the *2012 Recommendation of the Council on Regulatory Policy and Governance* (OECD, 2012) that were identified in a series of meetings and consultations, starting with an expert workshop in 2013 in Stockholm (OECD, 2013). The questionnaire was piloted in Australia, Estonia, Mexico and Switzerland and discussed at an expert workshop in 2014 in The Hague with OECD delegates (OECD, 2014).

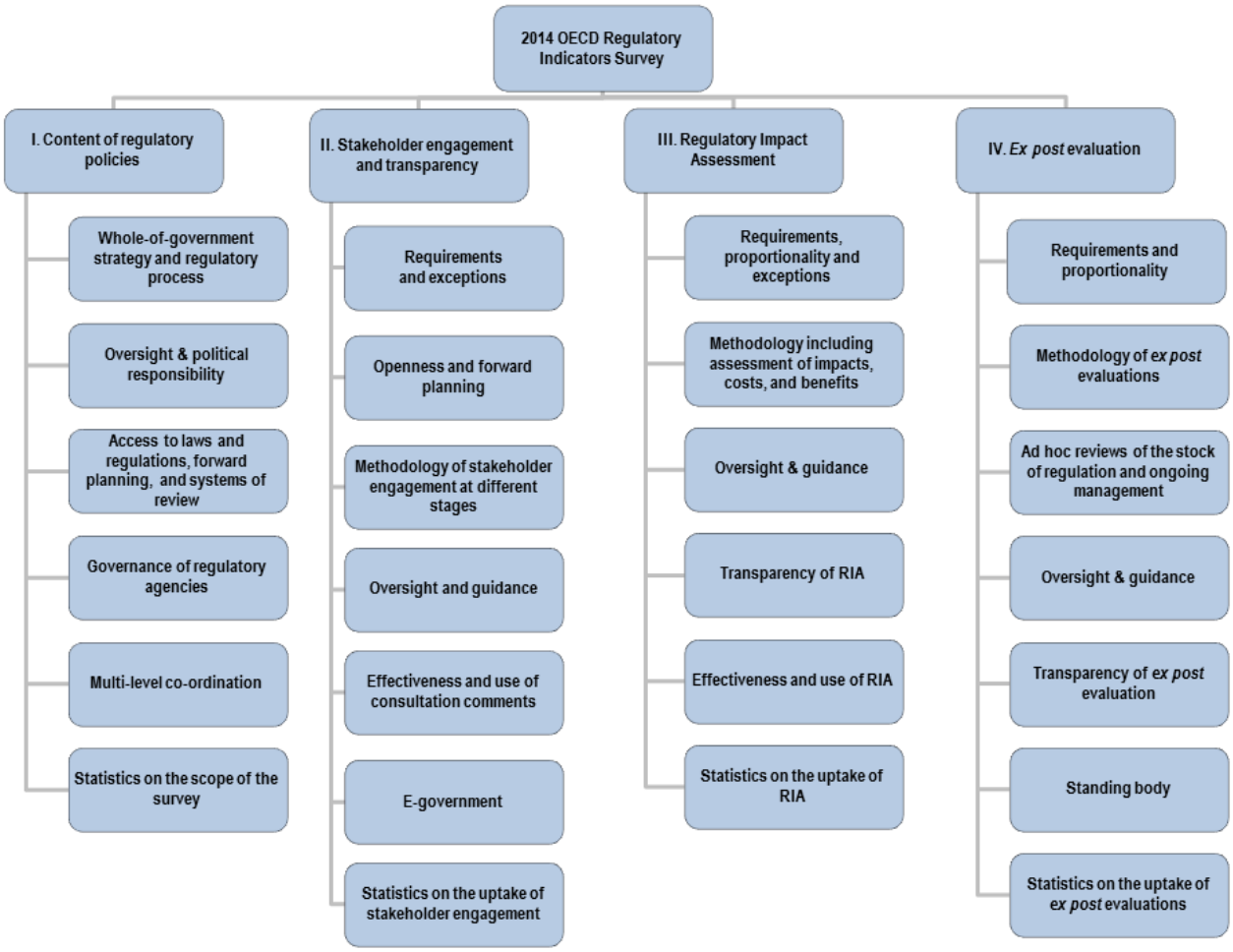
Box 1.The OECD Regulatory Policy Committee and the Steering Group on Measuring Regulatory Performance

The Regulatory Policy Committee (RPC) was created by the OECD Council on 22 October 2009 to assist member and non-member economies in building and strengthening their regulatory reform efforts. It is a platform to help countries adapt regulatory policies, tools and institutions, learning from each other's experience. The Regulatory Policy Committee is supported by staff within the Regulatory Policy Division of the Public Governance and Territorial Development Directorate. More information about OECD work on regulatory policy, including information about how governments can design, apply and enforce better rules can be found at www.oecd.org/regreform.

The Steering Group on Measuring Regulatory Performance advises the Committee on the work of the Measuring Regulatory Performance programme. The Measuring Regulatory Performance programme aims to help OECD countries demonstrate how improvements to regulatory governance deliver actual benefits to business and citizens, and to measure regulatory performance to diagnose success and failures, improve regulatory policies, programmes and tools, and to communicate progress. Member countries participating in the Steering Group currently include Australia, Austria, Belgium, Denmark, the Czech Republic, Estonia, the European Union, Germany, Ireland, Mexico, the Netherlands, Norway, Spain, Sweden, the United Kingdom and the United States. The group is currently chaired by Canada. Further information on the OECD Measuring Regulatory Performance programme is available at www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

The survey collected qualitative and quantitative data regarding the content of regulatory policies, as well as on the requirements and practices of countries in the areas of: stakeholder engagement, Regulatory Impact Assessment and *ex post* evaluation. Figure 1 outlines the detailed structure of the survey questions.

Figure 1. Structure of the 2014 OECD Regulatory Indicators Survey



The survey built on previous Regulatory Management Indicator Surveys carried out in 1998, 2005 and 2008/09 (OECD, 2015a). The revised edition has a stronger focus on evidence and examples to support country responses, as well as on insights into how different countries approach similar regulatory policy requirements. It is based on an ambitious and forward-looking regulatory policy agenda and is designed to track progress in regulatory policy over time. The survey captures progress in countries that already have advanced regulatory practices, while recognising the efforts of countries that are just starting to develop their regulatory policy. In addition to collecting information on formal requirements, the survey gathers evidence on the implementation of these formal requirements and the uptake of regulatory management practices.

The survey focused exclusively on the processes and practices for developing national regulations in the executive branch of government and that apply to all policy areas. Regulations that are initiated by parliament and do not follow the same procedures as regulations originating in the executive were not covered in the questionnaire, except in the questions on *ex post* evaluation, which cover all national regulations regardless of whether they were initiated by parliament or the executive. The proportion of primary laws that are initiated by the executive varies from country to country (see Annex I). In most countries the majority of their national primary laws originate from initiatives of the executive and are hence covered by the survey. This is not the case, however, for the United States where no primary laws are initiated by the executive, or, to a lesser extent, for Mexico and Korea where the share of primary laws

initiated by the executive is low compared to other OECD member countries (4% over the period 2009-2012 and 30% in 2013 in Mexico and 16% in Korea over the period 2011-13).

Survey answers underwent a thorough verification process in order to enhance data quality and ensure comparability of answers across countries and over time. This process was carried out by the OECD Secretariat in co-operation with delegates to the RPC. Country answers were checked for missing data, logical inconsistencies and answers that were inconsistent with the predefined answer categories. The preliminary survey answers were presented at the 11th meeting of the RPC in November 2014 and RPC delegates were invited to review survey answers and provide feedback. This feedback was taken into account to review and update the survey answers. In a second stage, survey answers and examples of practices indicated by OECD countries were reviewed by analysts of the OECD. As a result of the verification process, adjustments to the survey answers were suggested where appropriate. The revised survey answers were submitted to country respondents to the survey who then had the opportunity to comment on adjustments and provide missing answers and further evidence before fully finalising the data.

Methodology of composite indicators

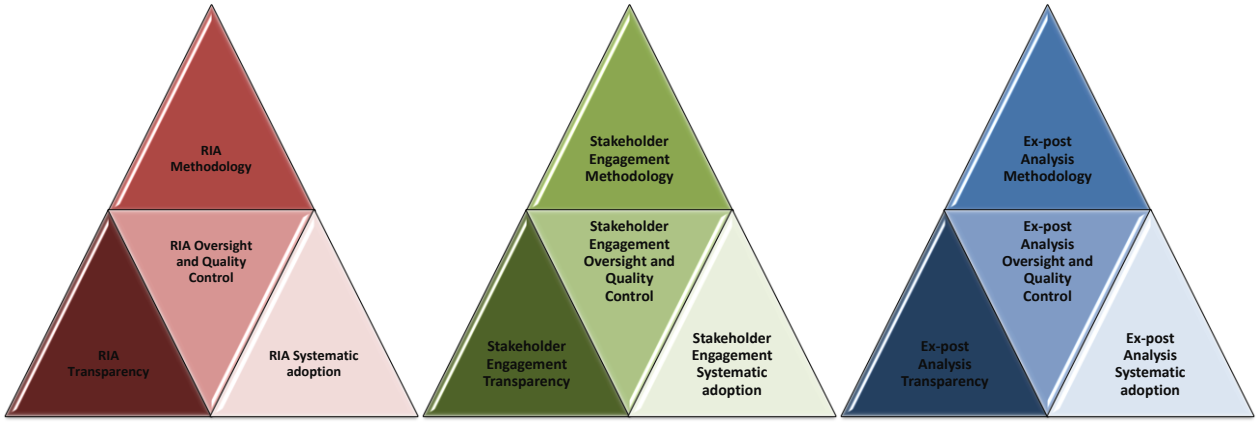
The methodology for the composite indicators draws on the recommendations provided in the 2008 JRC/OECD Handbook on Constructing Composite Indicators (OECD/European Union/JRC, 2008). A detailed timeline of the development of the composite indicators can be found in Annex II.

Three composite indicators were developed based on information collected through the survey: one for RIA, one for stakeholder engagement and one for *ex post* evaluation.

The core requirements for composite indicators identified together with delegates and experts stipulate that indicators should be fully transparent and that changes over time in a country's score on the indicator should reflect actual changes in regulatory policy practices. On this basis, it was decided that a simple equal-weighting method should be adopted for producing the three composite indicators. Each composite indicator is composed of four equally weighted categories (see Figure 2):

- *Systematic adoption* which records formal requirements and how often these requirements are conducted in practice;
- *Methodology* which records 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.

Figure 2. Overview of Indicators and main categories



A series of equally-weighted sub-categories were identified within these four main categories, which the answers from individual survey questions were allocated to. All questions in a sub-category were weighted equally. The detailed design was circulated to the Steering Group for comment and review. The final design can be found in Annex III.

Limitations of the composite indicators

In interpreting the survey results, it is important to bear in mind the methodological limitations of composite indicators, particularly those that, as in the current survey, are based on categorical variables.

Composite indicators are useful in their ability to integrate large amounts of information into an easily understood format (Freudenberg, 2003). However, by their very nature, cross-country comparable indicators cannot be context specific and cannot fully capture the complex realities of the quality, use and impact of regulatory policy. While the current survey, compared to previous editions, puts a stronger focus on evidence and examples to support country responses, it does not constitute an in-depth assessment of the quality of country practices. For example, while countries needed to provide examples of assessments of some specific elements required in RIA to back-up their answer with evidence, the OECD Secretariat did not evaluate the quality of these assessments nor discussed with stakeholders the actual impact of the RIAs on the quality of regulations.

In-depth country reviews are therefore required to complement the indicators. Reviews provide readers with a more detailed analysis of the content, strengths and shortcomings of countries' regulatory policies, as well as detailed and context-specific recommendations for improvement. OECD member countries have a wide range of governance structures, administrative cultures and institutional and constitutional settings that are important to take into consideration to fully assess regulatory practices and policies. While these are taken into account in OECD member country peer reviews, it is not possible to reflect all these country specific factors in a cross-country comparison of regulatory practices.

It is also important to bear in mind that the indicators should not be interpreted as a measurement of the quality of regulation itself. While the implementation of the measures assessed by the indicators aim to deliver regulations that meet public policy objectives and will have a positive impact on the economy and society, the indicators themselves do not assess the achievement of these objectives.

The results of composite indicators are always sensitive to methodological choices, unless country answers are homogeneous across all practices. It is therefore not advisable to make statements about the relative performance of countries with similar scores. Instead composite indicators should be seen as a means of initiating discussion and stimulating public interest (OECD/European Union/JRC, 2008). To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of the sensitivity analysis to different methodological choices, including the weighting system, are publicly available at www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

III. RESULTS

Figures 3 to 8 present the country scores for the composite indicators on stakeholder engagement, RIA and *ex post* evaluation for the development of primary laws and subordinate regulations. Each composite indicator comprises the four categories methodology, oversight and quality control, systematic adoption and transparency. The analysis of the composite indicators and of policy implications can be found in 2015 Regulatory Policy Outlook (OECD, 2015b).

Overall, the composite indicators show that OECD countries have invested in developing the key elements of their RIA and stakeholder engagement systems. Countries are less advanced in *ex post* evaluation where only a few countries systematically evaluate the impact of their regulations *ex post*. Transparency and quality control remain underdeveloped in most countries.

The systems for regulatory policy are broadly similar in most countries for primary laws and subordinate regulations. With respect to RIA, Denmark, Finland, Greece, Iceland and Turkey score significantly higher for primary laws than for subordinate regulations. With respect to stakeholder engagement, Greece and Ireland score significantly higher for primary laws while France and Japan score significantly higher for subordinate regulations. With respect to *ex post* evaluation, Poland and Chile score significantly higher for primary laws than for subordinate regulations, while the United States score significantly higher for subordinate regulations.

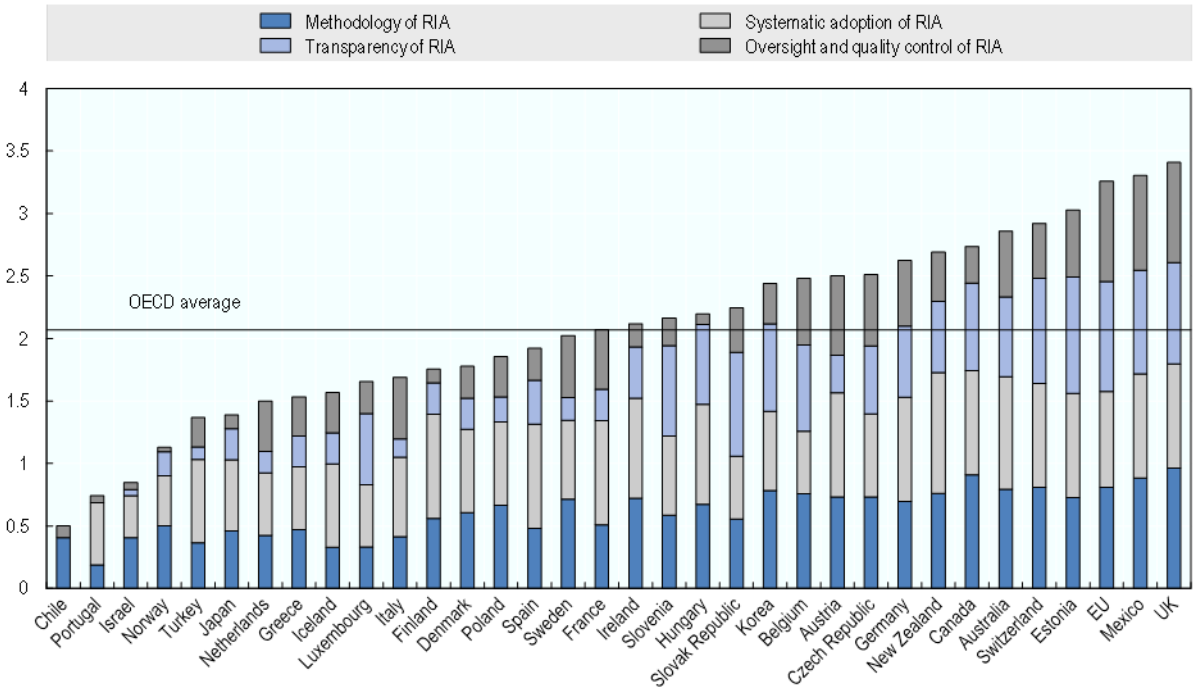
Primary laws in the US are not covered for the indicators of stakeholder engagement and RIA as in the US no primary laws are initiated by the executive and the Indicators presented on RIA and stakeholder engagement only cover processes that are carried out by the executive. There is no mandatory requirement in the United States for consultation with the general public and for conducting RIAs to inform the development of primary laws initiated by Congress. Results for primary laws for Mexico and Korea for RIA and stakeholder engagement need to be interpreted in light of the fact that they cover only the very small fraction of primary laws initiated by the executive in these countries (4% over the period 2009-2012 and 30% in 2013 in Mexico and 16% in Korea over the period 2011-13). There is no formal requirement in Mexico for consultation with the general public and for conducting RIAs to inform the development of primary laws initiated by parliament. There is a requirement in Korea to conduct public consultation for major primary laws initiated by parliament, but there is no requirement to conduct RIA for primary laws initiated by parliament. The composite indicator for *ex post* evaluation for primary laws covers both laws initiated by parliament and by the executive.

Regulatory Impact Assessment

Figures 3 and 4 show that almost all OECD member countries and the European Commission, including countries that have only started developing their regulatory policy, have taken measures to make RIA a part of their policy process through systematic adoption of RIA and the development of a RIA methodology for both primary laws and subordinate regulations.

Jurisdictions with above-average scores on the RIA composite indicator have gone beyond the establishment of formal requirements and a methodology by strengthening transparency practices and oversight. The transparency of the RIA process can for example be increased by making RIAs publicly available online, justifying publicly when RIA is not conducted, and having RIAs signed off by a high level official. Oversight bodies that review the quality of impact assessments and the publication of reports on the performance of RIA can help to improve RIA quality by returning inadequate impact assessments for revision and pointing to existing gaps in RIA implementation (see Table 5 for the full list of underlying questions).

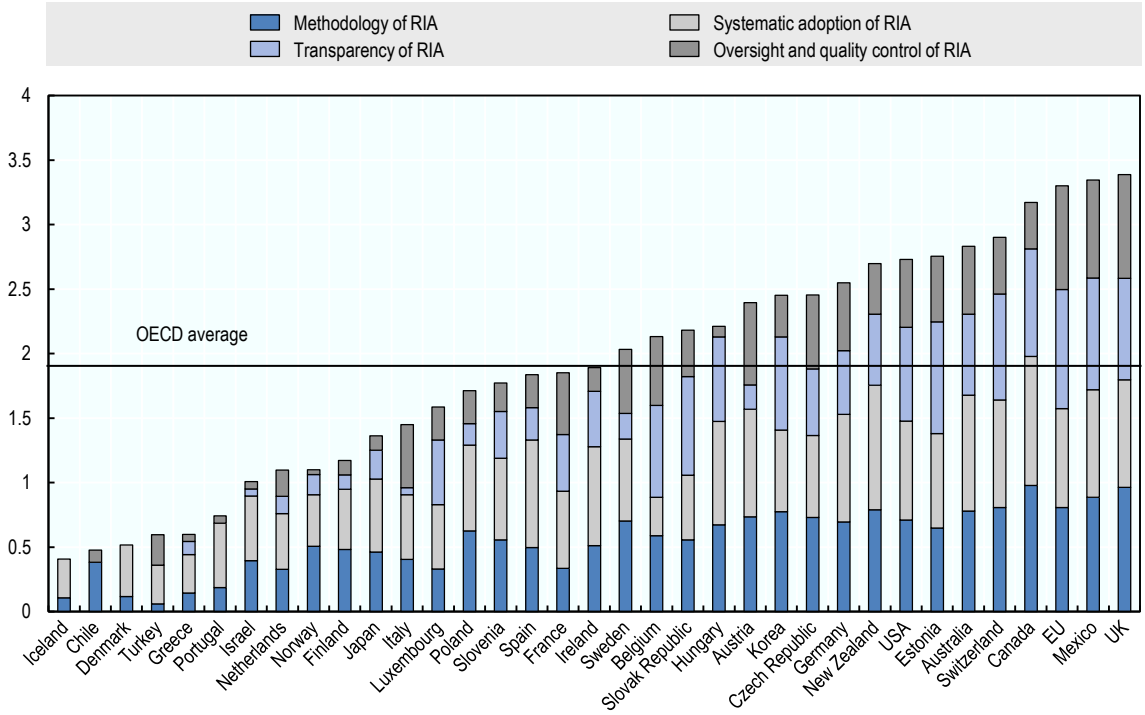
Figure 3. Regulatory Impact Assessment for developing primary laws



Note: The results apply exclusively to processes for developing primary laws initiated by the executive. The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four. This figure excludes the United States where all primary laws are initiated by Congress. In the majority of countries, most primary laws are initiated by the executive, except for Mexico and Korea, where a higher share of primary laws are initiated by parliament/congress (respectively 90.6% and 84%).

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

Figure 4. Regulatory Impact Assessment for developing subordinate regulations

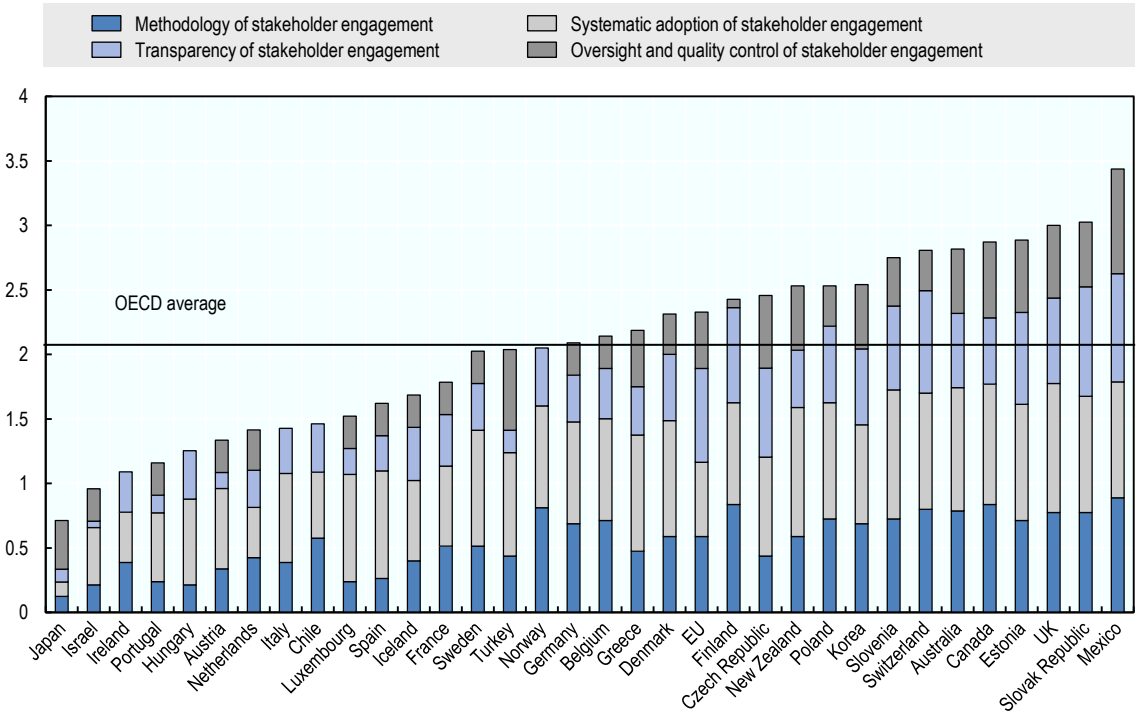


Note: The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four.
Source: 2014 Regulatory Indicators Survey results, www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

Stakeholder engagement

The composite indicators for stakeholder engagement in regulatory policy (Figures 5 and 6) show that most OECD countries have systematically adopted stakeholder engagement practices and require that stakeholders are consulted in the process of developing new regulations. The highest scores are received by countries that have established a transparent stakeholder engagement framework and as well as oversight and quality control mechanisms. Countries that do not systematically conduct public consultations open to the general public tend to receive lower scores. Countries engaging the general public in both early and later stage consultation and setting minimum periods for submitting comments, in contrast, score high in the methodology category (see Table 6 for the full list of the underlying questions).

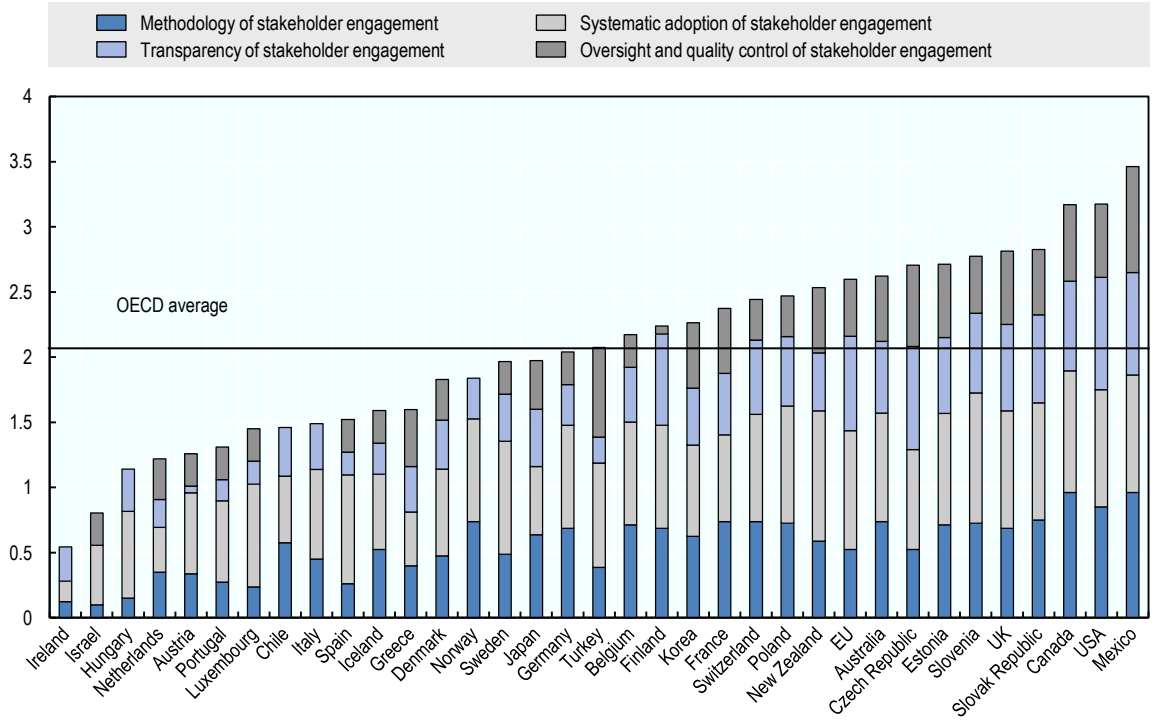
Figure 5. Stakeholder engagement on developing primary laws



Note: The results apply exclusively to processes for developing primary laws initiated by the executive. The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four. This figure excludes the United States where all primary laws are initiated by Congress. In the majority of countries, most primary laws are initiated by the executive, except for Mexico and Korea, where a higher share of primary laws are initiated by parliament/congress (respectively 90.6% and 84%).

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

Figure 6. Stakeholder engagement on developing subordinate regulations



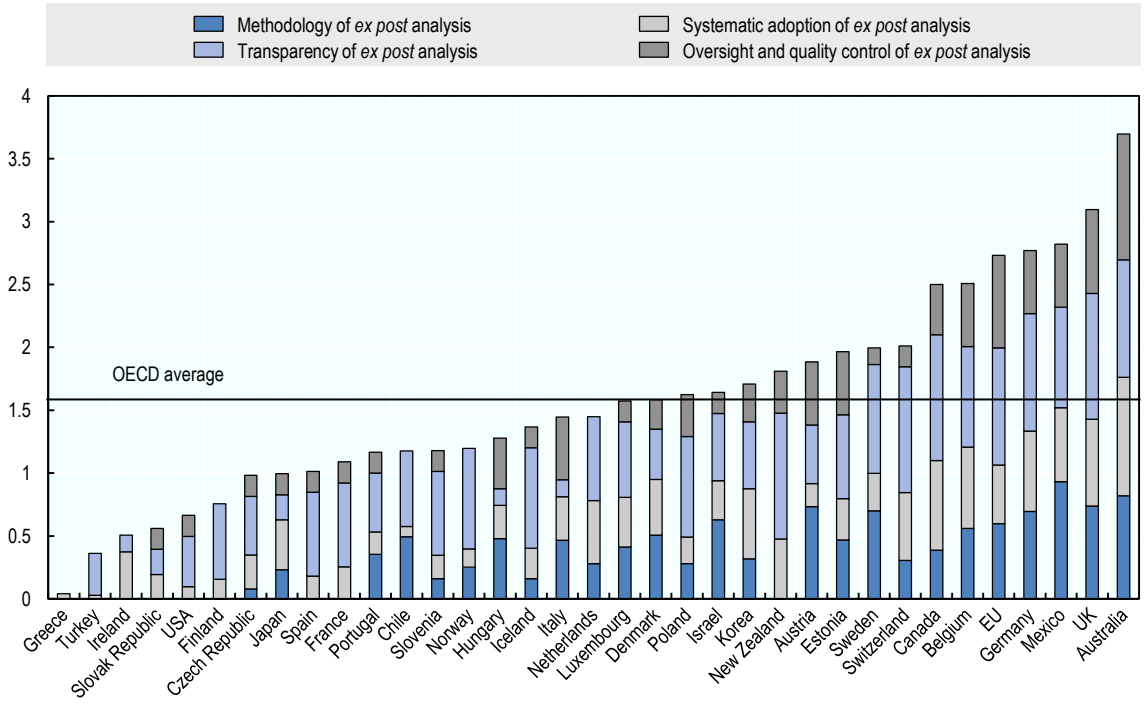
Note: The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four.

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

Ex post evaluation

The composite indicator results for the systematic adoption and methodology of *ex post* evaluation are much more varied across countries than for the areas of stakeholder engagement or RIA. Contrary to *ex ante* impact assessment, most countries do not systematically conduct *ex post* assessments and are only starting to develop the methodology. Only a few countries have mechanisms for oversight and quality control in place (see Table 7 for the full list of underlying questions).

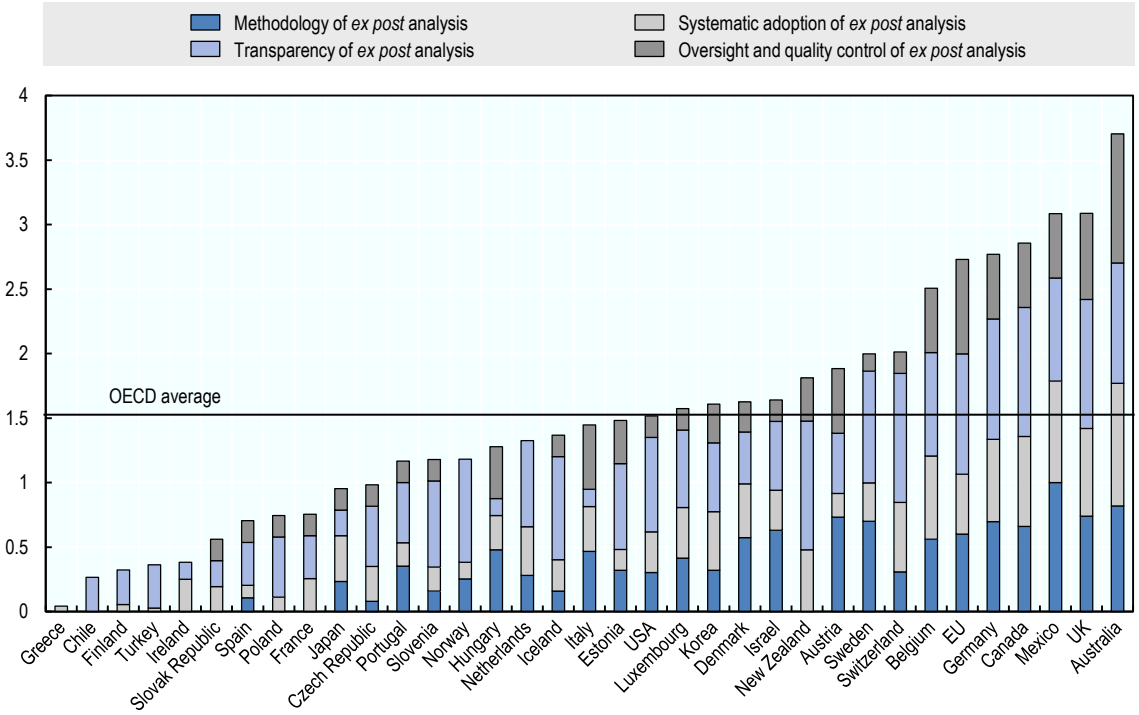
Figure 7. *Ex post* evaluation for reviewing primary laws



Note: The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four.

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

Figure 8. *Ex post* evaluation for reviewing subordinate regulations



Note: The vertical axis represents the total aggregate score across the four separate categories of the composite indicators. The maximum score for each category is one, and the maximum aggregate score for the composite indicator is four.

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

IV. PRINCIPAL COMPONENTS ANALYSIS

To examine the data underlying the composite indicators for patterns of covariance, principal components analysis was conducted, which groups together sub-categories with a high level of covariance under the same component. When using equal weights, it may happen that, by combining variables with a high degree of correlation, an element of double counting is introduced into the index (OECD/European Union/JRC, 2008). It is expected that a large number of sub-categories of the composite indicators will be highly correlated with each other, as they all reflect a country's practices and commitments to different types of policy tools. However, in the presence of very high levels of correlation between sub-categories, this suggests that they are in fact measuring the same underlying practice, in which case it may be sensible to 'group' the questions together to prevent this underlying practice being recorded twice within the category.

As the sample size was very small (34 jurisdictions for primary laws and 35 jurisdictions for subordinate regulations) and the number of sub-categories was comparatively high (24 sub-categories in the RIA composite, 17 in the one for stakeholder engagement and 16 in the one for *ex post* evaluation), the results should be interpreted with caution. Rather, the use of the principal components analysis should be seen as a 'search-light' in helping to identify unexpected trends.

The analysis was run separately for the results regarding primary laws and subordinate regulations for all three indicators[1]. It showed that most sub-categories clearly measured different practices and did not exhibit high levels of covariance. In some cases, however, high levels of covariance between different sub-categories were detected, which indicates that they potentially measured similar areas of practice. The tables below display the sub-categories which displayed high levels of covariance, i.e. the calculated component loadings of the sub-categories were greater than 0.5 within the same identified key components.

These cases were reviewed in greater detail and it was discussed whether it was desirable to merge these sub-categories together. Merging these sub-categories would reduce the weight the questions within these sub-categories received, and if these questions represented the same underlying practice, this would reduce the potential for double-counting. Most of the sub-categories with high levels of covariance were found to measure conceptually different practices, which justified including them in the composite indicators as separate sub-categories.

Two cases were examined more extensively, as the sub-categories measured conceptually similar practices. In the early stages of analysis when using preliminary data, the principal components analysis grouped together the sub-category on the use of interactive websites at early and later stage consultation within the methodology category of the stakeholder engagement composite indicator. It was discussed with the OECD Steering Group on Measuring Regulatory Performance whether to merge these sub-categories, but it was felt that these categories were in fact measuring separate processes and it was useful to keep them separate. When the principal components analysis was repeated using the final data, the two sub-categories were no longer grouped together for primary laws. The second case refers to the types of impacts assessed within a regulatory impact assessment. In this case, while there was a strong correlation between countries' answers in measuring different types of impacts ('social', 'environmental', 'other economic impacts', and 'other'), merging all these sub-categories together would result in giving too little

1. Please note the principle components listed refer to the principal components extracted through principal components analysis which have eigenvalues of greater than 1. Eigenvalues are the variances of the principal components.

overall weight to the types of impacts assessed and too little weight to the individual questions contained within these sub-categories.

Table 1. Regulatory Impact Assessment – Results from principal components analysis

Primary laws	Subordinate regulations
Component 1:	
Assessment of environmental impacts	Assessment of environmental impacts
Assessment of other economic impacts	Assessment of other economic impacts
Assessment of other impacts	Assessment of other impacts
Assessment of social impacts	Assessment of social impacts
Consideration of issues of compliance and enforcement	Consideration of issues of compliance and enforcement
	Assessment of distributional effects
Component 2	
Assessment of wider costs	Requirement to identify process of assessing progressing achieving regulation's goals
Requirement to identify process of assessing progressing achieving regulation's goals	Quality control
Quality control	Oversight
Oversight	Publically available evaluation of RIA
Publically available evaluation of RIA	
Component 3	
Guidance	Assessment of other impacts
Identify and assess regulatory options	Guidance
Risk assessments	Identify and assess regulatory options
Proportionality	Risk assessments
Component 4	
Benefits identified for specific groups	Requirement to identify costs
Requirement to identify benefits	Formal requirements
Requirement to qualitatively assess these benefits	RIA conducted in practice
Component 5	
Benefits identified for specific groups	Assessment of wider costs
Costs identified for specific groups	Benefits identified for specific groups
Assessment of distributional effects	Costs identified for specific groups
Responsibility and transparency	Types of costs quantified
Component 6	
Assessment of budget and public sector impacts	Requirement to identify benefits
Requirement to identify costs	Requirement to qualitatively assess these benefits
Types of costs quantified	
Component 7	
Assessment of budget and public sector impacts	Requirement to quantify costs
Requirement to identify costs	Responsibility and transparency
Types of costs quantified	
Component 8	
Assessment of budget and public sector impacts	
Assessment of competition impacts	

Table 2. Stakeholder engagement: Results from principal components analysis

Primary laws	Subordinate regulations
Component 1	
Guidance	Consultation open to general public - during later-stages of developing regulations
Methods of stakeholder engagement adopted in early-stages of developing regulations	Use of interactive websites for early-stage consultation
Stakeholder engagement conducted in practices in early-stages of developing regulations	Use of interactive websites for later-stage consultation
Consideration and response to stakeholder comments	Availability of information
Consultations are made open to public	Consideration and response to stakeholder comments
	Consultations are made open to public
Component 2	
Methods of stakeholder engagement adopted in later-stages of developing regulations	Minimum periods
Formal requirements	Methods of stakeholder engagement adopted in later-stages of developing regulations
Stakeholder engagement conducted in practices in later-stages of developing regulations	Formal requirements
Component 3	
Consultation open to general public - during later-stages of developing regulations	Consultation open to general public - during early-stages of developing regulations
Use of interactive websites at early stage consultation	Guidance
Guidance	Methods of stakeholder engagement adopted in early-stages of developing regulations
	Stakeholder engagement conducted in practices in early-stages of developing regulations
Component 4	
Publically available evaluation of stakeholder engagement	Publically available evaluation of stakeholder engagement
Transparency of process	Transparency of process

Table 3. *Ex post* evaluation: Results from principal components analysis

Primary laws	Subordinate regulations
Component 1	
Functions of oversight and quality control	Functions of oversight and quality control
Established methodologies and guidelines	Established methodologies and guidelines
Assessment of consistency with other regulations	Assessment of consistency with other regulations
Assessment of costs and benefits	Assessment of costs and benefits
Assessment of impacts	Assessment of impacts
Formal requirements	Formal requirements
	Ex post evaluations conducted in practice
Component 2	
Assessment of consistency with other regulations	Assessment of consistency with other regulations
Assessment of achievement of goals	Assessment of achievement of goals
Presence of standing body	Formal requirements
stakeholder engagement	Presence of standing body
	Use of mechanisms for review including ad hoc reviews
	Stakeholder engagement
Component 3	
Publically available evaluation of *ex post* analysis	Publically available evaluation of *ex post* analysis
Proportionality	In-depth reviews
Use of mechanisms for review including ad hoc reviews	Proportionality
On-going stakeholder engagement	
Component 4	
Ex post evaluations conducted in practice	*Ex post* evaluations conducted in practice
Transparency of process	On-going stakeholder engagement
	Transparency of process
Component 5	
In-depth reviews	
Presence of standing body	

V. MONTE CARLO ANALYSIS

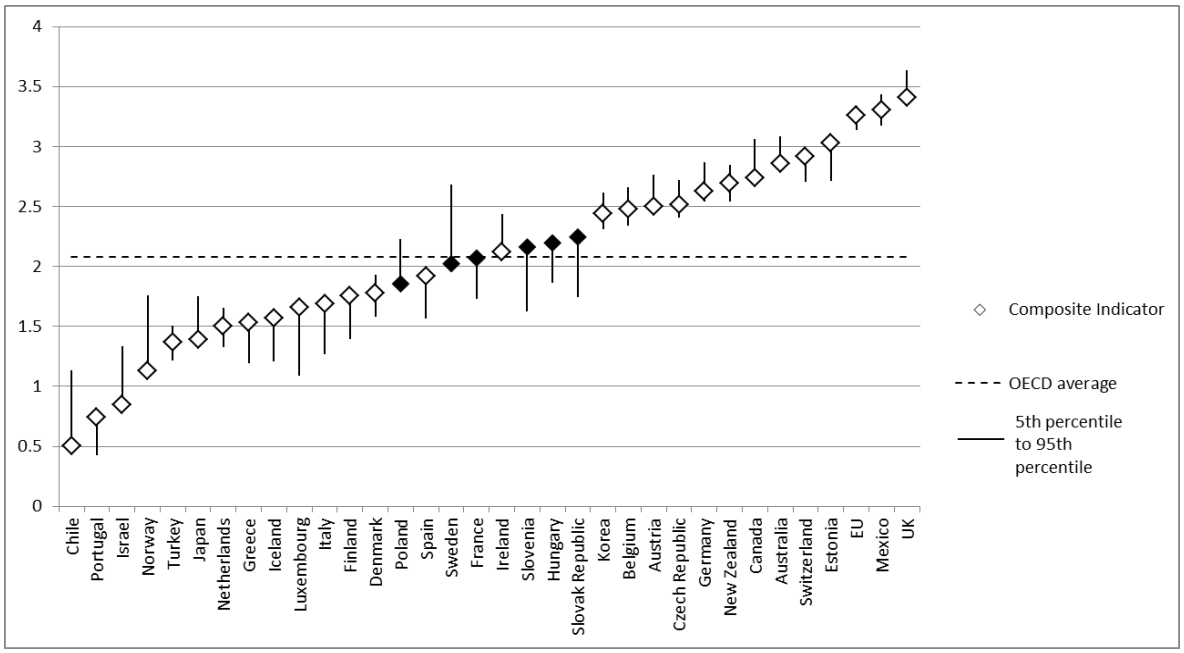
Monte Carlo simulation is a random weights technique which was used to test the sensitivity of the composite indicators to different weighting schemes used in the aggregation. This technique uses 1000 sets of randomly-generated simulations weights to calculate 1000 overall indicators for each country. The weights are drawn from a uniform distribution between zero and one. The resulting distribution of indicators for each country reflects the possible range of values if no a priori information on the most appropriate value for each of the weights was to be imposed. This is equivalent to assuming uncertainty about the most appropriate value of each of the individual weights used to construct the composite indicator.

Monte Carlo simulations create an interval of values reflecting the range of possible outcomes for indicators in the case of each country, depending on the weighting scheme applied, which is displayed in the graphs below. The interval (demonstrated by the vertical line in the graph) depends upon the extent countries have an even or mixed regulatory profile. Countries with an even answer profile, i.e. which gave similar answers for the majority of questions, will fall into a narrow interval, while countries with an uneven profile will fall into a broader interval. (See Freudenberg, 2003)

It is important to understand that not all the combinations of weights used to create these intervals can be viewed as realistic outcomes. For example, they include combinations where the question *'Does the guidance document give advice on risk assessment?* is given the weight of 25 times the value given to '*Is there a requirement to conduct a RIA?*'. Rather, they illustrate how a country's score for a given indicator would vary across different random weighting scenarios.

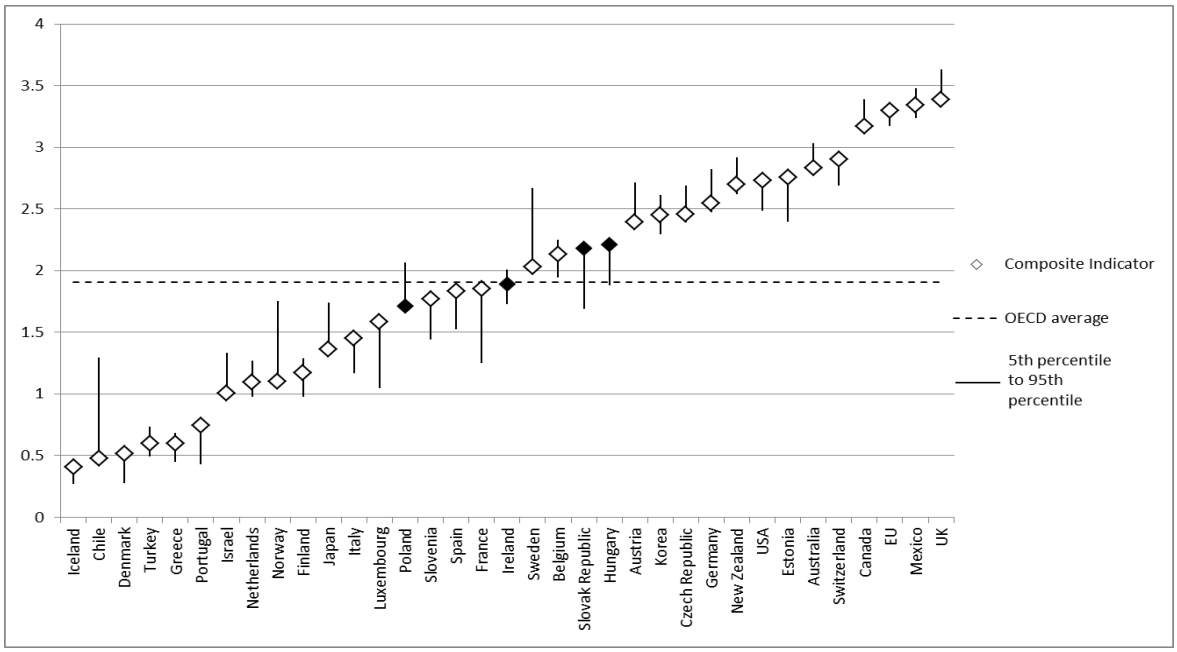
One possible practical application for the analysis of the upper and lower bounds of these intervals is to consider how countries can be grouped together with a strong degree of confidence. Following an example of the sensitivity analysis in the OECD's Database On Product Market Regulation (Koske et al., 2015), in the figures shown below the diamonds represent the indicator scores and vertical lines represent the 90% confidence intervals derived from the random weights analysis. The group of countries with white diamonds on the right-hand side of the graph not only has a score for their composite indicator that is above the OECD average, but also scores clearly above the OECD average for 90% of random combinations. On the left hand side of the graph, countries that are marked with white coloured diamonds score below the OECD average, and are clearly below the OECD average for 90% of random combinations. These two groups of countries can therefore be said to have indicator values which are significantly different from each other independent of the weighting scheme.

Figure 9. Regulatory Impact Assessment on the development of primary laws: Total score of composite indicators under Monte Carlo simulations



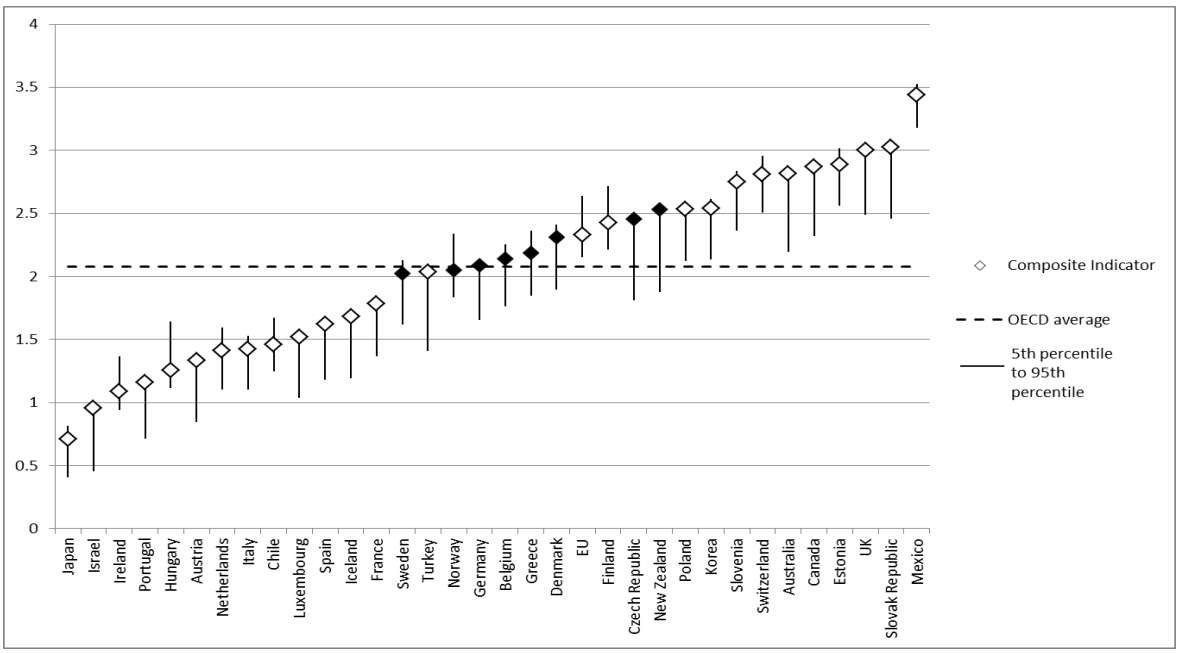
Source: 2014 Regulatory Indicators Survey results.

Figure 10. Regulatory Impact Assessment on the development of subordinate regulations: Total score of composite indicators under Monte Carlo simulations



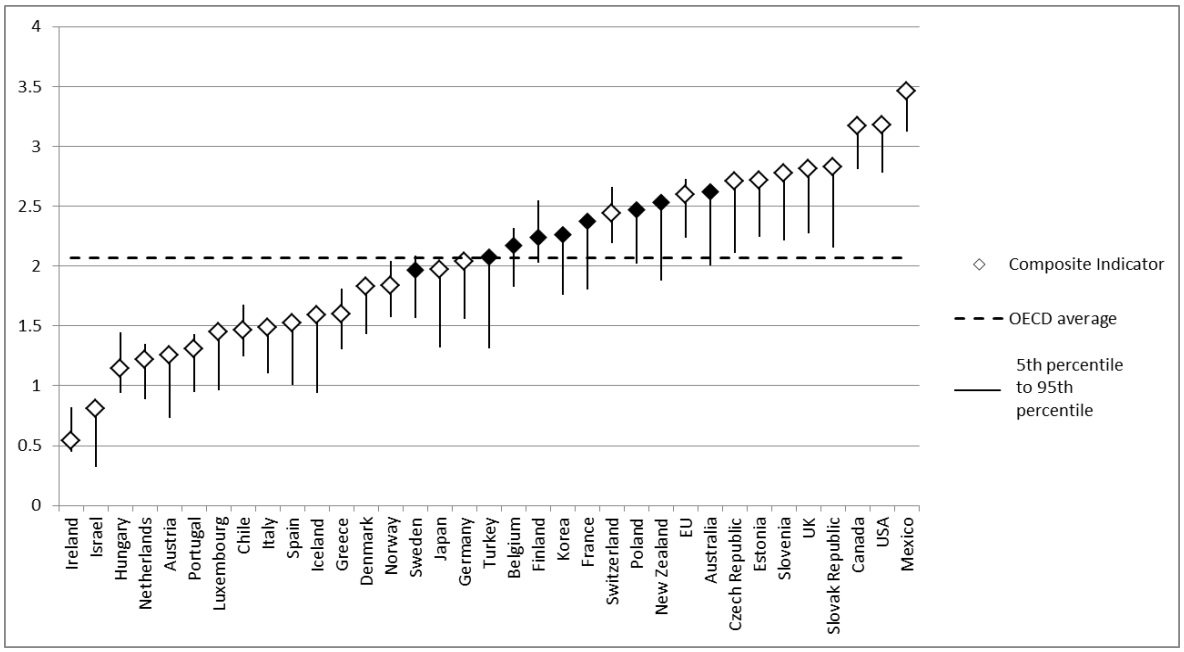
Source: 2014 Regulatory Indicators Survey results.

Figure 11. Stakeholder engagement on the development of primary laws: Total score of composite indicators under Monte Carlo simulations



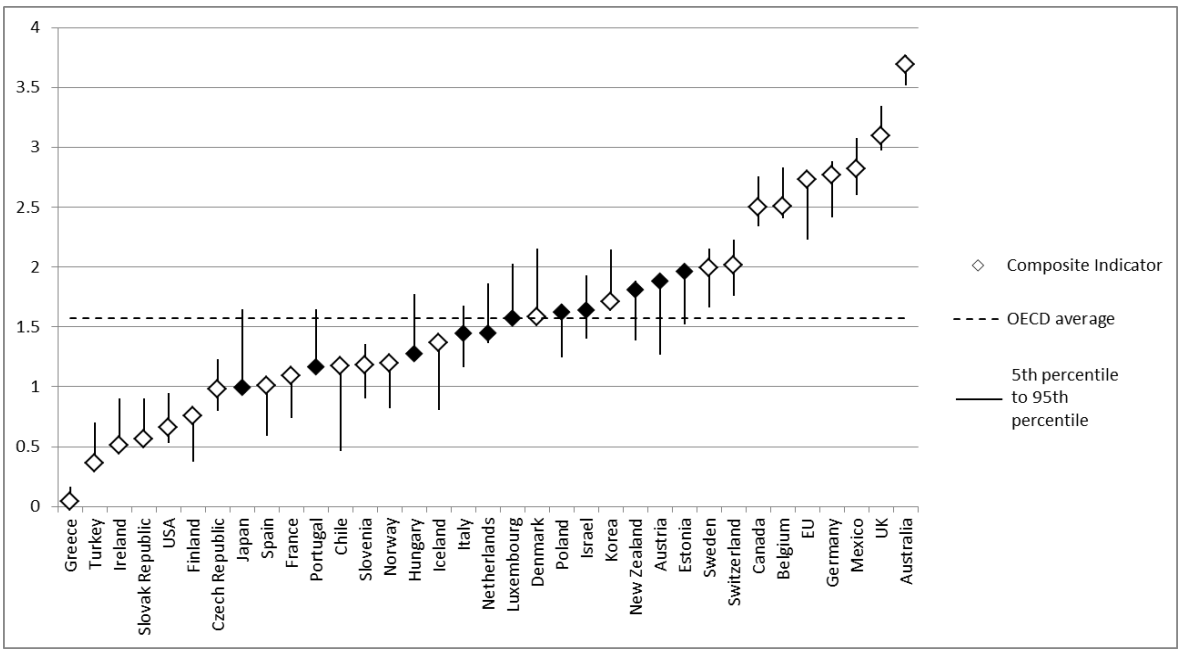
Source: 2014 Regulatory Indicators Survey results.

Figure 12. Stakeholder engagement on the development of subordinate regulations: Total score of composite indicators under Monte Carlo simulations



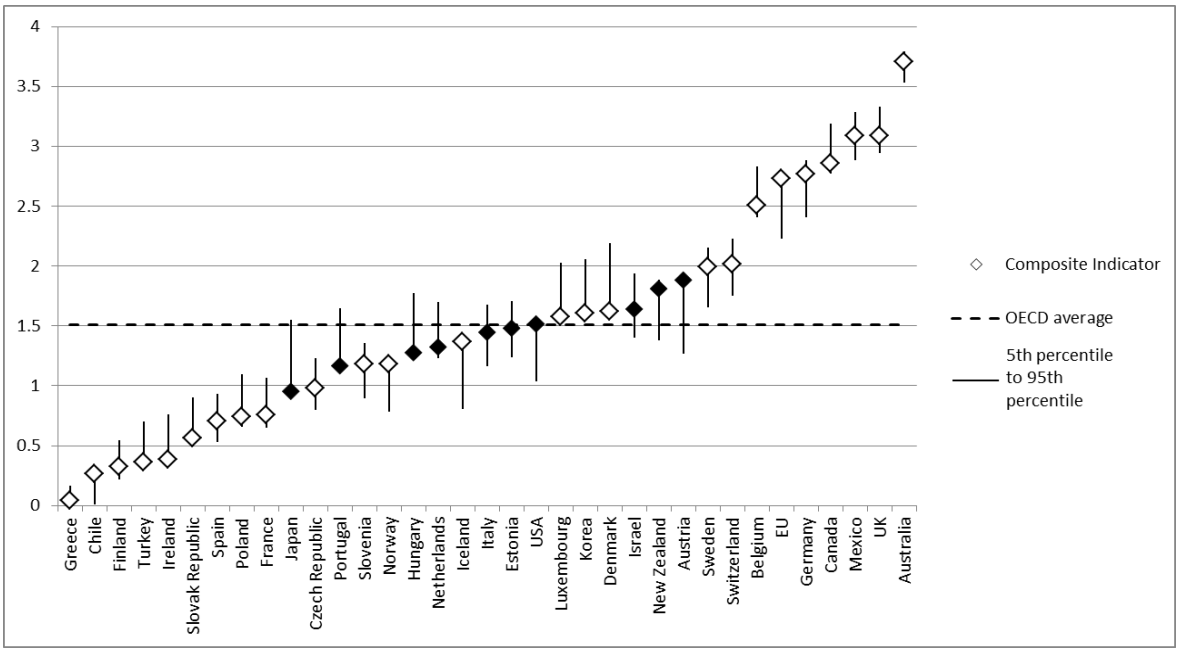
Source: 2014 Regulatory Indicators Survey results.

Figure 13. *Ex post* evaluation of primary laws: Total score of composite indicators under Monte Carlo simulations



Source: 2014 Regulatory Indicators Survey results.

Figure 14. *Ex post* evaluation of subordinate regulations: Total score of composite indicators under Monte Carlo simulations



Source: 2014 Regulatory Indicators Survey results.

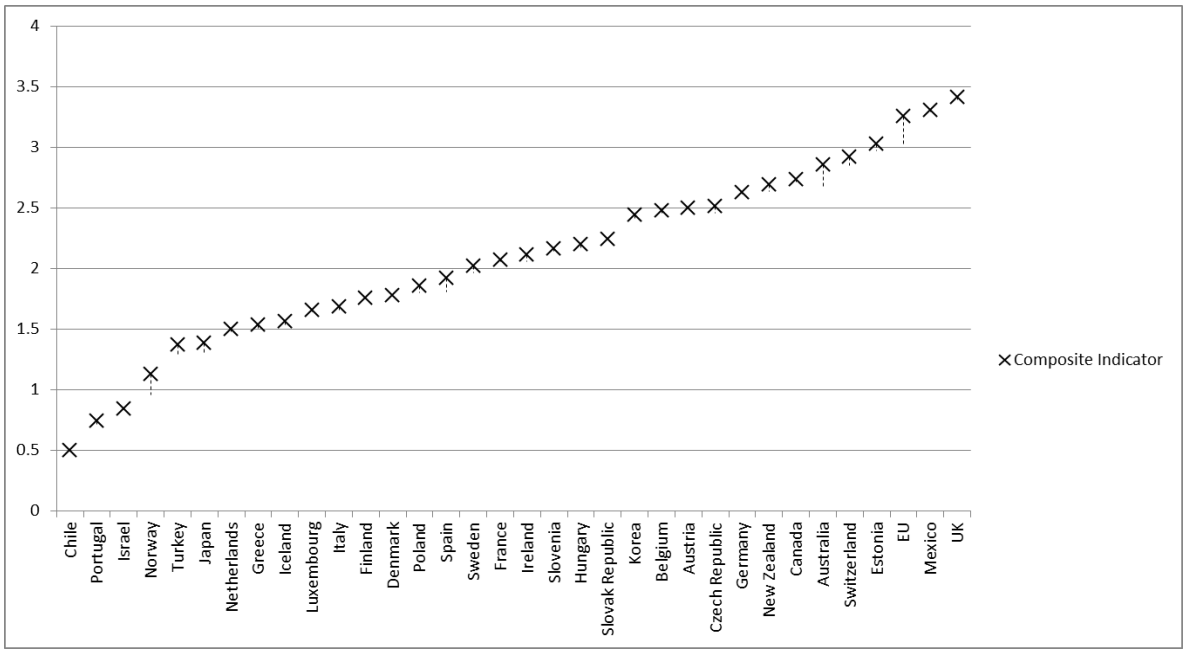
VI. RESULTS OF SENSITIVITY ANALYSIS

The following numerical values for different answer options were chosen to construct the composite indicators: ‘For all regulations’ – 100%; ‘For major regulations’ – 80%; ‘For some regulations’– 40%; and ‘Never’– 0%. These values were the highest numerical values considered among a range of possible values. The graphs below show the range of outcomes for each country by varying these values. The cross represents the composite score for countries’ results under the scenario ‘For major regulations’ given the value 80% and ‘For some regulations’ given the value of 40%. The line represents the range of possible outcomes under the scenarios where the value given to ‘For major regulations’ varies from between 80% to 60% or the value given to ‘For some regulations’ varies between 40% and 20%. These scenarios show that countries total scores are not very sensitive to the choice of values given to these categories.

The decision to choose a high value for the category ‘For major regulations’ was based on the principle of valuing the systematic application of practices, and the focus on the development of regulations that are likely to have significant impacts. The value of 40% for the category ‘For some regulations’ was chosen as the equidistant point between ‘For major regulations’ and ‘Never’ and to give credit to countries introducing new practices.

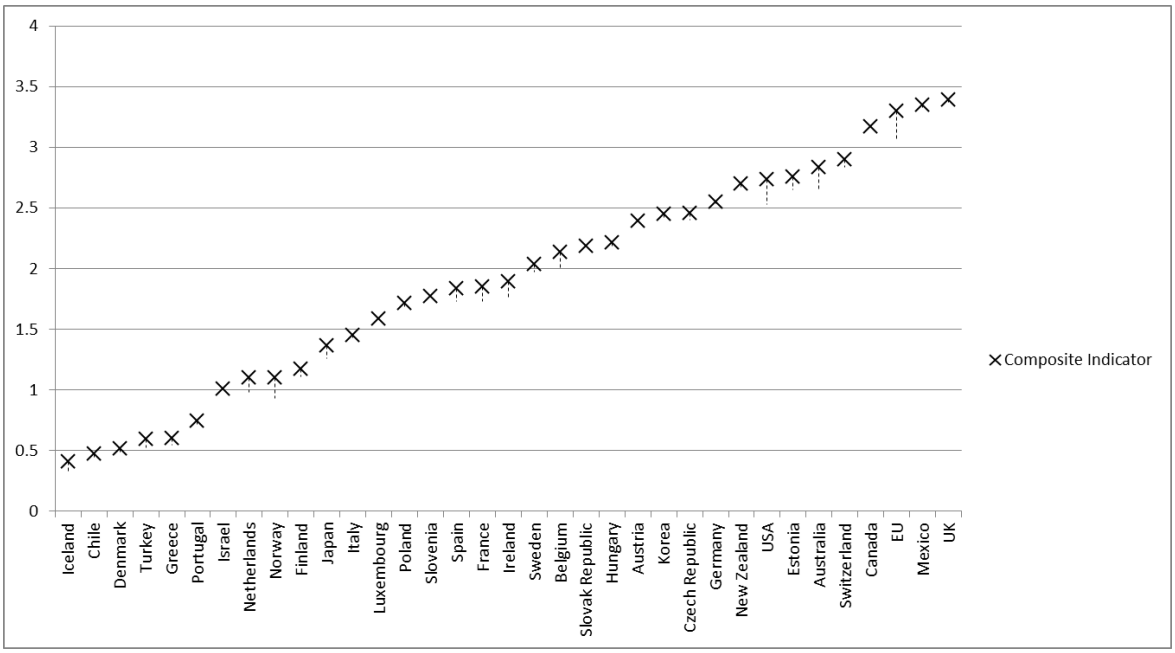
There are some questions regarding practices for which the OECD specifically advocates a proportionate approach. For these questions, the answer categories ‘For all regulations’ and ‘For major regulations’ have been given the same weight (both 100%) (see Tables 5 to 7 for further details).

Figure 15. Regulatory Impact Assessment for developing primary laws: Total score of composite indicators under different weights assigned to answer options



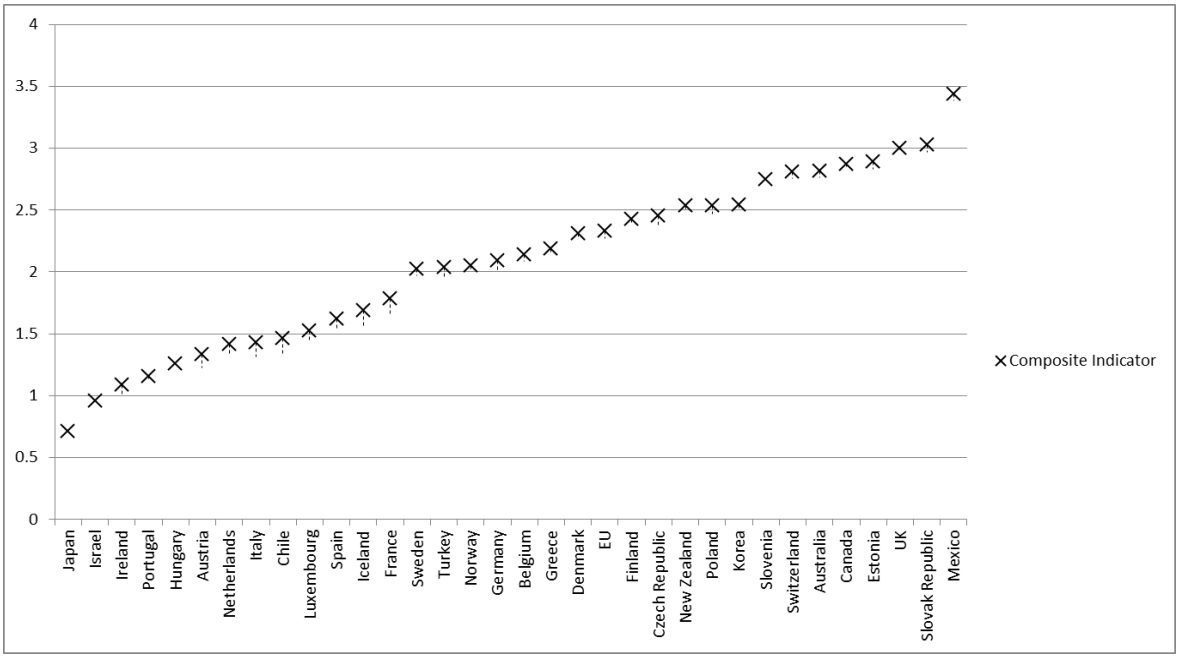
Source: 2014 Regulatory Indicators Survey results.

Figure 16. Regulatory Impact Assessment for developing subordinate regulations: Total score of composite indicators under different weights assigned to questions



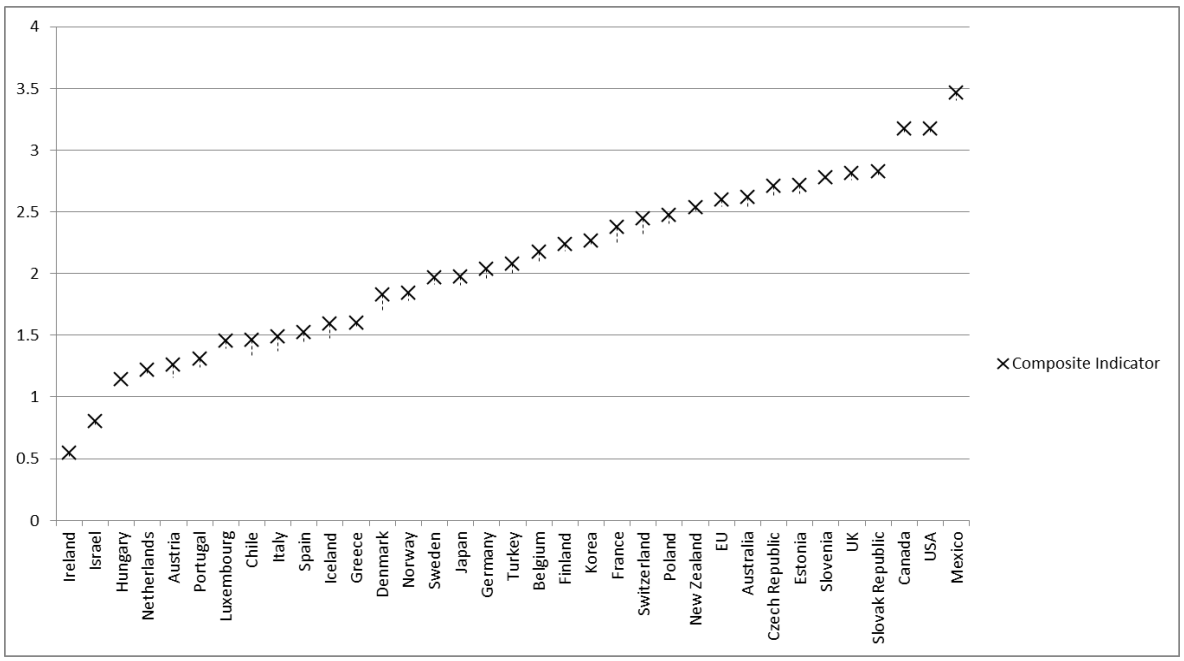
Source: 2014 Regulatory Indicators Survey results.

Figure 17. Stakeholder engagement on the development of primary laws: Total score of composite indicators under different weights assigned to answer options



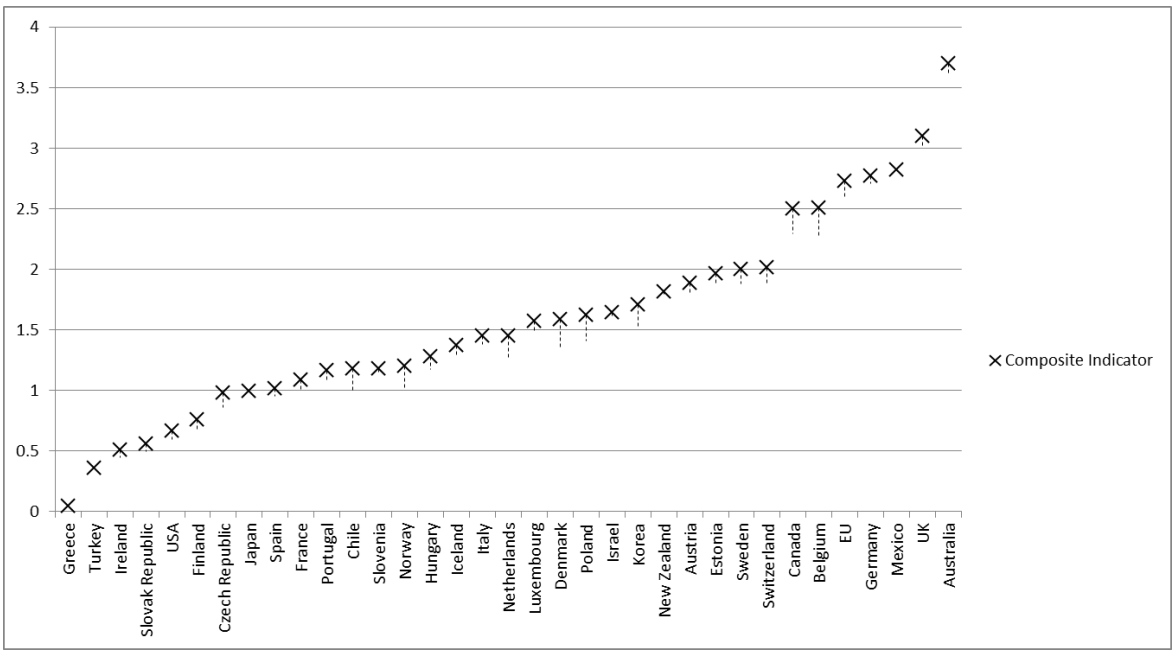
Source: 2014 Regulatory Indicators Survey results.

Figure 18. Stakeholder engagement on developing subordinate regulations: Total score of composite indicators under different weights assigned to answer options



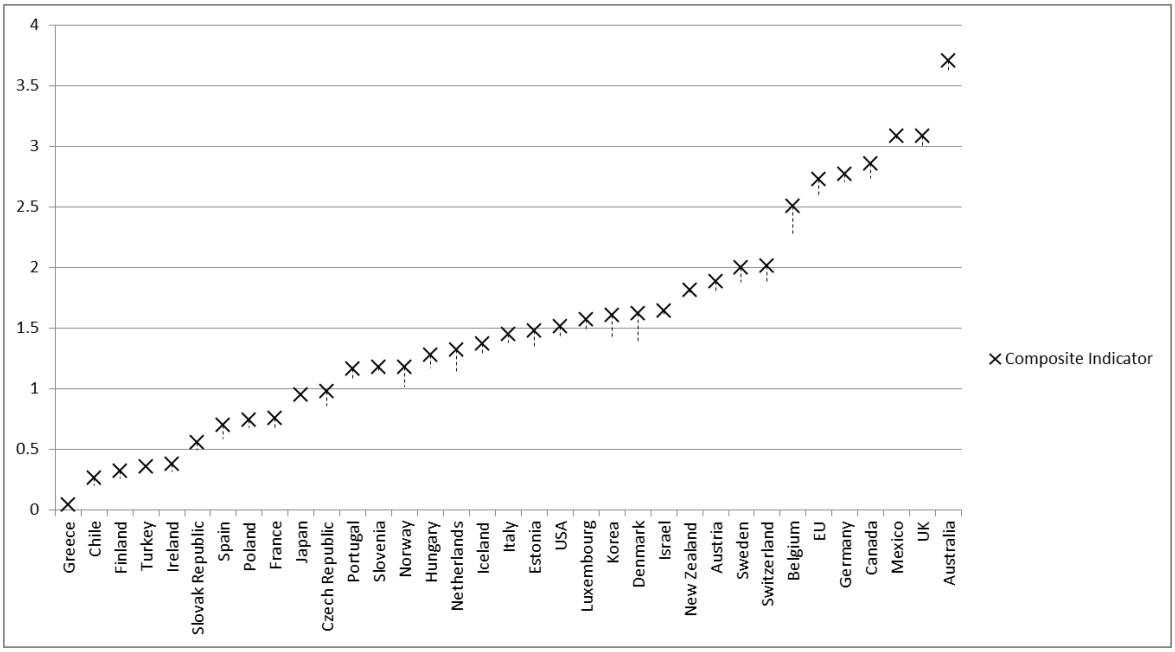
Source: 2014 Regulatory Indicators Survey results.

Figure 19. *Ex post* evaluation of primary laws: Total score of composite indicators under different weights assigned to answer options



Source: 2014 Regulatory Indicators Survey results.

Figure 20. *Ex post* evaluation of subordinate regulations: Total score of composite indicators weights assigned to answer options



Source: 2014 Regulatory Indicators Survey results.

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ANNEX I.
COUNTRY INFORMATION ON SHARES OF NATIONAL LAWS

	Proportion of all national primary laws initiated by parliament (%)			Proportion of national primary laws (as a % of all primary laws including sub-national level laws)			Proportion of national subordinate regulations (as a % of all subordinate regulations including sub-national regulations)		
	2011	2012	2013	2011	2012	2013	2011	2012	2013
Australia	2.1	0.5	0.7	30	31	22	59	59	54
Austria	10-25	10-25	10-25	≈ 30	≈ 30	≈ 30	-	-	-
Belgium	50	40	23	34.9	32	33.5	49.3	50.6	54.2
Canada	14	28	27.5	-	-	-	-	-	-
Chile	34.5	30.6	33.3	-	-	-	-	-	-
Czech Republic	16.5	38.8	34.1	-	-	-	-	-	-
Denmark	-	<1	<1	100	100	100	100	100	100
Estonia	31.3	33.3	-	-	-	-	-	-	-
Finland	≈ 1	≈ 1	≈ 1	100	100	100	100	100	100
France	33	37.5	31	-	-	-	-	-	-
Germany	12.4	14.1	17	12	11	12	16	14	24
Greece	≈ 0	≈ 0	≈ 0	-	-	-	-	-	-
Hungary	31.9	30.5	26.8	-	-	-	-	-	-
Iceland	21.3	22	20.8	100	100	100	95	95	95
Ireland	0	0	2	100	100	100	-	-	-
Israel	49.1	47.3	31	-	-	-	-	-	-
Italy	13	23	6	19	17	8	17	17	24
Japan	25	33	20	-	-	-	-	-	-
Korea	94	68	91	-	-	-	-	-	-
Luxembourg	-	2.7	10.7	100	100	100	100	100	100
Mexico	-	95.8	70	-	36.5	-	-	-	-
Netherlands	<1	<1	<1	100	100	100	-	-	-
New Zealand	0	14	8	-	-	-	-	-	-
Norway	4.4	1	2.2	100	100	100	67.7	70.2	73.6
Poland	40	28	45	-	-	-	-	-	-
Portugal	34	20	34	100	100	100	-	-	-
Spain	10	-	-	-	-	-	-	-	-
Slovak Republic	2	32	24	-	-	-	-	-	-
Slovenia	8.33	6.37	-	-	-	-	-	-	-
Sweden	0.5	0.9	0.6	-	-	-	-	-	-
Switzerland	32.8	16.1	17.9	-	-	-	-	-	-
Turkey	6.6	45.6	26.3	-	-	-	-	-	-
UK	14.3	26.3	16.7	36	56	52	72	74	77
USA	100	100	100	0.9	1.7	-	-	-	-
EU	Not applicable			Not applicable			Not applicable		

Note: "-" stands for "no data provided".

Information on data for Israel: http://dx.doi.org/10.1787/888932315602.

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

ANNEX II. PROCESS FOR DEVELOPING THE 2015 INDICATORS OF REGULATORY POLICY AND GOVERNANCE (iREG)

April – June 2013	• Project plan presented to delegates in line with the Programme of Work and Budget 2013/14 • **5th Expert Workshop on Measuring Regulatory Performance, Stockholm** RPC delegates agreed on the objectives of the indicators and identified key practices in implementing the *2012 Recommendation*
November 2013	• List of key practices in implementing the *2012 Recommendation* distributed for comment at the **9th Regulatory Policy Committee meeting**. • All members of the RPC including TUAC and BIAC are invited to join the Measuring Regulatory Performance Steering Group to develop the questionnaire and methodology for the indicators
April – June 2014	• Revised list of practices presented at the **10th Regulatory Policy Committee meeting.** • First draft of the questionnaire discussed with the Steering Group on Measuring Regulatory Performance and draft questionnaire circulated to the Steering Group for further comments. • Piloting of the questions on stakeholder engagement of the questionnaire with Mexico and Switzerland. • A revised version of the questionnaire is sent to the Measuring Regulatory Performance Steering Group for comment and review. • Outstanding issues on scope and clarity and key issues regarding the design of the composite indicators are discussed at the **6th Expert Workshop on Measuring Regulatory Performance in the Hague 2014.**
July 2014	• Piloting of the remaining parts of the questionnaire with Australia, Estonia and Mexico. • The final version of the questionnaire is sent to all OECD member countries and the European Commission.
September – December 2014	• Initial results of the questionnaire are received from countries. • Preliminary data verification process • First results presented at the **11th Regulatory Policy Committee meeting** • Agreement on the methodology of the composite indicators at the Measuring Regulatory Performance Steering Group meeting • Comments on preliminary results are received from RPC delegates.
December 2014 – April 2015	• The detailed design for the composite indicators is circulated for comments to the Steering Group on Measuring Regulatory Performance and subsequently revised. • Sensitivity analysis including principal components analysis and Monte Carlo analysis is completed • A detailed data verification process is completed for all OECD member countries and the European Commission. Adjustments and questions on open issues are sent to survey respondents for final comment.

April – June 2015	• Finalisation of the data verification process following final comments on the survey answers received from survey respondents • Presentation and discussion of the results of the composite indicators with delegates of the OECD Regulatory Policy Committee. • Results of the sensitivity analyses are analysed as part of the internal review of the design of the composite indicators by the OECD Secretariat and discussed with the Steering Group on Measuring Regulatory Performance.
October 2015	• Publication of the composite indicators as part of the *2015 OECD Regulatory Policy Outlook*, including 2-page country notes for all OECD member countries and the European Commission.

ANNEX III. FINAL METHODOLOGY OF COMPOSITE INDICATORS

The table below lists the sub-categories within each of the categories of the three composite indicators and the number of questions listed within each sub-category.

Table 4. Summary of categories and sub-categories

	Regulatory Impact Assessment	**Stakeholder engagement**	***Ex post* evaluation**
Methodology	• Assessment of wider cost (e.g. macroeconomic costs) • Assessment of budget and public sector impacts • Assessment of competition impacts • Assessment of distributional effects • Assessment of environmental impacts • Assessment of other economic • Assessment of other impacts • Assessment of social impacts • Benefits identified for specific groups • Consideration of issues of compliance and enforcement • Costs identified for specific groups • Guidance • Identify and assess regulatory options • Requirement to identify benefits • Requirement to identify costs • Requirement to identify process of assessing progress in achieving regulation's goals • Requirement to qualitatively assess benefits • Requirement to quantify benefits • Requirement to quantify costs • Risk assessment • Types of costs quantified	• Consultation open to general public - during early-stages of developing regulations • Consultation open to general public - during later-stages of developing regulations • Guidance • Methods of stakeholder engagement adopted in early-stages of developing regulations • Methods of stakeholder engagement adopted in later-stages of developing regulations • Minimum periods • Use of interactive websites at early-stage consultation • Use of interactive websites at later-stage consultation	• Assessment of consistency with other regulations • Assessment of costs and benefits • Assessment of impacts • Assessment of achievement of goals • Established methodologies and guidance

	Regulatory Impact Assessment	**Stakeholder engagement**	***Ex post* evaluation**
Oversight and quality control	• Oversight • Publically available evaluation of RIA • Quality control	• Oversight and quality control function • Publically available evaluation of stakeholder engagement	• Oversight and quality control function • Publically available evaluation of e*x post* analysis
Systematic adoption	• Formal requirements • Proportionality • RIA conducted in practice	• Formal requirements • Stakeholder engagement conducted in practice in early-stages of developing regulations • Stakeholder engagement conducted in practice in later-stages of developing regulations	• *Ex post* evaluations conducted in practice • Formal requirements • In-depth reviews • Presence of standing body • Proportionality • Use of mechanisms for review including ad-hoc reviews
Transparency	• Responsibility and transparency • Transparency of process	• Availability of information • Consideration and response to stakeholder comments • Consultations are made open to general public • Transparency of process	• On-going stakeholder engagement • Stakeholder engagement • Transparency of process

Full list of questions assigned to categories and sub-categories

For information

- The following weights for answer options were used to construct the composite indicators: 'For all regulations' – 1; 'For major regulations' – 0.8; 'For some regulations'– 0.4; and 'Never'– 0.

- In case no answer was provided to a question, the answer was recorded as negative, i.e. as 'No' or 'Never'. In case no answer was provided to a question with special answer options (e.g. question 3C12, for which the answer options are 'Permanent entity' or 'Fixed duration'), the missing values were flagged as 'NA' and a score of 0 was assigned. In the vast majority of cases, questions were not answered because they were follow-up questions to questions that had been answered in the negative. Country delegates were asked to check and confirm all recorded answers for questions they had left unanswered and to signal any mistakes to the OECD during the data verification process.

- To construct the composite indicator scores, equal weighting is applied, i.e. the simple average of all question scores within one sub-category forms the sub-category score, and the simple average of all sub-category scores forms the category score. The four category scores are summed to obtain the full composite indicator score.

- The column 'Answer options' contains details about how the different answer categories are scored. "Standard" refers to the method of weighting where 'Always' receives the highest score and 'Never' the lowest. Some questions are marked with 'Always/Major treated the same' where the answer option 'For major regulations' is given the same value as 'Always'.

- Some questions have answer options which do not follow the 'Always to Never' or 'Yes/No' scale. These are marked as non-standard and explanations of how the answer options will be valued are given in footnotes.

- For simplicity's sake, only questions referring to primary laws are presented. The same categorisation and weighting scheme applies to the composite indicators for subordinate regulations.

- A number of questions are sub-questions. In these cases, the main question is included before the sub-question for reference.

Further information on the 2015 Indicators of Regulatory Policy and Governance (iREG) can be found online at www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm.

Table 5. Regulatory Impact Assessment

Category	Question wording	Answer options	Question code
Methodology of RIA	Are regulators required to identify the costs of a new regulation? 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? Macroeconomic costs**	Standard	1A1_P & 1A1_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? 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? Financial costs** (for example the interest paid on a loan needed to purchase new equipment)	Standard	1A2_P & 1A2_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? 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? Indirect costs** (costs that are incidental to the main purpose of the regulations)	Standard	1A3_P & 1A3_S
Methodology of RIA	**When developing regulation, are regulators required to include assessments of the following: Impact on the budget** **OR** **When developing regulation, are regulators required to include assessments of the following: Impact on the public sector (e.g. costs to central or local government)**	Standard	1A4a_P & 1A4a_S OR 1A4b_P & 1A4b_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on competition**	Standard	1A5_P & 1A5_S
Methodology of RIA	**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)	Standard	1A6_P & 1A6_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on environment**	Standard	1A7_P & 1A7_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on trade**	Standard	1A8_P & 1A8_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on market openness**	Standard	1A9_P & 1A9_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on small businesses**	Standard	1A10_P & 1A10_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on specific regional areas**	Standard	1A11_P & 1A11_S

Category	Question wording	Answer options	Question code
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on other groups (non-profit sector including charities)**	Standard	1A12_P & 1A12_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on foreign jurisdictions**	Standard	1A13_P & 1A13_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on sustainable development**	Standard	1A14_P & 1A14_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on innovation**	Standard	1A15_P & 1A15_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on specific social groups**	Standard	1A16_P & 1A16_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on gender equality**	Standard	1A17_P & 1A17_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on poverty**	Standard	1A18_P & 1A18_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on social goals**	Standard	1A19_P & 1A19_S
Methodology of RIA	When developing regulation, are regulators required to include assessments of the following: **Impact on income inequality**	Standard	1A20_P & 1A20_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? If so, are regulators required to quantify the benefits? If so, please indicate **for which groups benefits are quantified separately: Individuals/citizens**	Standard	1A21_P & 1A21_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? If so, are regulators required to quantify the benefits? If so, please indicate **for which groups benefits are quantified separately: Businesses**	Standard	1A22_P & 1A22_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? If so, are regulators required to quantify the benefits? If so, please indicate **for which groups benefits are quantified separately: Government** (for example fiscal benefits)	Standard	1A23_P & 1A23_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? If so, are regulators required to quantify the benefits? If so, please indicate **for which groups benefits are quantified separately: NGOs and charities**	Standard	1A24_P & 1A24_S

Category	Question wording	Answer options	Question code
Methodology of RIA	**When developing regulation, are regulators required to** (please select all that apply)**: Assess the level of compliance**	Standard	1A25_P & 1A25_S
Methodology of RIA	**When developing regulation, are regulators required to** (please select all that apply): **Identify and assess potential enforcement mechanisms**	Standard	1A26_P & 1A26_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, please indicate **where costs are separately quantified for the following groups: Individuals/citizens**	Standard	1A27_P & 1A27_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, please indicate **where costs are separately quantified for the following groups: Businesses**	Standard	1A28_P & 1A28_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, please indicate **where costs are separately quantified for the following groups: NGOs/charities**	Standard	1A29_P & 1A29_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, please indicate **where costs are separately quantified for the following groups: Government**	Standard	1A30_P & 1A30_S
Methodology of RIA	**Are good practice examples of RIAs available to policy officials to act as additional guidance?**	Standard	1A31
Methodology of RIA	**Is written guidance on the preparation of RIA provided?**	Standard	1A32
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Identification of the baseline scenario**	Standard	1A33
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Scope of RIA**	Standard	1A34
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Regulatory alternatives**	Standard	1A35
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Threshold tests**	Standard	1A36
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Cost-benefit analysis**	Standard	1A37
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Monetisation of costs and benefits**	Standard	1A38

Category	Question wording	Answer options	Question code
Methodology of RIA	Is written guidance on the preparation of RIA provided? If yes, **does the guidance give advice on: Risk assessment**	Standard	1A39
Methodology of RIA	**When developing regulation, are regulators required to identify and assess the impacts of the following: The preferred regulatory option**	Standard	1A40_P & 1A40_S
Methodology of RIA	When developing regulation, are regulators required to identify and assess the impacts of the following: **The baseline or 'do nothing' option**	Standard	1A41_P & 1A41_S
Methodology of RIA	When developing regulation, are regulators required to identify and assess the impacts of the following: **Alternative regulatory options**	Standard	1A42_P & 1A42_S
Methodology of RIA	When developing regulation, are regulators required to identify and assess the impacts of the following: Alternative regulatory options If so, **how many alternative regulatory options are usually assessed?**	Non-standard[2]	1A43_P & 1A43_S
Methodology of RIA	When developing regulation, are regulators required to identify and assess the impacts of the following: **Alternative non-regulatory options**	Standard	1A44_P & 1A44_S
Methodology of RIA	When developing regulation, are regulators required to identify and assess the impacts of the following: Alternative non-regulatory options If so, **how many alternative non-regulatory options are usually assessed?**	Non-standard[3]	1A45_P & 1A45_S
Methodology of RIA	**Are regulators required to identify the benefits of a new regulation?**	Standard	1A46_P & 1A46_S
Methodology of RIA	**Is there a formal requirement for regulators to demonstrate that the benefits of a new regulation justify the costs?**	Standard	1A47_P & 1A47_S
Methodology of RIA	**Are regulators required to identify the costs of a new regulation?**	Standard	1A48_P & 1A48_S
Methodology of RIA	**When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation's goals?**	Standard	1A49_P & 1A49_S
Methodology of RIA	When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation's goals? If so, **are regulators required to specify: The methodology of measuring progress**	Standard	1A50_P & 1A50_S

2. Answer options: 'More than one'/ 'One', 'More than one' receives the value of 1, 'One' receives the value of 0.5.

3. Answer options: 'More than one'/ 'One', 'More than one' receives the value of 1, 'One' receives the value of 0.5.

Category	Question wording	Answer options	Question code
Methodology of RIA	When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation's goals? If so, are regulators required to specify: **The indicators/data that can measure: Progress in achieving the immediate policy goals**	Standard	1A51_P & 1A51_S
Methodology of RIA	When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation's goals? If so, are regulators required to specify: **The indicators/data that can measure: The contribution towards a country's long-term goals or agenda**	Standard	1A52_P & 1A52_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? **If so, are regulators required to qualitatively assess these benefits?**	Standard	1A53_P & 1A53_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? **If so, are regulators required to quantify the benefits?**	Standard	1A54_P & 1A54_S
Methodology of RIA	Are regulators required to identify the benefits of a new regulation? If so, are regulators required to quantify the benefits? If so, **are regulators required to quantify the benefits for more than one policy option?**	Standard	1A55_P & 1A55_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation**? If so, are regulators required to quantify the costs?**	Standard	1A56_P & 1A56_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? **If so, are regulators required to quantify the costs for more than one policy option?**	Standard	1A57_P & 1A57_S
Methodology of RIA	Is risk assessment required when developing regulation? **For all areas of regulation**	Standard	1A58_P & 1A58_S
Methodology of RIA	Is risk assessment required when developing regulation? **For health and safety regulation**	Standard	1A59_P & 1A59_S
Methodology of RIA	Is risk assessment required when developing regulation? **For environmental regulation**	Standard	1A60_P & 1A60_S
Methodology of RIA	If risk assessment is required, **must it involve quantitative analysis?**	Standard	1A61_P & 1A61_S
Methodology of RIA	If risk assessment is required, **is it included in RIA?**	Standard	1A62_P & 1A62_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs**? If so, what kind of costs are quantified: Cost of Compliance**	Standard	1A63_P & 1A63_S

Category	Question wording	Answer options	Question code
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, what kind of costs are quantified: Cost of Compliance If so, does this include: **Administrative burdens** (for example the costs involved in reading and understanding regulations, and reporting requirements)	Standard	1A64_P & 1A64_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, what kind of costs are quantified: Cost of Compliance If so, does this include: **Substantive compliance costs**	Standard	1A65_P & 1A65_S
Methodology of RIA	Are regulators required to identify the costs of a new regulation? If so, are regulators required to quantify the costs? If so, what kind of costs are quantified: Cost of Compliance If so, does this include: **Government administration and enforcement costs**	Standard	1A66_P & 1A66_S
Oversight and Quality control of RIA	**Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA?**	Standard[4]	1B1
Oversight and Quality control of RIA	Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA? If yes: **Is the authority of the oversight body established in a legally binding document, such as a law, statute or executive order?**	Standard[5]	1B2
Oversight and Quality control of RIA	Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA? If yes: **Does the oversight body review RIA for: Primary laws/Subordinate regulations**	Standard	1B3_P & 1B3_S
Oversight and Quality control of RIA	Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA? **Can an oversight body return the Impact Assessment for revision where it is deemed inadequate?**	Standard[6]	1B4_P & 1B4_S

4. If question 1B3_P 'Does the oversight body review RIA for: Primary laws' was answered 'No', then the answers for 1B1, 1B2, 1B4_P and 1B5_P were also recorded as 'No' for primary laws. The same applies for the indicator on subordinate regulations.

5. If question 1B3_P 'Does the oversight body review RIA for: Primary laws' was answered 'No', then the answers for 1B1, 1B2, 1B4_P and 1B5_P were also recorded as 'No' for primary laws. The same applies for the indicator on subordinate regulations.

6. If question 1B3_P 'Does the oversight body review RIA for: Primary laws' was answered 'No', then the answers for 1B1, 1B2, 1B4_P and 1B5_P were also recorded as 'No' for primary laws. The same applies for the indicator on subordinate regulations.

Category	Question wording	Answer options	Question code
Oversight and Quality control of RIA	Who is responsible for deciding whether a regulation can proceed to the next step (E.g. proceed to parliament for primary laws or be legally implemented for subordinate regulation) without approval of the RIA from the reviewing body? **If approval from the reviewing body of the RIA has not been given, is this fact made public?**	Standard[7]	1B5_P & 1B5_S
Oversight and Quality control of RIA	Have assessments been undertaken of the effectiveness of RIA in leading to modifications of regulatory proposals? **If yes, are these publicly available, e.g. in a report or review?**	Standard	1B6
Oversight and Quality control of RIA	Have there been any attempts to quantify the total benefits through more efficient regulations, resulting from RIAs? **If yes, are the results publicly available?**	Standard	1B7
Oversight and Quality control of RIA	**Are statistics on the number/percentage of Regulatory Impact Assessments publicly available?**	Standard	1B8a OR 1B8b
Oversight and Quality control of RIA	**Are statistics on the number/percentage of Regulatory Impact Assessments presented to the central oversight body publicly available?**	Standard	1B9
Oversight and Quality control of RIA	**Are statistics on the number or percentage of Regulatory Impact Assessments returned for revision and improvement by the central oversight body publicly available?**	Standard	1B10
Oversight and Quality control of RIA	**Reports published online on the performance of Regulatory Impact Analysis**	Standard	1B11
Oversight and Quality control of RIA	Reports published online on the performance of Regulatory Impact analysis, **if yes are these reports published: Every year OR Every 2-3 years**	Standard	1B12
Oversight and Quality control of RIA	Publically available indicators on the functioning of RIA: **Percentage of RIAs that comply with formal requirements/guidelines**	Standard	1B13
Oversight and Quality control of RIA	Publically available indicators on the functioning of RIA**: Results of perception/opinion surveys on the usefulness/quality of RIA**	Standard	1B14

7. If question 1B3_P 'Does the oversight body review RIA for: Primary laws' was answered 'No', then the answers for 1B1, 1B2, 1B4_P and 1B5_P were also recorded as 'No' for primary laws. The same applies for the indicator on subordinate regulations.

Category	Question wording	Answer options	Question code
Oversight and Quality control of RIA	**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. Checklist of impacts OR Written statement that each of the required impacts have been considered, including when they have been identified as zero or very low OR The analysis of these impacts are reviewed by a body outside the ministry sponsoring the regulation	Standard	1B15a-c_P & 1B15a-c_S
Oversight and Quality control of RIA	**Have assessments been undertaken of the effectiveness of RIA in leading to modifications of regulatory proposals?**	Standard	1B16
Oversight and Quality control of RIA	**Have there been any attempts to quantify the total benefits through more efficient regulations, resulting from RIAs?**	Standard	1B17
Oversight and Quality control of RIA	**Are reports prepared on the level of compliance by government department with the above requirements of RIA?**	Non-standard[8]	1B18_P & 1B18_S
Oversight and Quality control of RIA	**Is there a specific parliamentary committee or other parliamentary body with responsibilities for reviewing the quality of: Individual RIAs**	Standard	1B19
Oversight and Quality control of RIA	**Is there a specific parliamentary committee or other parliamentary body with responsibilities for reviewing the quality of: The RIA system as a whole**	Standard	1B20
Systematic adoption of RIA	**Information on documents listed for an explicit, published regulatory policy promoting government-wide regulatory reform or regulatory quality improvement: What does the policy cover? (Select all that apply) *Ex ante* impact assessments of regulation**	Standard	1C1a-e
Systematic adoption of RIA	**Is there a requirement to conduct a RIA to inform the development of regulations?**	Standard	1C2_P & 1C2_S
Systematic adoption of RIA	**Is there a threshold test to determine whether a RIA is undertaken at all?** OR **Is there a threshold to determine whether a full RIA (as opposed to a simplified RIA) is undertaken?**	Standard	1C3a_P & 1C3a_S OR 1C3b_P & 1C3b_S
Systematic adoption of RIA	**Is there a requirement that impact assessment practices be proportionate to the significance of the regulation, i.e. the expected impact?**	Standard	1C4_P & 1C4_S

8. Answer options include 'Regularly'/ 'On ad hoc basis'/'Never'. The answer option 'Regularly' receives the value of 1, 'On an ad hoc basis' receives the value of 0.5, 'Never' receives the value of 0.

Category	Question wording	Answer options	Question code
Systematic adoption of RIA	**In practice, is RIA conducted to inform the development of regulations?**	Standard	1C5_P & 1C5_S
Systematic adoption of RIA	**If a RIA does not take place, is a post-implementation review required?**	Non-Standard[9]	1C6_P & 1C6_S
Transparency of RIA	**Is it mandatory for RIAs to be 'signed-off' when completed?**	Standard	1D1_P & 1D1_S
Transparency of RIA	Is it mandatory for RIAs regarding major regulations to be 'signed-off' when completed? If so, **who is responsible for signing off** (please select the highest level that is required): Minister OR High-level official	Standard	1D2_P & 1D2_S
Transparency of RIA	**Are RIAs made publicly available online?**	Standard	1D3_P & 1D3_S
Transparency of RIA	Are RIAs made publicly available online? **If so, where are RIAs published online? On a central registry**	Standard	1D4_P & 1D4_S
Transparency of RIA	Are RIAs made publicly available online? If so, **where are RIAs published online? On the websites of each ministry**	Standard	1D5_P & 1D5_S
Transparency of RIA	Are RIAs made publicly available online? If so, **when are RIAs published? Prior to a regulation being put before parliament**	Standard	1D6_P (Not included in subordinate regulation)
Transparency of RIA	Are RIAs made publicly available online? If so, **are RIA documents required to be released for consultation with the general public?**	Standard	1D7_P & 1D7_S
Transparency of RIA	**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 OR Before the RIA is started through a road map or similar type of early warning document OR At the time of any public consultation on RIA	Standard	1D8_P & 1D8_S
Transparency of RIA	**If it is decided that a RIA will not be conducted, is this decision made publicly available?**	Non-Standard[10]	1D9_P & 1D9_S

9. Originally, the answer options for this question were 'Yes/No'. An additional answer option has been added: 'No, but RIA is always conducted without exception'. Where countries have selected this option in question 1D9 'If it is decided that a RIA will not be conducted, is this decision made publicly available?', the given answer to this question is adjusted to match this. The answer 'No, but RIA is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0.

Category	Question wording	Answer options	Question code
Transparency of RIA	If it is decided that a RIA will not be conducted, is this decision made publicly available? **Can members of the general public contest this decision?**	Non-Standard[11]	1D10_P & 1D10_S
Transparency of RIA	**Is there a body responsible for reviewing the decision made by officials about whether a RIA is required?**	Standard	1D11_P & 1D11_S
Transparency of RIA	Is there a threshold to determine whether a full RIA (as opposed to a simplified RIA) is undertaken? If yes, **are the results of the threshold test made public before the regulation is drafted?** Or Is there a threshold to determine whether a full RIA (as opposed to a simplified RIA) is undertaken? If yes, **are the results of the threshold test made public before the regulation is drafted?**	Standard	1D12a_P & 1D12a_S OR 1D12b_P & 1D12b_S

10. Answer options include Yes/No/No, but RIA is always conducted without exception'. The answer 'No, but RIA is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0.

11. Originally, the answer options for this question were 'Yes/No'. An additional answer option has been added: 'No, but RIA is always conducted without exception'. The answer 'No, but RIA is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0. This is a follow-up to the non-standard question 1D9 'If it is decided that a RIA will not be conducted, is this decision made publicly available?'. If countries have answered 'No, but RIA is always conducted without exception' in 1D9, then in the indicators this is accepted as the answer to 1D10. The answer 'No, but RIA is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0.

Table 6. Stakeholder engagement

Category	Question wording for table	Answer options	Question code
Methodology of stakeholder engagement	How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions? What forms of stakeholder engagement are used at this stage? **Public consultation conducted over the internet with invitation to comment**	Always/frequently treated the same	2A1_P & 2A1_S
Methodology of stakeholder engagement	How often does the government conduct consultation on draft regulations or proposed rules? What forms of stakeholder engagement are used at this stage? Please select all that apply. **Public consultation conducted over the internet with invitation to comment**	Standard	2A2_P & 2A2_S
Methodology of stakeholder engagement	**Is written guidance available on how to conduct stakeholder engagement?**	Standard	2A3_P & 2A3_S
Methodology of stakeholder engagement	How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions? **What types of documents are made available to support such stakeholder engagement?** Green paper OR Document of legislative intent OR Consultation document describing the problem and soliciting public input on possible solutions OR Regulatory Impact Analysis (RIA) OR Official gazette OR Other analytical documents	Always/Major treated the same	2A4a-f_P & 2A4a-f_S
Methodology of stakeholder engagement	How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions? **What forms of stakeholder engagement are used at this stage?** Physical public meetings OR Virtual public meetings OR Informal consultation with selected groups OR Formal consultation with selected groups (e.g. social partners) OR Advisory group or preparatory committee OR Broad Circulation for comment OR Posting on the internet without invitation to comment	Always/frequently treated the same	2A5a-g_P & 2A5a-g_S
Methodology of stakeholder engagement	How often does the government conduct consultation on draft regulations or proposed rules? **What types of documents are made available to support the stakeholder engagement?** Please select all that apply. White paper OR Document of legislative intent OR Consultation document describing the problem and soliciting public input on possible solutions OR Regulatory Impact Analysis (RIA) OR summary of RIA OR Explanatory memorandum or preamble OR Draft text of regulation OR Official gazette OR Other analytical documents	Standard	2A6a-i_P & 2A6a-i_S

Category	Question wording for table	Answer options	Question code
Methodology of stakeholder engagement	How often does the government conduct consultation on draft regulations or proposed rules? **What forms of stakeholder engagement are used at this stage?** Physical public meetings OR Virtual public meetings OR Formal consultation with selected groups (e.g. social partners) OR Advisory group or preparatory committee OR Broad circulation of proposal for comment OR Posting on the internet without invitation to comment	Standard	2A7a-f_P & 2A7a-f_S
Methodology of stakeholder engagement	**Is there a formal requirement for a minimum period for consultations with the public, including citizens, business and civil society organisations?**	Standard	2A8_P & 2A8_S
Methodology of Stakeholder engagement	Is there a formal requirement for a minimum period for consultations with the public, including citizens, business and civil society organisations? **If yes, what kind of regulations do minimum periods apply to?**	Standard	2A9_P & 2A9_S
Methodology of stakeholder engagement	Does the government use interactive websites to consult with stakeholders on: (please select all that apply**) Plans to regulate**	Standard[12]	2A10
Methodology of stakeholder engagement	Does the government use interactive websites to consult with stakeholders on: (please select all that apply**) Plans to change existing regulations**	Standard[13]	2A11
Methodology of stakeholder engagement	Does the government use interactive websites to consult with stakeholders on: (please select all that apply) **Draft regulations**	Standard[14]	2A12

12. If questions 2A1 'Is there a requirement to conduct stakeholder engagement'; 2C2 'When does the government conduct stakeholder engagement?'; and 2C1a and 2C1b 'How often does the government conduct stakeholder engagement' are all answered as 'Never' for primary laws, 2A10 is recorded as 'Never' as well for the indicator on primary laws. The same applies for the indicator on subordinate regulations.

13. If questions: 2C2 'Is there a requirement to conduct stakeholder engagement'; 2C4 'When does the government conduct stakeholder engagement?'; and 2C5 'How often does the government conduct stakeholder engagement' are all answered as 'Never' for primary laws, 2A11 is recorded as 'Never' as well for the indicator on primary laws. The same applies for the indicator on subordinate regulations.

14. If questions: 2C2 'Is there a requirement to conduct stakeholder engagement'; 2C4 'When does the government conduct stakeholder engagement?'; and 2C5 'How often does the government conduct stakeholder engagement' are all answered as 'Never' for primary laws, 2A12 is recorded as 'Never' as well for the indicator on primary laws. The same applies for the indicator on subordinate regulations.

Category	Question wording for table	Answer options	Question code
Oversight and Quality control of stakeholder engagement	**Information on 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 listed: Area of oversight** (please select all that apply) Consultation/Stakeholder engagement	Standard	2B1
Oversight and Quality control of stakeholder engagement	**Are statistics on the number/percentage of consultations open to the general public to identify possible solutions before regulation is drafted or proposed OR on draft regulations conducted over the internet publicly available?**	Standard	2B2a, or 2B2b
Oversight and Quality control of stakeholder engagement	**Do you have information on the average number of respondents to consultations?**	Non-Standard[15]	2B3
Oversight and Quality control of stakeholder engagement	**Do you have information on the number of draft regulations/proposed regulations that have been revised as a result of information received during consultation?**	Non-Standard[16]	2B4
Oversight and Quality control of stakeholder engagement	**Do you publish any other statistics on stakeholder engagement practices?**	Standard	2B5
Oversight and Quality control of stakeholder engagement	**Reports published online on the performance of consultation practices on draft regulations**	Standard	2B6
Oversight and Quality control of stakeholder engagement	Reports published online on the performance of consultation practices on draft regulations, **if yes are these reports published: Every year OR Every 2-3 years**	Standard	2B7
Oversight and quality control of stakeholder engagement	Publically available indicators on the functioning of consultation practices on draft regulations: **Percentage of consultations that comply with formal requirements/guidelines**	Standard	2B8

15. Answer options include 'Yes, internally available'/ 'Yes, publically available'/ 'No'. The answer 'Yes, publically available' receives the value of 1, 'Yes, internally available' receives the value of 0.4, 'No' receives the value of 0.

16. Answer options include 'Yes, internally available'/ 'Yes, publically available'/ 'No'. The answer 'Yes, publically available' receives the value of 1, 'Yes, internally available' receives the value of 0.4, 'No' receives the value of 0.

Category	Question wording for table	Answer options	Question code
Oversight and quality control of stakeholder engagement	Publically available indicators on the functioning of consultation practices on draft regulations: **Results of perception/opinion surveys on the usefulness/quality of consultations**	Standard	2B9
Oversight and quality control of stakeholder engagement	Are regulators formally required to consider consultation comments when developing the final regulation? **If yes, how are regulators held accountable for this?** Please select all that apply. Judicial review OR Review by standing or central oversight body	Standard	2B10a_P & 2B10a_S OR 2B10b_P & 2B10b_S
Systematic adoption of stakeholder engagement	**Information on documents listed for an explicit, published regulatory policy promoting government-wide regulatory reform or regulatory quality improvement: What does the policy cover?** (Select all that apply)Government transparency and consultation (both with external stakeholders and within government)	Standard	2C1
Systematic adoption of stakeholder engagement	Is there a requirement to conduct stakeholder engagement to inform the development of primary laws /subordinate regulation?	Standard	2C2_P & 2C2_S
Systematic adoption of stakeholder engagement	Is there a requirement to conduct stakeholder engagement to inform the development of primary laws /subordinate regulation? If so, is it required that consultation open to the general public is conducted?	Standard	2C3_P & 2C3_S
Systematic adoption of stakeholder engagement	**When does the government conduct stakeholder engagement?** Prior to a regulation being drafted, to inform officials about the nature of the problem and inform discussions on possible solutions and policy options?	Standard	2C4_P & 2C4_S
Systematic adoption of stakeholder engagement	**How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions?**	Always/Major treated the same	2C5_P & 2C5_S
Systematic adoption of stakeholder engagement	**When does the government conduct stakeholder engagement?** When a preferred solution or option has been identified and/or a draft version of the regulation has been issued?	Standard	2C6_P & 2C6_S
Systematic adoption of stakeholder engagement	**How often does the government conduct consultation on draft regulations or proposed rules?**	Standard	2C7_P & 2C7_S
Transparency of stakeholder engagement	Is a complete online database of all primary laws/subordinate regulations freely available to the public in a searchable format? If yes, **is it up-to-date?**	Standard	2D1_P & 2D1_S

Category	Question wording for table	Answer options	Question code
Transparency of stakeholder engagement	**Does the government publish online a list of primary laws/subordinate regulations to be prepared, modified, reformed or repealed in the next six months or more?**	Standard	2D2_P & 2D2_S
Transparency of stakeholder engagement	Do individual ministries/departments/government agencies have a web-page for ongoing consultations regarding the development of regulations?	Non-Standard[17]	2D3_P & 2D3_S
Transparency of stakeholder engagement	Are ongoing consultations listed on a single central government website?	Non-Standard[18]	2D4_P & 2D4_S
Transparency of stakeholder engagement	Does the government use interactive websites to consult with stakeholders on: (please select all that apply) **Finalised regulations**	Standard[19]	2D5
Transparency of stakeholder engagement	Are the views of participants in the consultation process made public?	Standard	2D6_P & 2D6_S
Transparency of stakeholder engagement	Are regulators required to publish a response to consultation comments online?	Standard	2D7_P & 2D7_S
Transparency of stakeholder engagement	Are regulators required to respond in writing to the authors of consultation comments?	Standard	2D8_P & 2D8_S

17. Answer options include ‘Yes, all ministries’/ ‘Yes, some ministries’/ ‘No’. The answer ‘Yes, all ministries’ receives the value of 1, ‘Yes, some ministries’ receives the value of 0.5, ‘No’ receives the value of 0.

18. Answer options include ‘Yes, all ongoing consultations’/ ‘Yes, some ongoing consultations’/ ‘No’. The answer ‘Yes, all ongoing consultations’ receives the value of 1, ‘Yes, some ongoing consultations’ receives the value of 0.5, ‘No’ receives the value of 0.

19. If questions: 2C2 ‘Is there a requirement to conduct stakeholder engagement’; 2C4 ‘When does the government conduct stakeholder engagement?’; and 2C5 ‘How often does the government conduct stakeholder engagement’ are all answered as ‘Never’ for primary laws, 2D5 is recorded as ‘Never’ as well for the indicator on primary laws. The same applies for the indicator on subordinate regulations.

Category	Question wording for table	Answer options	Question code
Transparency of stakeholder engagement	Are the views expressed in the consultation process included in the Regulatory Impact Analysis? OR If not, are they passed on to decision makers in some other way together with the draft regulation or proposed rule?	Standard	2D9a_P & 2D9a_S OR 2D9b_P & 2D9b_S
Transparency of stakeholder engagement	Are regulators formally required to consider consultation comments when developing the final regulation?	Standard	2D10_P & 2D10_S
Transparency of stakeholder engagement	Can any member of the public choose to participate in a consultation?	Standard	2D11_P & 2D11_S
Transparency of stakeholder engagement	Can any member of the public choose to participate in a consultation? If so, how are members of the public invited to participate in consultation? Please select all that apply. Official government publication or "gazette" OR Newspaper OR TV or radio OR Press announcements OR Social media OR Website of the ministry OR Central government website for consultation OR Email alerts	Standard	2D12a-h_P & 2D12a-h_S
Transparency of stakeholder engagement	Are members of the public systematically informed in advance that a public consultation is planned to take place?	Standard	2D13_P & 2D13_S
Transparency of stakeholder engagement	Are members of the public systematically informed in advance that a public consultation is planned to take place? If so, how are they informed? Please select all that apply. Through an announcement on a website OR Before the consultation is started through a road map or similar type of early warning document	Standard	2D14a_P & 2D14a_S AND 2D14b_P & 2D14b_S
Transparency of stakeholder engagement	If it is decided that public consultation is not conducted, is this decision made public?	Non-Standard[20]	2D15_P & 2D15_S

20. Answer options include 'Yes'/'No'/'No, but public consultation is always conducted without exception'. The answer 'No, but public consultation is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0.

Category	Question wording for table	Answer options	Question code
Transparency of stakeholder engagement	If it is decided that public consultation is not conducted, is this decision made public? If yes, are the reasons also made public?	Non-Standard[21]	2D16_P & 2D16_S

Table 7. *Ex post* evaluation

Category	Question wording for table	Answer options	Question code
Methodology of e*x post* evaluation	**Are e*x post* evaluations required to consider the consistency of regulations and take steps to address areas of overlap/duplication/inconsistency?**	Standard	3A1_P & 3A1_S
Methodology of e*x post* evaluation	**Are *ex post* evaluations required to assess consistency with comparable international standards and rules?**	Standard	3A2_P & 3A2_S
Methodology of e*x post* evaluation	**Are *ex post* evaluations required to contain an assessment of costs?**	Standard	3A3_P & 3A3_S
Methodology of e*x post* evaluation	Are *ex post* evaluations required to contain an assessment of costs? If so, i**s it required to quantify these costs?**	Standard	3A4_P & 3A4_S
Methodology of e*x post* evaluation	**Are *Ex post* evaluations required to contain an assessment of benefits?**	Standard	3A5_P & 3A5_S
Methodology of e*x post* evaluation	Are *ex post* evaluations required to contain an assessment of benefits? If so, **is it required to quantify these benefits?**	Standard	3A6_P & 3A6_S
Methodology of e*x post* evaluation	**Are comparisons of the actual vs predicted impacts of a regulation made?**	Standard	3A7_P & 3A7_S
Methodology of e*x post* evaluation	**Do *ex post* evaluations compare the impact of the existing regulation to alternative options?**	Standard	3A8_P & 3A8_S
Methodology of e*x post* evaluation	**In principle, do *ex post* evaluations identify unintended consequences?**	Standard	3A9_P & 3A9_S
Methodology of e*x post* evaluation	**Do *ex post* evaluations contain by default an assessment of whether the underlying policy goals of regulation have been achieved?**	Standard	3A10_P & 3A10_S
Methodology of e*x post* evaluation	**Are existing regulations evaluated by conducting a Regulatory Impact Assessment (RIA)?**	Standard	3A11_P & 3A11_S

21. Answer options include 'Yes'/'No'/'No, but public consultation is always conducted without exception'. The answer 'No, but public consultation is always conducted without exception' receives the value of 1, 'Yes' receives the value of 0.8, 'No' receives the value of 0.

Category	Question wording for table	Answer options	Question code
Methodology of e*x post* evaluation	**Are there standardised evaluation techniques that are required to be used when existing regulation is evaluated?**	Standard	3A12_P & 3A12_S
Methodology of e*x post* evaluation	**Is written guidance on *ex post* evaluations available to regulatory officials?**	Standard	3A13_P & 3A13_S
Oversight and quality control of *ex post* evaluation	**Information on 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 listed: Area of oversight** (please select all that apply) ***Ex post* analysis**	Standard	3B1
Oversight and quality control of *ex post* evaluation	**Where it is required to include a particular type of assessment in an *ex post* evaluation, please describe how it is ensured that this assessment is completed**. Select all that apply. Checklist of types of assessment which must be completed OR Written statement that each of the types of assessment have been considered OR The *Ex post* evaluations are reviewed by an independent body who is responsible for ensuring each type of assessment is completed	Standard	3B2a-c_P &3B2a-c_S
Oversight and quality control of *ex post* evaluation	**Is there a quality control system for *ex post* evaluations?**	Standard	3B3_P &3B3_S
Oversight and quality control of *ex post* evaluation	Reports published online on the performance of *ex post* evaluation practices, **if yes are these reports published: Every year OR Every 2-3 years**	Standard	3B4
Oversight and quality control of *ex post* evaluation	**Reports published online on the performance of *Ex post* evaluation practices**	Standard	3B5
Oversight and quality control of *ex post* evaluation	Publically available indicators on the functioning of *ex post* evaluation practices: **Percentage of *ex post* evaluations that comply with formal requirements/guidelines**	Standard	3B6
Systematic adoption of e*x post* evaluation	**Have e*x post* evaluations of existing regulations been undertaken in the last three years?**	Non-Standard[22]	3C1_P & 3C2_S

22. Answer options include 'Yes, frequently'/'Yes, some'/ No'. The answer option 'Yes, frequently' receives the value of 1, 'Yes, some' receives the value of 0.5, 'No' receives the value of 0.

Category	Question wording for table	Answer options	Question code
Systematic adoption of e*x post* evaluation	**Information on documents listed for an explicit, published regulatory policy promoting government-wide regulatory reform or regulatory quality improvement: What does the policy cover? (Select all that apply) *Ex post* evaluation of regulations**	Standard	3C2
Systematic adoption of e*x post* evaluation	**Is periodic *ex post* evaluation of existing regulation mandatory?**	Standard	3C3_P & 3C3_S
Systematic adoption of e*x post* evaluation	**Do regulations include 'sunsetting' clauses?** OR **Do regulations include automatic evaluation requirements?**	Standard	3C4a_P & 3C4a_S OR 3C4b_P & 34b_S
Systematic adoption of e*x post* evaluation	**Does the government defer or bring forward some evaluations to enable packages of regulation on similar issues to be considered together?**	Standard	3C5_P & 3C5_S
Systematic adoption of e*x post* evaluation	In the last 12 years, have any major reviews of the following kind been conducted? **"In-depth" reviews, i.e. comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy area or sectors and its effects.**	Standard	3C6
Systematic adoption of e*x post* evaluation	Is there a standing body that regularly undertakes reviews of existing regulations? **Has this body conducted any "in-depth reviews" of specific regulatory areas in the last 3 years?**	Standard	3C7
Systematic adoption of e*x post* evaluation	Is there a standing body that regularly undertakes reviews of existing regulations? Has this body conducted any "in-depth reviews" of specific regulatory areas in the last 3 years? **If yes, did this body report its findings publicly?**	Standard	3C8
Systematic adoption of e*x post* evaluation	**Is there a standing body that regularly undertakes reviews of existing regulations?**	Standard	3C9
Systematic adoption of e*x post* evaluation	Is there a standing body that regularly undertakes reviews of existing regulations? **If yes, does it have a degree of independence from government?**	Standard	3C10

Category	Question wording for table	Answer options	Question code
Systematic adoption of e*x post* evaluation	Is there a standing body that regularly undertakes reviews of existing regulations? **Can it review: Primary laws/Subordinate regulations**	Standard	3C11_P & 3C11_S
Systematic adoption of e*x post* evaluation	Is there a standing body that regularly undertakes reviews of existing regulations? **Is the body a permanent entity, or convened for a fixed duration?**	Non-Standard[23]	3C12
Systematic adoption of e*x post* evaluation	**Is there a "threshold" for deciding whether an *Ex post* evaluation is required?**	Standard	3C13_P & 3C13_S
Systematic adoption of e*x post* evaluation	In the last 12 years, have any major reviews of the following kind been conducted? **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.	Standard	3C14
Systematic adoption of e*x post* evaluation	In the last 12 years, have any major reviews of the following kind been conducted? 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	Standard	3C15
Systematic adoption of e*x post* evaluation	In the last 12 years, have any major reviews of the following kind been conducted? **Reviews which compare regulation, regulatory processes, and/or regulatory outcomes across countries, regions or jurisdictions**	Standard	3C16
Systematic adoption of e*x post* evaluation	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)	Standard	3C17
Systematic adoption of e*x post* evaluation	Do you use, or have you used in the last 5 years, any of the following approaches? **Regulator mechanisms (e.g. complaints portals and regular reviews to examine complaints and other problems, internal review and evaluation by the regulator)**	Non-standard[24]	3C18

23. Answer options are 'Permanent entity/Fixed duration'. 'Permanent entity' receives the value of 1; 'Fixed duration' receives the value of 0.5.

24. Answer options include 'Yes, used on a regular basis/Yes, used ad-hoc/No'. The answer option 'Yes, used on a regular basis' receives the value of 1, 'Yes, used ad-hoc' receives the value of 0.5, 'No' receives the value of 0.

Category	Question wording for table	Answer options	Question code
Systematic adoption of e*x post* evaluation	Do you use, or have you used in the last 5 years, any of the following approaches? **Recasting, codification or consolidation programmes for existing legislation, including repeal of obsolete acts**	Non-standard[25]	3C19
Transparency of *ex post* evaluation	**Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations?**	Standard	3D1
Transparency of *ex post* evaluation	Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations? If the answer is yes, please specify (tick all that apply): **Electronic mailboxes**	Standard	3D2
Transparency of *ex post* evaluation	Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations? If the answer is yes, please specify (tick all that apply): **Ombudsman**	Standard	3D3
Transparency of *ex post* evaluation	Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations? If the answer is yes, please specify (tick all that apply): **Judicial challenges**	Standard	3D4
Transparency of *ex post* evaluation	Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations? If the answer is yes, please specify (tick all that apply): **Petitions for reconsideration**	Standard	3D5
Transparency of *ex post* evaluation	**Are stakeholders engaged in *ex post* evaluation of existing regulation?**	Standard	3D6
Transparency of *ex post* evaluation	**Are evaluations of existing regulations made publicly available over the internet?**	Standard	3D7_P & 3D7_S

25. Answer options include 'Yes, used on a regular basis/Yes, used ad-hoc/No'. The answer option 'Yes, used on a regular basis' receives the value of 1, 'Yes, used ad-hoc' receives the value of 0.5, 'No' receives the value of 0.

ANNEX IV. 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, 2014b)

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, 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 (OECD, 2008). This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

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, 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, 2014b)

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.

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, 2014b)

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, 2014b)

Informal consultation with selected groups

Ad hoc meetings with selected interested parties, held at the discretion of regulators. (OECD, 2008)

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, 2014b)

Minister

The most senior political role within a portfolio. In Westminster system governments, these are typically styled “ministers”, but the title varies. (OECD, 2014c)

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, 2001)

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, 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 2012a)

Regulators

Administrators in government departments and other agencies responsible for making and enforcing regulation. (OECD, 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 Analysis (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, 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, 2008)

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, 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, 2014b)

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.