



Special session of the RPC – Governance Programme WG IV

*Strategic Regulatory Planning:
Delivering quality regulation and policy*

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2. **The strategic approach**
3. **Strategic regulatory planning**
4. **Preparation**
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Regulatory planning

- = The use of administrative processes to list and prioritise ahead of time new government policies and regulations
- Includes coordination and phasing of ministries' separate legislative agendas
- Includes monitoring of consultation procedures and quality checks;
- Assumes underlying objectives: political success, response to crises, regulatory reform



The “strategic” approach

- Definition of the policy issues in their context.
- A direction of travel.
- A defined outcome.
- Foresight of implementation conditions.
- Responsibility for the result.



Strategic regulatory planning (SRP)

Builds on regulatory planning and incorporates additional components:

- An overview of government political goals over its legislature
- The long term view influences the evidence base for decisions (launching /fine tuning reforms)
- Alternatives to regulation examined early
- Phasing of activities (not just reactive)
- Monitoring outcomes to adjust projects



Overview of the SRP process

<i>Questions/ Phases</i>	<i>Activities</i>	<i>Deliverables</i>
<i>What is our mandate?</i>	Draft Statutes, Legislation Define the Mission	Regulatory policy announcement
<i>What are we supposed to accomplish?</i>	Assessment, research Define goals/objectives	Methodologies Legislative action plans
<i>How are we going to accomplish it?</i>	Adopt Better regulation tools Set up capacities	Strategic plans Programmes Actions
<i>How do we know if we are successful?</i>	Monitor implementation, evaluate outcomes, reckon performance indicators	Number and quality of new regulations, codes, simplification measures



Main features of SRP

Strategic regulatory planning is:

- Well prepared
- Outcome driven
- Inclusive and coordinated
- Optimally but flexibly phased
- Technically supported

(These points are developed in the next slides)



Good preparation

- Obtain clear mandate: ‘the vision’.
- Collate background research, including international comparisons
- Take stock of available resources.
- Consult stakeholders, integrate their input.
- Balance objectives and constraints.
- Plan for monitored implementation.



Outcome-driven

- Outcomes (not just activities) must be defined. Examples:
 - Carry out the government's platform
 - Respond to civil society expectations
 - Improve and simplify existing rules
- Outcomes must be monitored & measured
 - Feedback from stakeholders
 - Ex-post evaluation
 - indicators



Coordinating

- Strategy necessarily involves plurality of actors: harness goodwill where it exists
- Identify obstacles to outcomes and address each specifically.
- Integrate stakeholder input or pressure
- Coordinate different regulatory tools
- Analyse unexpected findings



Phasing

- Identify priority outcomes
- Produce (if required) “Low-hanging fruit” (early results) to motivate for change (see EC “fast track actions”)
- Determine optimal sequence of reforms (critical path) but preserve flexibility
- Separate policy making from legal drafting
- Acknowledge need for time to see outcomes



Technical support

Use of regulatory tools during the regulatory 'life-cycle' is subordinate to strategic goals:

- Alternatives: the most strategic tool. Requires an overview of objectives and means to develop options
- Consultation: earlier in the process
- Impact assessment: to be used at various stages of the development of new legislation
- Ex –post evaluation: increasingly required as a prerequisite for planning new laws



Conclusion

- A process, not a model
- Can be introduced progressively
- Learn-as-you-go
- No one-size-fits-all



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