2014 Regulatory Indicators Questionnaire

11th meeting of the Regulatory Policy Committee
3-4 November, 2014
The OECD Conference Centre, Paris

This document presents the questionnaire for the OECD Regulatory Indicators. It was submitted to OECD countries’ designated contact persons on July 25, for completion by September 15, 2014. This project is part of the Regulatory Policy Committee's 2013-14 Programme of Work and Budget.

This document is an Annex document [GOV/RPC/MRP(2014)3] PROGRAMME ON MEASURING REGULATORY PERFORMANCE - Update on activities.

It is provided for information.

For further information, please contact Ms. Christiane Arndt (christiane.arndt@oecd.org; +33 1 45 24 76 56), Antonia Custance Baker (antonia.custancebaker@oecd.org; +33 1 45 24 93 22) or Rebecca Schultz (rebecca.schultz@oecd.org; +33 1 45 24 99 51).

JT03364321

Complete document available on OLIS in its original format
This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.
INTRODUCTION

1. The OECD 2014 Regulatory Indicators questionnaire aims to gather information regarding OECD countries’ regulatory policy practices and their progress towards implementing the reforms described in the OECD 2012 Recommendation of the Council on Regulatory Policy and Governance. Its focus lies on three principles: stakeholder engagement, Regulatory Impact Assessment and ex-post evaluation. The design of the questionnaire builds on the 2008 Regulatory Indicators questionnaire and intensive exchanges with delegates to the Regulatory Policy Committee (RPC) on the implementation of the Recommendation, including a workshop in Stockholm in 2013, discussions on a list of good practices in implementing the Recommendation, and a workshop session in The Hague in 2014.

2. The information collected through the questionnaire will be used to construct Indicators of Regulatory Policy. It will feed into the OECD Regulatory Policy Outlook as well as for the Government at a Glance series and will support the monitoring of the implementation of the Recommendation. In addition, it will inform the development of Best Practice Principles on stakeholders’ engagement, Regulatory Impact Assessment and ex-post evaluation and feed into a database of country practices in selected areas as part of the 2015-16 Programme of Work.

3. The Secretariat thanks members of the Steering Group on Measuring Regulatory Performance who worked intensively together with the Secretariat on the design of questions. 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 RPC, Gary Banks, the OECD Government at a Glance team and members of the OECD Horizontal Network for Measuring Regulatory Performance for providing comments and suggestions for improvement, and Australia, Estonia, Mexico and Switzerland for piloting the questionnaire.
SCOPE OF THE SURVEY

4. Questions in this questionnaire refer to requirements and practices that are in place at the national government level. National government is defined here as the level of government that exercises authority over the entire territory of a country, also referred to as central or federal government.

5. Questions in this questionnaire refer to requirements and practices that apply to all policy areas under the authority of central government and not to practices that are in place only for specific policy areas.

6. Countries are welcome to provide examples of innovative policies that apply to particular policy areas or subnational levels of government in the comments sections.

7. Unless explicitly stated, questions focus exclusively on the policies/practices that take place prior to a regulation being tabled in parliament. While parliamentary processes such as hearings are a key part of developing and implementing regulation, these are not the focus of the questionnaire.

8. Regulations that are initiated by parliament and do not follow the same procedures as regulations originating in the executive are not covered in this questionnaire, except in Part IV on ex-post evaluation. There will be opportunities to describe the proportion of regulations that are proposed by parliament rather than by the executive and to provide information on the use of RIA and public consultation for laws initiated by parliament in specific sections of the questionnaire.

9. In Parts II and III where the answer option ‘all regulations’ is provided, this refers to all regulations that are issued at the national level of government and have been initiated in the executive. In Part IV on ex-post evaluation, the answer option ‘all regulations’ includes both regulations issued at the national level that were originally initiated in parliament as well as those issued at the national level that were originally initiated in the executive.

10. The OECD 2012 Recommendation of the Council on Regulatory Policy and Governance defines Regulation as the “The diverse set of instruments by which governments set requirements on enterprises and citizens. Regulation includes 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.” However, most questions in this questionnaire refer specifically to a subset of regulation, namely:

- **Primary laws**, which are defined as regulations which must be approved by the parliament or congress. Primary laws are also referred to as “principal legislation” or “primary legislation”;

- **Subordinate regulation**, which is defined as regulations that can be approved by the head of government, by the cabinet or by an individual minister or high level official - that is, by an authority other than the parliament/congress. Note that many subordinate regulations are subject to disallowance by the parliament/congress. Subordinate regulations are also referred to as “secondary legislation”, “subordinate legislation” or “delegated legislation”. These cases are clearly identified.

- Unless explicitly otherwise stated, questions refer to both primary and subordinate regulations that are issued by government, and do not refer to regulations issued by non-governmental or self-regulatory bodies.
• For some questions in the questionnaire, separate answers should be provided for primary laws and subordinate regulations. These questions are marked with “P/S” in the questionnaire.

• When the questionnaire refers to the development of new regulation, please note that this includes changes to existing regulation.

11. Many of the questions refer to the responsibilities of Regulators. Regulators are defined as Administrators in government departments and other agencies responsible for developing and/or enforcing regulation.

12. For the purposes of this questionnaire, a “major regulation” is a regulation with a significant impact. There will be opportunities to describe this in detail where respondent governments have a particular threshold or criteria.

13. Where the questionnaire refers to public consultation, please note that this refers to consultations where the general public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.
I. CONTENT OF REGULATORY POLICIES¹

Answers should refer exclusively to the national government, unless explicitly stated otherwise in a question. Additional comments can be made in Section L below which can elaborate on the situation in specific regions/states.

A. Explicit whole-of-government policy for regulatory quality

1. Is there an explicit, published regulatory policy promoting government-wide regulatory reform² or regulatory quality improvement? (Yes/No) Taken from RMS 2008 1a
   a. If yes, please click on the link to the right and provide further details on the policy in the table that it links you to. More than one document can be referenced. (Please only list the most recent and relevant documents)

¹ Regulatory policy refers to the set of rules, procedures and institutions introduced by government for the express purpose of developing, administering and reviewing regulation.

² Regulatory reform refers to 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.
<table>
<thead>
<tr>
<th>Title of document</th>
<th>Date of introduction and/or last substantial revision (please indicate to which one the date you provide refers)</th>
<th>What does the policy cover? (Select all that apply)</th>
<th>Weblink or ISBN number (if you link to a document, please provide page numbers to indicate the relevant parts of the document)</th>
<th>Nature of document (Constitution/ Law or statutory requirement/ Presidential or cabinet directive/ Ministerial directive/ Other: If other, please specify)</th>
<th>Provide a summary in English of the policy document (maximum of 400 words)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Ex ante impact assessments of regulation /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ex-post evaluation of regulations /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Government transparency and consultation (both with external stakeholders and within government) /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Compliance and enforcement /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Policy on performance-based regulation/</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Communications strategy to ensure ongoing support for the goals of regulatory quality /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Administrative simplification or burden reductions /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>International Regulatory Cooperation /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intra-governmental co-ordination /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Regulatory Oversight /</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Measurable Targets /</td>
<td>If yes, please specify</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other</td>
<td>If other, please specify:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2. Does this policy refer to the OECD’s 2012 Recommendation of the Council on Regulatory Policy and Governance? (Yes/No)

B. Regulatory Process (P/S)

1. Are there standard procedures by which the administration develops regulations? (Yes/No)adapted from RMS 2008 4a/b
   a. If yes, please describe briefly the process, using a concrete example.
      Please specify:
      - The key steps and the order in which these must be completed
      - How RIA and consultation processes (externally and within government) relate to each other
      - The documents that are required to be prepared
      - Any consequences resulting from a step not being completed
      - Please also provide any documents, or preferably diagrams at your disposal that illustrate or explain the process.

2. Are elements of the regulatory policy subject to judicial review? (e.g. if RIA or consultation requirements are legislatively or constitutionally based, can the validity of primary laws or subordinate regulations be challenged if these requirements are not met?) (Yes/No)adapted from RMS 2008 3f
   a. If yes, please explain which elements:

---

3 Please note that this includes the introduction of new regulation as well as changes to existing regulation.
C. Oversight

1. Is there a 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? (Yes/No) Taken from RMS 2008 14a
   a. If yes, please click on the link to the right and complete the table that it links you to.

<table>
<thead>
<tr>
<th>Name of body</th>
<th>Area of oversight</th>
<th>Where is it situated within the administration?</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(e.g.: Ministry of Finance, Prime Minister’s Office, Ministry of Justice, Independent body)</td>
<td></td>
</tr>
</tbody>
</table>

   answer options (please select all the apply):
   Administrative simplification or burden reduction programmes/
   Consultation/Ex-post analysis/ Stakeholder engagement/Legal quality/ Other) (If other, please specify)

D. High level responsibility

1. Is there a specific minister\(^4\) / high level official\(^5\) accountable for promoting government-wide progress on regulatory reform? (Yes/No)
   a. If yes, what is his/her position? (Minister/High level official/High level political appointee/Other) adapted from RMS 2008 14c
      i. If other, please specify: ____________________________
      ii. What is his/her exact title? _________________________
   b. If yes, does the role include the following responsibilities?
      i. Monitoring and reporting on the co-ordination of regulatory reform activities across portfolios (Yes/No)
      ii. Reporting on the performance of the regulatory management system (Yes/No)
      iii. Identifying opportunities for improvements to regulatory policy settings and regulatory management practices (Yes/No)

---

\(^4\) Minister refers to the most senior political role within a portfolio.

\(^5\) High level official refers to a senior public official in the ministry. For example: Permanent Secretary, Departmental Secretary, State Secretary, Secretary-General, Deputy Minister.
E. Access to laws and regulations

1. Is a complete online database of all primary laws\(^6\) freely available to the public in a searchable format\(^7\)? (Yes/No)
   a. If yes, is it up-to-date? (Yes/No)
   b. If yes, please provide the weblink:

2. Is a complete online database of all subordinate regulations\(^8\) freely available to the public in a searchable format? (Yes/No)
   a. If yes, is it up-to-date? (Yes/No)
   b. If yes, please provide the weblink:

F. Forward planning

1. Does the government publish online a list of primary laws to be prepared, modified, reformed or repealed in the next six months or more? (Yes/No) adapted from RMS 2008 3a(i)
   a. If yes, please provide the weblink:

2. Does the government publish online a list of subordinate regulations to be prepared, modified, reformed or repealed in the next six months or more? (Yes/No) adapted from RMS 2008 3b(i)
   a. If yes, please provide the weblink:

G. Consistency and co-ordination of regulatory agencies\(^9\)

1. Do you have a public register clearly identifying all regulatory agencies, including their regulatory competences? (Yes/No)
   a. If yes, please provide us with the weblink: ____________________________

---

\(^6\) Primary laws are defined as: Regulations which must be approved by the parliament or congress. Primary laws are also referred to as “principal legislation” or “primary legislation”.

\(^7\) E.g. including search engines which allow members of the public to search according to a specific policy area.

\(^8\) Subordinate regulation refers to regulations that can be approved by the head of government, by an individual minister or high level official 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”.

\(^9\) A regulatory agency is an institution or body that is authorised by law to exercise regulatory powers over a sector/policy area or market.
2. Do you have an overarching published policy document on the governance of regulatory agencies? (Yes/No)
   a. If yes, please provide us with the weblink or document: _______________________

H. Systems for reviewing the legality of regulations

1. When appealing against adverse regulatory enforcement decisions in individual cases, which of the following options are typically available to affected parties? (Yes/No) Please select all that apply. 
   adapted from RMS 2008 3c
   a. Review by the regulatory enforcement body
   b. Review by an independent body
   c. Judicial review
   d. Review by the ministry

2. Has there been an evaluation of the functioning of appeals processes in terms of possible costs and delays (in the past five years)? (Yes/No) taken from RMS 2008 3d

3. Has there been a programme to facilitate appeal processes in the past five years? (Yes/No) taken from RMS 2008 3e
   a. If the answer is “yes”, does it relate to (please select all that apply):
      i. Costs to appellants?
      ii. Length of delays for appeals?
      iii. Number of stages for appeal?
      iv. Other
      1. If other, please provide details:

4. Is there a parliamentary or legislative committee or other parliamentary/legislative body with responsibilities that relate specifically to reviewing the legality and procedural fairness of regulations? (Yes/No)

I. Coherence across all levels of government and mechanisms to improve performance at sub-national level

1. Do you have a standing co-ordination mechanism across national and sub-national governments or municipalities to promote regulatory coherence in regulatory approaches and avoid duplication or conflict of regulations? (Yes/No)
   a. If yes, please explain how it operates. How effective is it? What works well and what could be improved?

2. Do you have a mechanism to share or otherwise promote best practices in regulatory management across sub-national governments? (Please select all that apply). (Yes/No)
   a. Benchmarking of performances
   b. Reports on good practices and lessons learned
c. Other
   i. If other, please specify: __________________________________________

d. If yes to any, please explain and provide reports and weblinks: __________

J. Proportion of all regulations that are initiated by parliament

1. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Proportion of all national primary laws initiated by parliament</th>
<th>Proportion of all national primary laws initiated by executive</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that originate from international instruments.

________________________________________________________________________

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink: ___________________________________

K. National and sub-national P/S

1. This questionnaire is focussed on the regulatory policies and processes of regulatory management at the national level, as opposed to subnational, e.g. state level. This question aims to help us understand to what percentage of regulations your answers apply to. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Proportion of national primary laws (as a % of all primary laws including sub-national level laws)</th>
<th>Proportion of national subordinate regulations (as a % of all subordinate regulations including subnational regulations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

________________________________________________________________________

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink:
L. Additional comments

Please use this space to provide any additional comments you have on this topic.

______________________________________________________________________________________
______________________________________________________________________________________
______________________________________________________________________________________

M. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

______________________________________________________________________________________
______________________________________________________________________________________

N. Optional questions

Please note: Performance-based regulations 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. For example, an air pollution regulation that establishes an emissions limit that a regulated entity must not exceed is performance-based, as the entity may choose how it will reduce emissions to meet that limit. On the other hand, an air pollution regulation that mandates that a regulated entity install a specific pollution control device is not performance-based, as the entity has no choice but to install that specific device.

1. Please describe any regulatory policy (e.g. procedure, review process, training, etc.) that your country has established that gives preference to the adoption of *performance-based regulation*\(^\text{10}\).

______________________________________________________________________________________

2. Please give examples of applications of *performance-based regulation* in your country, explaining whether they have been successful or what challenges they have presented in design or implementation.

______________________________________________________________________________________

---

\(^{10}\) 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.
II. STAKEHOLDER ENGAGEMENT AND TRANSPARENCY

This part of the questionnaire asks about the various methods of stakeholder engagement\(^{11}\). As countries perform consultation at different stages in the process of developing regulations and in some cases undertake two rounds of consultation, Section C asks specific questions regarding separate stages of stakeholder engagement. If it is the case that for any of the other questions, your answer depends on the stage of consultation, please explain this in the column for additional comments.

This part of the questionnaire refers exclusively to engagement with external stakeholders. Practices regarding within-government consultation can be described in Part I Section B Regulatory Process.

A. Requirements and guidance P/S

1. Is there a requirement to conduct stakeholder engagement to inform the development of primary laws/subordinate regulation? (For all regulations/ For major regulations/ For some regulations/ Never)
   a. If so, note whether this requirement is described in: (Yes/No)
      i. Constitution
      ii. Law or statutory requirement (e.g. administrative procedures Act)
      iii. Cabinet handbook
      iv. Mandatory guidelines
      v. Other
         1. If other, please describe, and also explain if it is mandatory:

   b. If so, is it required that consultation open to the general public is conducted\(^{12}\)? (For all regulations/For major regulations/For some regulations/Never)
   c. If so, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found:

2. Is written guidance available on how to conduct stakeholder engagement? (Yes/No) adapted from 9d(v)
   a. If yes, please provide us with the weblink to the guidance document or send us an electronic version.

---

\(^{11}\) Stakeholder engagement refers to the process by which the government informs all interested parties of proposed changes in regulation and receives feedback.

\(^{12}\) Please note that this refers to consultations where any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.
Minimum periods for consultation

3. Is there a formal requirement for a minimum period for consultations with the public, including citizens, business and civil society organisations? (Yes/No) adapted from 9c(ii)
   a. If yes, is the requirement prescribed in the following documents? (Yes/No)
      i. Constitution
      ii. Law or statutory requirement (e.g. administrative procedures Act)
      iii. Cabinet handbook
      iv. Mandatory guidelines
      v. Other
         1. If other, please describe:

   b. If yes, what is the minimum period? (Please indicate in number of weeks or number of working days) adapted from 9c(ii)

   c. If yes, what kind of regulations do minimum periods apply to? (All regulations/ Major regulations/ Some regulations/ Never)

Exceptions

4. Where public consultation is required, who is responsible for giving permission for public consultation to be bypassed? (All regulations/ Major regulations/ Some regulations/ Never)
   a. Minister
   b. Head of responsible department
   c. Standing or central oversight body
   d. Official in charge of consultation
   e. Other
      i. If other, please specify:

5. If it is decided that public consultation is not conducted, is this decision made public? (Yes/No/ No, but public consultation is always conducted without exception)
   a. If yes, how? Please select all that apply.
      i. Published alongside final stage RIA(Yes/No)
      ii. Made public on website (Yes/No)
         1. If you answered “Made public on website”, please provide the weblink:

      iii. Other (Yes/No)
         1. If other, please specify:

   b. If yes, are the reasons also made public? (Yes/No)

Please note that this refers to consultations where any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.
B. Openness and forward planning P/S

1. Can any member of the public choose to participate in a consultation? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from 9bvii P/S
   a. If so, how are members of the public invited to participate in consultation? Please select all that apply. (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
      i. Official government publication or “gazette”
      ii. Newspaper
      iii. TV or radio
      iv. Press announcements
      v. Social media
      vi. Website of the ministry
      vii. Central government website for consultation
      viii. Email alerts
   b. If so, how can members of the public submit comments? Please select all that apply. (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
      i. Submitting comments on webpage
      ii. Through email
      iii. Postal address indicated on website
      iv. Attending a public meeting in person
      v. Attending a public meeting via phone or internet

2. Are members of the public systematically informed in advance that a public consultation is planned to take place? (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   a. If so, how are they informed? Please select all that apply. (Yes/No)
      i. Through an announcement on a website
      ii. Before the consultation is started through a road map or similar type of early warning document
      iii. Other
         1. If other, please specify: _________________________________________________________
      iv. Please provide an example of how members of the public are informed (including weblinks if relevant):
         ________________________________________________________________
      v. How much time in advance are members of the public informed that a consultation is planned to take place? (number of weeks) ____________

---

14 Please note that this refers to consultations where any member of the public has access to information on the consultation and is able to submit comments. Simply posting regulatory proposals on the internet without an invitation to comment and a clear explanation how comments can be submitted is NOT a form of public consultation.
3. Do individual ministries/departments/government agencies have a web-page for ongoing consultations regarding the development of regulations? (Yes, all ministries/ Yes, some ministries/ No)

4. Are ongoing consultations listed on a single central government website? (Yes, all ongoing consultations/ Yes, some ongoing consultation/ No)
   a. If yes, please provide a weblink: ____________________________________________

C. Stakeholder engagement in different stages of policy development P/S

This section is divided into two sub-sections. The first sub-section includes questions regarding engagement that occurs at an early stage, to inform officials about the nature of the problem and to inform discussions on possible solutions. The second sub-section includes questions on stakeholder engagement where the preferred solution has been identified and/or a draft version of the regulation has been issued. Please note that in most countries systematic consultation takes place when a preferred option has been identified, and therefore the questions regarding consultation prior to this stage may not apply to the situation in your country. It is only necessary to complete those sections that apply to the current practices in your country.

1. When does the government conduct stakeholder engagement?  
   a. Prior to a regulation being drafted, to inform officials about the nature of the problem and inform discussions on possible solutions and policy options? (Yes/No)  
      i. If yes, complete subsection on Stakeholder engagement to identify possible solutions before regulation is drafted or proposed  
   b. When a preferred solution or option has been identified and/or a draft version of the regulation has been issued? (Yes/No)  
      i. If yes, complete subsection on Stakeholder engagement on draft regulations

**Stakeholder engagement to identify possible solutions before regulation is drafted or proposed**

This section refers to stakeholder engagement taking place prior to a new or revised regulation being drafted, to inform officials about the nature of the problem and to inform discussions on possible solutions (including non-regulatory).

2. How often does the government conduct stakeholder engagement to inform officials about the nature of the problem and to inform discussions on possible solutions? (For all regulations/ For major regulations/ For some regulations/ Never)

---

15 This website can include links which direct to consultation pages of ministries, so long as the public can access any of the ongoing consultations regarding the development of regulations from this single site.

16 That is, the text of the regulation was drafted or the proposed regulation was issued.

17 Please note that you can select yes for both a and b.

18 That is, the text of regulation was drafted or the proposed regulation was issued.

19 i.e. prior to the text of regulation being drafted or the proposed regulation being issued.
3. What types of documents are made available to support such stakeholder engagement? Please select all that apply (For all regulations/ For major regulations/ For some regulations/ Never)
   a. Green paper
   b. Document of legislative intent
   c. Consultation document describing the problem and soliciting public input on possible solutions
   d. Regulatory Impact Analysis (RIA)
   e. Official gazette
   f. Other analytical documents or studies
   g. Other
      i. If other, please specify: ________________________________

4. What forms of stakeholder engagement are used at this stage? (Always/ Frequently/ Sometimes/ Never) adapted from 9b(vi)
   a. Physical public meetings
   b. Virtual public meetings
   c. Informal consultation with selected groups
      i. Please specify which types of groups: ________________________________
   d. Formal consultation with selected groups (e.g. social partners)
      i. Please specify which types of groups: ________________________________
   e. Advisory group or preparatory committee
      i. Please provide an example and explain how the advisory group is selected:

---

20 A green paper is 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.

21 Document of legislative intent refers to 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.

22 Regulatory Impact Analysis refers to the 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.

23 Public meeting refers to 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.

24 This refers to public meetings where members of the public can attend and comment via telephone or internet.

25 This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

26 This refers to exchanges with selected interested parties where the proceedings are formally recorded.

27 This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

28 This refers to a committee of interested parties/experts who are formally responsible for helping to find solutions to the problem and draft the regulations.
ii. Please provide an example and explain how members of the preparatory committee are selected:

iii. Do you have a standing committee/group²⁹? (Yes/No)

f. Broad circulation for comment³⁰

g. Posting on the internet without invitation to comment

h. Public consultation conducted over the internet with invitation to comment³¹

  i. Are there pre-defined criteria for deciding whether a public consultation is conducted over the internet? (Yes/No)

    1. If yes, please describe the criteria (e.g. formal system of thresholds):

ii. Please provide an example of consultation over the internet with the invitation to comment, with weblink.

i. Other

   i. If other, please specify:

Stakeholder engagement on draft regulations³²

This section refers to stakeholder engagement on regulation where the preferred solution has been identified and/or the text of the regulation has been drafted or proposed.

5. How often does the government conduct consultation on draft regulations or proposed rules? (For all regulations/ For major regulations/ For some regulations/ Never)

6. What types of documents are made available to support the stakeholder engagement? Please select all that apply (For all regulations/For major regulations/ For some regulations/ Never)

   a. White paper³³

   b. Document of legislative intent³⁴

   c. Consultation document describing the problem and suggested solutions

²⁹ A standing committee/group is a permanent body, as opposed to an entity established for a fixed duration.

³⁰ This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.

³¹ Public consultation over the internet refers to 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.

³² Or proposed regulations

³³ White paper refers to a government report which sets out a detailed policy or regulatory proposal. A white paper allows the opportunity to gather feedback before the policy/regulation is formally presented.

³⁴ Document of legal intent refers to 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.
d. Regulatory Impact Analysis\(^{35}\) (RIA)

c. Summary of RIA

e. Explanatory memorandum or preamble

f. Draft text of the regulation\(^{36}\)

g. Official gazette

h. Other analytical documents or studies

i. If other, please specify: __________________________

7. What forms of stakeholder engagement are used at this stage? Please select all that apply.

(Always/ Frequently/ Sometimes/ Never) \textit{adapted from 9b(vi)}

a. Physical public meetings\(^{37}\)

b. Virtual public meetings\(^{38}\)

c. Informal consultation with selected groups\(^{39}\)

i. Please specify which types of groups: __________________________

d. Formal consultation with selected groups (e.g. social partners)\(^{40}\)

i. Please specify which types of groups: __________________________

e. Advisory group\(^{41}\) or preparatory committee\(^{42}\)

i. Please provide an example and explain how the advisory group is selected:

ii. Please provide an example and explain how members of the preparatory committee are selected:

iii. Do you have a standing committee/group\(^{43}\)? (Yes/No)

f. Broad circulation of proposals for comment\(^ {44}\)

g. Posting proposals on the internet without invitation to comment

h. Public consultation conducted over the internet with invitation to comment\(^{45}\)

\(^{35}\) Regulatory Impact Analysis refers to the 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.

\(^{36}\) Or proposed regulations

\(^{37}\) Public meeting refers to 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.

\(^{38}\) This refers to public meetings where members of the public can attend and comment via telephone or internet.

\(^{39}\) This refers to ad hoc meetings with selected interested parties, held at the discretion of regulators.

\(^{40}\) This refers to exchanges with selected interested parties where the proceedings are formally recorded.

\(^{41}\) This refers to selected experts and/or interested parties (e.g. social partners, environmental groups) forming a consultative group or committee, either on an ad hoc or a standing basis. This is a formalised group, i.e. there is a formal written statute, or members are appointed through a formal method.

\(^{42}\) This refers to a committee of interested parties/experts who are formally responsible for helping find solutions to the problem and draft the regulations.

\(^{43}\) A standing committee/group is a permanent body, as opposed to an entity established for a fixed duration.

\(^{44}\) This refers to when the consultation materials and request for comments are sent to a selected group of stakeholders, rather than being openly advertised.
i. Are there pre-defined criteria for deciding whether a public consultation is conducted over the internet? (Yes/No)
   1. If yes, please describe the criteria (e.g. formal system of thresholds):

ii. Please provide us with an example of consultation over the internet with the invitation to comment, with weblink:

i. Other
   i. If other, please specify:

D. Consideration of and response to consultation comments (P/S)

1. Are the views of participants in the consultation process made public\(^{46}\)? (Yes/No) \textbf{taken from 9d(i)}
   a. If yes, how? Select all that apply. (Yes/No)
      i. Individual comments made available on the internet
      ii. Summary of comments made available on the internet
      iii. Published alongside RIA
      iv. Formal report on the results of the consultation
      v. Other
      1. If other, please describe:______________________________
   vi. If yes to any, please provide a weblink to an example of published comments:

2. Are regulators\(^{47}\) required to publish a response to consultation comments online? (For all public consultations/ For public consultations regarding major regulations/ For some public consultations/ Never)
   a. If so, please provide a weblink(s) to an example:______________________________

3. Are regulators required to respond in writing to the authors of consultation comments\(^{48}\)? (Yes/No) \textbf{taken from 9d(ii)}
   a. If yes, how do regulators respond? Select all that apply. (Yes/No)
      i. Individual answers to each author of consultation comments
      ii. Summary responding to most important or significant comments published online
      iii. Other

\(^{45}\) Public consultation over the internet refers to 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.

\(^{46}\) i.e. the views of those consulted

\(^{47}\) Regulators - Administrators in government departments and other agencies responsible for making regulation.

\(^{48}\) i.e. respond directly to the people who have provided comments in the consultation.
1. If other, please describe: ____________________________________

4. Are the views expressed in the consultation process included in the Regulatory Impact Analysis\textsuperscript{49}? (Yes/No) \textbf{taken from 9d(iii)}
   a. If not, are they passed on to decision makers in some other way together with the draft regulation or proposed rule? (Yes/No)
      i. If yes, please select the form in which they are provided to decision makers.
         (Explanatory memorandum/ Regulatory preamble/ Separate document/ Other)
      1. If other, please specify: ____________________________________

5. Are regulators formally required to consider consultation comments when developing the final regulation? (Yes/No)
   a. If yes, please give the source for this requirement: ____________________________________
   b. If yes, how are regulators held accountable for this? Please select all that apply. (Yes/No)
      i. Judicial review
      ii. Review by standing or central oversight body
      iii. Other
      1. If other, please describe: ____________________________________

6. Do you assign weights to comments in a systematic way?\textsuperscript{50} (Yes/No)

\textbf{E. Information and Communications Technology}

1. Does the government use interactive websites\textsuperscript{51} to consult with stakeholders on: (please select all that apply) (Yes/No)
   a. Plans to regulate
   b. Draft regulations\textsuperscript{52}
   c. Plans to change existing regulations
   d. Finalised regulations
   e. If yes to any, does government use: (please select all that apply) (Yes/No)
      i. Website(s) operated by the government
         1. If yes, do they offer discussion forums (where participants and regulators can directly respond to each other)? (Yes/No)
         2. If yes, please provide an example of consultation and weblinks:
               ____________________________________________
      ii. LinkedIn
         1. If yes, please provide an example of consultation and weblinks:
               ____________________________________________
      iii. Facebook

\textsuperscript{49} That is, noted in the RIA document or Regulation Impact Statement.
\textsuperscript{50} E.g. do comments from individuals have the same weight as comments from represented groups?
\textsuperscript{51} i.e. websites that allow members of the general public to post visibly comments online.
\textsuperscript{52} Or proposed regulations
1. If yes, please provide an example of consultation and weblinks:

iv. Twitter
1. If yes, please provide an example of consultation and weblinks:

v. Other
1. If other, please specify: ____________________________
2. If yes, please provide examples and weblinks:

Evaluation of consultation systems

Data will be taken from the 2014 publication OECD Framework for Regulatory Policy Evaluation.

F. Definition of answer categories P/S

If you have answered ‘for major regulations’ for any of the questions above, please answer the questions below.

1. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)
   a. Please explain: ____________________________________________

2. If the criteria for defining major differs amongst questions, please explain:

3. If you have answered ‘for some regulations’ for any of the questions above, please explain how these have been selected.

G. Domestic and international regulations

1. Do the requirements and processes described above apply to regulations originating in the following international instruments:
   a. EU directives (Yes/No/Not applicable)
   b. EU regulations (Yes/No/Not applicable)
   c. Other international instruments (Yes/No/Not applicable)
      i. Please specify: ____________________________

2. Do you have specific requirements, processes or exceptions for conducting public consultations with respect to regulations originating from international instruments? (Yes/No)
   a. If yes, please provide details.
H. Laws initiated by parliament

1. Do the answers provided above also apply to laws initiated by parliament\(^{53}\)? (Yes, all answers/Yes, some answers/No)

2. Do you have specific requirements, processes or exceptions for conducting public consultations with respect to primary laws initiated by parliament? (Yes/No)
   a. If yes, please provide details: ________________________________________________

3. Is there a requirement to conduct consultations with the general public to inform the development of primary laws initiated by parliament? (For all primary laws/ For major primary laws/ For some primary laws/ Never)

I. Scope of answers to questions on Part II Stakeholder Engagement and Transparency

1. To what proportion of national regulations do your answers provided above apply to? (Please fill in the table below)

<table>
<thead>
<tr>
<th>Proportion of national primary laws covered in survey Part II on Stakeholder Engagement (expressed as % of the total number of national primary laws)</th>
<th>Proportion of national subordinate regulations covered in survey Part II on Stakeholder Engagement (expressed as % of the total number of national subordinate regulations)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If you have answered yes to question G 1 a), b) or c), please include the regulations originating from the respective international instruments in the proportion of regulations covered in Part II.

If you have answered ‘Yes, all answers’ to question H 1, please include the number of laws initiated by parliament in the proportion of primary laws covered in Part II.

2. If you do not have exact numbers, please provide an estimate and explain how you estimated the proportion of regulations covered in this part of the survey.

\(^{53}\) i.e. in the section on stakeholder engagement, are the answers provided for primary laws initiated by the executive also valid for primary laws initiated by parliament.
J. Statistics on stakeholder engagement

1. Please fill in the following table.

<table>
<thead>
<tr>
<th>Year</th>
<th>Consultations open to the general public conducted over the internet, before the text of the primary law was drafted</th>
<th>Consultations open to the general public conducted over the internet, before the text of the subordinate regulation was drafted or the proposed regulation was issued</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In absolute numbers</td>
<td>% of all draft primary laws</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide a weblink. If the information is part of a report, please reference the page number: _______________________________________________

4. Please fill in the table.

<table>
<thead>
<tr>
<th>Year</th>
<th>Draft primary laws on which consultation open to the general public was conducted over the internet after the text of the primary law was drafted</th>
<th>Draft subordinate regulations on which consultation open to the general public was conducted over the internet after the text of the subordinate regulation was drafted or the proposed regulation was issued</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In absolute numbers</td>
<td>% of all draft primary laws</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
- were initiated by parliament.

6. Are these statistics publicly available? (Yes/No)
   b. If yes, please provide a weblink. If the information is contained in a report, please reference the page number: _________________________________

7. Do you have information on the average number of respondents to consultations? (Yes, internally available/ Yes, publicly available/ No)
   c. If yes, please provide further information on the nature of the data.
   
   d. If publicly available, please provide weblink. If the information is contained in a report, please reference the page number.

8. Do you have information on the number of draft regulations\(^{54}\) that have been revised as a result of information received during consultation? (Yes, internally available/ Yes, publicly available/ No)
   e. If yes, please provide the number or percentage.

9. Do you publish any other statistics on stakeholder engagement practices? (Yes/No)
   f. If yes, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information can be found: _________________________________

K. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

L. Additional comments

Please use this space to provide any additional comments you have on this topic.

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

\(^{54}\) or proposed regulations
III. REGULATORY IMPACT ANALYSIS (RIA)

Where the answer option ‘all regulations’ is provided, this refers to all regulations that are issued at the national level of government and have originated from the executive. This does not include regulations that are initiated by parliament and do not follow the same procedures as regulations initiated in the executive.

When the questionnaire refers to the development of new regulation, please note that this includes changes to existing regulation.

A. Process, requirements and proportionality (Regulatory Impact Assessment\textsuperscript{55}) P/S

1. In practice, is Regulatory Impact Analysis (RIA) conducted to inform the development of regulations for: (All regulations/ Major regulations/ Some regulations/ Never)

2. Is there a requirement to conduct a Regulatory Impact Analysis (RIA) to inform the development of: (All regulations/ Major regulations/ Some regulations/ Never)
   a. If so, is this requirement expressed in: (please select all that apply) (Yes/No)
      i. Constitution
      ii. Law or statutory requirement (e.g. administrative procedures Act)
      iii. Cabinet handbook
      iv. Mandatory guidelines
      v. Other
         1. If other, please describe and also explain if it is mandatory:
         2. If yes, please provide the reference(s) to the relevant document(s) and indicate the page number(s) where the information on the requirement can be found:
   b. If there are exceptions to these requirements, please select which of the following reasons are accepted:
      i. Regulation is being introduced in response to an emergency (Yes/No)
      ii. Regulation is considered to have insignificant impacts (Yes/No)
      iii. Regulation must be introduced before a certain date (Yes/No)
      iv. Regulation is implementing an international treaty or legislation of an inter- or supranational organisation (e.g. EU) (Yes/No)
      v. Regulation is part of an election promise (Yes/No)
      vi. Other (Yes/No)
         1. If other, please specify:

\textsuperscript{55} Regulatory Impact Analysis refers to the 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.
3. 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/ Before the RIA is started through a road map or similar type of early warning document/At the time of any public consultation on the RIA/ When the regulation is adopted/ Other/ Never)
   a. If other, please specify:______________________________________________

4. If it is decided that a RIA will not be conducted, is this decision made publicly available? (Yes/No/No, but RIA is always conducted without exception)
   a. If yes, how? Please provide us with the weblink:
      ________________________________________________________________
   b. If yes, when? ______________________________________________________
   c. Can members of the general public contest this decision? (Yes/No)
      i. If yes, please describe how:_____________________________________

5. Is there a body responsible for reviewing the decision made by officials about whether a RIA is required? (Yes/No)
   a. If yes, what is the name of the body? ________________________________
   b. If yes, where in the administration is it located? ______________________

6. If a RIA does not take place, is a post-implementation review required? (Yes/No)

Proportionality and thresholds

7. Is there a threshold test to determine whether a RIA is undertaken at all? (Yes/No)
   a. If yes, is the threshold expressed: (Qualitatively/ Quantitatively/ Qualitatively and quantitatively)
   b. Please provide details of the threshold test: __________________________
   c. If yes, are the results of the threshold test made public before the regulation is drafted? (Yes/No)

8. Is there a threshold to determine whether a full RIA (as opposed to a simplified RIA) is undertaken? (Yes/No) (adapted from 10f)
   a. If yes, is the threshold expressed: (Qualitatively/ Quantitatively/ Qualitatively and quantitatively)
   b. Please provide details of the threshold test: __________________________
   c. If yes, please provide details of the difference in requirements for a simplified RIA versus a full RIA: _______________________________
   d. If yes, are the results of the threshold test made public before the regulation is drafted? (Yes/No)

56 Please describe in what stage of the development of a new regulation this is made public, e.g. before the draft regulation or proposed rule is submitted to the cabinet or the council of ministers.
Responsibility and transparency

9. Is it mandatory for RIAs to be ‘signed-off’ when completed? (For all RIAs/ For RIAs regarding major regulations/ For some RIAs/ Never)
   a. If so, who is responsible for signing off (please select the highest level that is required):
      i. RIAs regarding major regulations (Minister/ High level official/ Head of responsible department/ Official responsible for developing the regulation/ Standing or central oversight body/ Other)
         1. If other, please specify: ____________________________
      ii. RIAs regarding non-major regulations (Minister/ High level official/ Head of responsible department/ Official responsible for developing the regulation/ Standing or central oversight body/ Other)
         1. If other, please specify: ____________________________

10. Are RIAs made publicly available online? (All RIAs/ RIAs regarding major regulations/ Some RIAs/ Never)
    a. If so, where are RIAs published online? Please select all that apply. (Yes/No)
       i. On a central registry
       ii. On the websites of each ministry
          1. Please provide the weblink(s):

    b. If so, when are RIAs published? Please select all that apply. (Yes/No)
       i. Prior to a regulation being put before parliament
       ii. After regulation is put before parliament
       iii. Other specific stage in regulatory process
       iv. Publication dates vary
          1. If other specific stage in regulatory process, please specify: ___________

    c. If so, are RIA documents required to be released for consultation with the general public? (All RIAs/ RIAs regarding major regulations/ Some RIAs/ Never) adapted from 10h (viii)

B. Assessment of impacts, costs and benefits P/S

1. When developing regulation, are regulators required to identify and assess the impacts of the following: (For all regulations/ For major regulations/ For some regulations/ Never)
   a. The preferred regulatory option
   b. The baseline or ‘do nothing’ option
   c. Alternative regulatory options
      i. If so, how many alternative regulatory options are usually assessed? (1/More than 1)
   d. Alternative non-regulatory options

57 Administrators in government departments and other agencies responsible for making and enforcing regulation.
i. If so, how many alternative non-regulatory options are usually assessed? (1/More than 1)

2. Is there a requirement that impact assessment practices be proportionate to the significance of the regulation, i.e. the expected impact? (Yes/No)
   a. If yes, where is this described? (e.g. guidelines?) ______________________
   b. If yes, please provide details: ________________________________________

3. When developing regulation, are regulators required to include assessments of the following:
   (For all regulations/ For major regulations/ For some regulations/ Never) adapted from RMS 2008 10h(ix)
   a. Impact on the budget
   b. Impact on competition
   c. Impact on trade
   d. Impact on market openness
   e. Impact on small businesses
   f. Impact on specific regional areas
   g. Impact on specific social groups
   h. Impact on other groups (non-profit sector including charities)
   i. Impact on the public sector\footnote{e.g. costs to central or local government}
   j. Impact on gender equality
   k. Impact on poverty
   l. Impact on environment
   m. Impact on social goals
   n. Impact on income inequality
   o. Impact on foreign jurisdictions
   p. Impact on sustainable development
   q. Impact on innovation

4. 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. (Yes/No)
   a. Checklist of impacts which must be completed
   b. Written statement that each of the required impacts have been considered, including when they have been identified as zero or very low
   c. The analysis of these impacts are reviewed by a body outside the ministry sponsoring the regulation
   d. Other
      i. If other, please specify: ________________________________________

5. 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) (For all regulations/ For major regulations/ For some regulations/ Never)
a. If so, please describe the methodology, including how distributional effects are identified, e.g. distributional effects relating to income, gender, age:

6. When developing regulation, are regulators required to identify a process for assessing progress in achieving a regulation’s goals? (For all regulations/ For major regulations/ For some regulations/ Never)
   a. If so, are regulators required to specify
      i. The methodology of measuring progress (Yes/No)
      ii. The indicators/data that can measure
         1. Progress in achieving the immediate policy goals (Yes/No)
         2. The contribution towards a country’s long-term goals or agenda (Yes/No)
      iii. If so, please provide details: ________________________________
      iv. If so, please provide an example: ______________________________

7. Is risk assessment required when developing regulation? **Adapted from RMS 2008 10i**
   a. For all areas of regulation (For all regulations/ For major regulations/ For some regulations/ Never)
   b. For health and safety regulation (For all regulations/ For major regulations/ For some regulations/ Never)
   c. For environmental regulation (For all regulations/ For major regulations/ For some regulations/ Never)
   d. For other areas of regulation (For all regulations/ For major regulations/ For some regulations/ Never)
      1. Please specify which areas:
         i. If risk assessment is required, must it involve quantitative analysis? (Yes, for all areas of regulation/ Yes, in specific areas/ No)
         ii. If risk assessment is required, is it included in RIA? (Yes, for all areas of regulation/ Yes, in specific areas/ No)

8. When developing regulation, are regulators required to (please select all that apply): (For all regulations/ For major regulations/ For some regulations/ Never) **Adapted from 10j(i)**
   a. Assess the level of compliance
   b. Identify and assess potential enforcement mechanisms

**Assessment of Costs**

For information and examples of different categories of costs, please see [OECD Regulatory Compliance Costs Assessment Guidance](#).
9. Are regulators required to identify the costs of a new regulation\(^{59}\)? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from RMS 2008 10h(iv)
   a. If so, are regulators required to quantify the costs? (For all regulations/ For major regulations/ For some regulations/ No) adapted from RMS 2008 10h(iv)
      i. If so, are regulators required to quantify the costs for more than one policy option? (Yes/No)
      ii. If so, please indicate where costs are separately quantified for the following groups: (For all regulations/ For major regulations/ For some regulations/ Never)
         1. Individuals/citizens
         2. Businesses
         3. NGOs/charities
         4. Government
      iii. If so, what kind of costs are quantified:
         1. Cost of Compliance\(^{60}\) (For all regulations/ For major regulations/ For some regulations/ Never)
            a) If so, does this include:
               a. Administrative burdens\(^{61}\) (for example the costs involved in reading and understanding regulations and reporting requirements) (For all regulations/ For major regulations/ For some regulations/ Never)
               b. Substantive compliance costs\(^{62}\) (the direct costs of meeting requirements other than administrative burdens) (For all regulations/ For major regulations/ For some regulations/ Never)
               c. Government administration and enforcement costs\(^{63}\) (For all regulations/ For major regulations/ For some regulations/Never)
               d. Other (For all regulations/For major regulations/For some regulations/Never)
                  i. If other, please specify: _________________

---

\(^{59}\) When the questionnaire refers to new regulation, please note that this includes changes to existing regulation.

\(^{60}\) Compliance costs are the 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.

\(^{61}\) 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.

\(^{62}\) 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.

\(^{63}\) Costs incurred by government in administering and enforcing the regulatory requirements.
b. 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? (For all regulations/ For major regulations/ For some regulations/ Never)
   i. *Macroeconomic costs*[^64] (for example the impact on employment or economic growth)
   ii. *Financial costs*[^65] (for example the interest paid on a loan needed to purchase new equipment)
   iii. *Indirect costs*[^66] (costs that are incidental to the main purpose of the regulations)
   iv. If yes to any of the above options, please provide a concrete example for each type of cost assessed.

10. Where it is required to assess and/or quantify a particular type of cost, please describe how it is ensured that this assessment is completed: ________________________________

**Assessment of Benefits**

11. Are regulators required to identify the benefits of a new regulation? (For all regulations/ For major regulations/ For some regulations/ Never) *adapted from RMS 2008 10h(v)*
   a. If so, are regulators required to qualitatively assess these benefits? (For all regulations/ For major regulations/ For some regulations/ Never)
      i. If so, what kind of benefits must be qualitatively assessed? (e.g. economic, social, environmental)

   b. If so, are regulators required to quantify the benefits? (For all regulations/ For major regulations/ For some regulations/ Never) *adapted from RMS 2008 10h(v)*
      i. If so, are regulators required to quantify the benefits for more than one policy option? (Yes/No)
      ii. If so, please indicate for which groups benefits are quantified separately (For all regulations/ For major regulations/ For some regulations/ Never):
         1. Individuals/citizens
         2. Businesses
         3. NGOs/charities
         4. Government (for example fiscal benefits)
      iii. What kinds of benefits are quantified? (e.g. economic, social, environmental)

[^64]: Cost impacts on key macroeconomic variables such as GDP and employment caused by regulatory requirements.

[^65]: 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.

[^66]: Indirect costs are incidental to the main purpose of the regulations and often affect third parties. For example dynamic costs—i.e. costs caused by negative changes in market conditions over time.
12. Where it is required to quantify and/or assess a particular type of benefit, please describe how it is ensured that this assessment is completed: ________________________________

13. Is there a formal requirement for regulators to demonstrate that the benefits of a new regulation justify the costs? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from RMS 2008 10h(vi)
   a. If so, please describe the methodology used to demonstrate this. (For example based on life satisfaction of individuals or willingness to pay (WTP))

14. How often are proposed changes in regulation accompanied by:
   a. A complete Regulatory Impact Assessment? (An Impact Assessment that includes analysis of all elements recommended in the government’s national guidelines on RIA (Never/ Rarely/ Sometimes/ Often/ Always/ Not enough information to judge)
   b. A partial Regulatory Impact Assessment? (An Impact Assessment that includes analysis of some, but not all elements recommended in the government’s national guidelines on RIA) (Never/ Rarely/ Sometimes/ Often/ Always/ Not enough information to judge)

C. Effectiveness of RIA

1. Have assessments been undertaken of the effectiveness of RIA in leading to modifications of regulatory proposals? (Yes/No) adapted RMS 2008 from 10l
   a. If yes, are these publicly available, e.g. in a report or review? (Yes/No)
      i. Please provide the weblink to the report:

2. Please describe a case study or example of an area of regulation where the use of RIA has helped to improve a regulatory proposal:

3. Have there been any attempts to quantify the total benefits through more efficient regulations resulting from RIAs? (Yes/No)
   a. If yes, are the results publicly available? (Yes/No)
      i. Please provide a weblink:

4. Are good practice examples of RIAs available to policy officials to act as additional guidance? (Yes/No)

---

67 This question corresponds to a similar question in the BIAC Economic Policy Survey 2014.
68 i.e. the introduction, amendment or removal of a regulation
D. Oversight of RIA

1. Is a government body outside the ministry sponsoring the regulation responsible for reviewing the quality of the RIA\(^{69}\)? (Yes/No) \textbf{taken from RMS 2008 10c}
   a. If yes:
   i. What is it called? ______________________________
   ii. Where is it located within the administration? ______________________
   iii. Is the authority of the oversight body established in a legally binding document, such as a law, statute or executive order? (Yes/No)
   iv. Does the oversight body review RIA for:
      1. Primary laws (Yes/No)
      2. Subordinate regulation (Yes/No)
   v. Please indicate how many full time equivalent staff at the oversight body are responsible for reviewing RIAs:

   b. If yes, can an oversight body return the Impact Assessment for revision where it is deemed inadequate? (Yes/No) \textbf{P/S}
   i. If yes, on what grounds can the oversight body return the Impact Assessment for revision? (please select all that apply) (Yes/No)
      1. Lack of effective consultation
      2. Benefits not assessed correctly
      3. Administrative burdens for business not assessed correctly
      4. Administrative burdens for individuals not assessed correctly
      5. Substantive compliance costs to business not assessed correctly
      6. Substantive compliance costs to individuals not assessed correctly
      7. Alternative options not assessed
      8. Justification for intervention not described adequately
      9. Any requirement not fulfilled\(^{70}\)
      10. Other
         i. If other, please indicate: _____________________________________________
   ii. Please provide an example of the oversight body asking for and receiving a revised RIA: ______________________________
   iii. Explain how the oversight body can ensure that inadequate Regulatory Impact Assessments are improved: (For example, must the oversight body approve or conclude its review of the Impact Assessment before it can be presented to cabinet or parliament?) _______________________ 

   c. If yes, who is responsible for deciding whether a regulation can proceed to the next step\(^{71}\) without approval of the RIA from the reviewing body? (please select the highest level that is required) (Ministers responsible/ High level official/ Official responsible for developing the regulation/ Other/ It is not possible) \textbf{P/S}
   i. If other, please specify: _____________________________________________

\(^{69}\) If the body is located within a ministry, but is independent, you can still answer ‘yes’ to this question, but please explain in the comments section.

\(^{70}\) E.g. any of the requirements described in the questions above not fulfilled

\(^{71}\) E.g. proceed to parliament for primary laws or be legally implemented for subordinate regulation.
ii. If approval from the reviewing body of the RIA has not been given, is this fact made public? (Yes/No)
   1. If yes, how? (e.g. published on government website – Please provide the weblink) ________________________________
   2. If yes, when? ________________________________

2. Are reports prepared on the level of compliance by government department73 with the above requirements of RIA? (Regularly/ On ad hoc basis/ Never) taken from RMS 2008 10 j(ii) P/S
   a. If so, please indicate where these are available. ________________________________

3. Is there a specific parliamentary committee or other parliamentary body with responsibilities for reviewing the quality of:
   a. Individual RIAs (Yes/No)
      i. If yes, please specify and describe: ________________________________
   b. The RIA system as a whole (Yes/No)
      i. If yes, please specify and describe: ________________________________

E. Guidance

1. Is written guidance on the preparation of RIA provided? (Yes/No) adapted from RMS 2008 10g
   a. If yes, when was it last updated? taken from RMS 2008 10g(i)

   b. If yes, does the guidance give advice on: (Yes/No)
      i. Identification of the baseline scenario
      ii. Scope of RIA
      iii. Regulatory alternatives
      iv. Threshold tests
      v. Cost-benefit analysis
      vi. Monetisation of costs and benefits
      vii. Risk assessment
      viii. Other
         1. If other, please specify: ________________________________
   c. Please provide us with weblink to guidance or if not publicly available, please provide us with a copy of the guidance: ________________________________

F. Use of RIA

1. For primary laws, are the following documents submitted to parliament/legislature?
   a. RIA (For all primary laws/ For major primary laws/ For some primary laws/ Never/ Not applicable)

72 Please describe at what stage of the development of a new regulation this is made public, e.g. before draft regulation or proposed rule is submitted to cabinet or council of ministers.

73 'Government department' includes agencies or ministries.
i. If not applicable, please explain why: ________________________________

b. Summary of RIA (For all primary laws/ For major primary laws/ For some primary laws/ Never/ Not applicable)
   i. If not applicable, please explain why: ________________________________

2. Are the following documents submitted to cabinet or council of ministers? P/S
   a. RIA (For all regulations/ For major regulations/ For some regulations/ Never/ Not applicable)
      i. If not applicable, please explain why: ________________________________
   b. Summary of RIA (For all regulations/ For major regulations/ For some regulations/ Never/ Not applicable)
      i. If not applicable, please explain why: ________________________________

3. Are the following documents submitted to other relevant authorities, e.g. the President? P/S
   a. RIA (For all regulations/ For major regulations/ For some regulations/ Never)
      i. If so, please describe which relevant authorities: ________________________________
   b. Summary of RIA (For all regulations/ For major regulations/ For some regulations/ Never)
      i. If so, please describe which relevant authorities: ________________________________

Evaluation of Regulatory Impact Analysis (RIA) systems

Data will be taken from the 2014 publication OECD Framework for Regulatory Policy Evaluation.

G. Definition of answer categories P/S

If you have answered ‘for major regulations’ for any of the questions above, please answer the questions below.

1. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)
   a. Please explain. ________________________________

2. If the criteria for defining major differs amongst questions, please explain. __________________

3. If you have answered ‘for some regulations’, ‘for some primary laws’ or ‘for some subordinate regulations’ for any of the questions above, please explain how these have been selected. ________________________________

H. Domestic and international regulations

1. Do the requirements for Regulatory Impact Assessments described above apply to regulations originating from the following international instruments?
   a. EU directives (Yes/ No/ Not applicable)
   b. EU regulations (Yes/ No/ Not applicable)
c. Other international instruments (Yes/No/ Not applicable)
   i. If other, please specify: __________________________________________

d. If not, do you have specific requirements, processes or exceptions for using RIA with respect to regulations originating from international instruments? (Yes/No)
   i. Please provide details:

I. Laws initiated by parliament

   1. Do the answers provided above also apply to laws initiated by parliament? (Yes, all answers/Yes, some answers/ No)

   2. Do you have specific requirements, processes or exceptions for using RIA with respect to laws initiated by parliament? (Yes/No)
      a. Please provide details: __________________________________________

   3. Is there a requirement to conduct RIA to inform the development of primary laws initiated by parliament? (For all primary laws/ For major primary laws/ For some primary laws/ Never)

J. Scope of answers to questions on Part III Regulatory Impact Analysis

   1. To what proportion of national regulations do your answers provided above apply to? (Please fill in the table below)

<table>
<thead>
<tr>
<th align="left">Proportion of national primary laws covered in survey Part III on RIA (expressed as % of the total number of national primary laws)</th>
<th align="left">Proportion of national subordinate regulations covered in survey Part III on RIA (expressed as % of the total number of national subordinate regulations)</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left"></td>
<td align="left"></td>
</tr>
</tbody>
</table>

   If you have answered yes to question H 1 a), b) or c), please include the regulations originating from the respective international instruments in the proportion of regulations covered in Part III.

   If you have answered ‘Yes, all answers’ to question I 1, please include the number of laws initiated by parliament in the proportion of primary laws covered in Part III.

   2. If you do not have exact numbers, please provide an estimate and explain how you estimated the proportion of regulations covered in this survey section. If the proportion of regulations covered in the RIA part of the survey is the same as the proportion for stakeholder engagement, you can just make reference to your answer in the part on consultation:
K. Statistics

Number of RIAs

1. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Regulatory Impact Assessment conducted before the text of the primary law was drafted</th>
<th>Regulatory Impact Assessment conducted before the text of the subordinate regulation was drafted or the proposed regulation was issued</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In absolute numbers</td>
<td>% of all draft primary laws</td>
<td>In absolute numbers</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
- originate from international instruments, and/or
- were initiated by parliament.

___________________________________________________________________________

3. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number:

___________________________________________________________________________

4. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Regulatory Impact Assessment conducted</th>
<th>Regulatory Impact Assessment conducted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
during or after the text of the primary law was drafted | during or after the text of the subordinate regulation was drafted or the proposed regulation was issued

<table>
<thead>
<tr>
<th>Year</th>
<th>In absolute numbers</th>
<th>% of all draft primary laws</th>
<th>In absolute numbers</th>
<th>% of all draft subordinate regulations or proposed regulations</th>
<th>In absolute numbers</th>
<th>as % of all draft regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
- originate from international instruments, and/or
- were initiated by parliament.

__________________________________________________________________________

6. Are these statistics publicly available? (Yes/No)
a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number:

______________________________________________________________

Statistics on the RIA oversight body

7. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>The number of RIAs for primary laws presented to the central oversight body</th>
<th>The number of RIAs for subordinate regulations presented to the central oversight body</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In absolute numbers</td>
<td>% of all draft primary laws</td>
<td>In absolute numbers</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
- originate from international instruments, and/or
- were initiated by parliament.

__________________________________________________________________________
9. Are these statistics publicly available? (Yes/No)
   a. If yes, please provide the weblink. If the information is contained in a report, please reference the page number: ________________________________________________

10. Please fill in the table below.

<table>
<thead>
<tr>
<th>Year</th>
<th>The number of RIAs regarding primary laws returned for revision and improvement by the central oversight body</th>
<th>The number of RIAs regarding subordinate regulations returned for revision and improvement by the central oversight body</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In absolute numbers</td>
<td>% of all draft primary laws</td>
<td>In absolute numbers</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11. Please provide information on the methodology and definitions used to calculate the numbers. Please also specify if the numbers include regulations that:
   - originate from international instruments, and/or
   - were initiated by parliament.

___________________________________________________________________________________________________________________________________________________________________________________________

12. Are these statistics publicly available? (Yes/No)
   a. If yes, provide weblink. If the information is contained in a report, please reference the page number:

___________________________________________________________________________________________________________________________________________________________________________________________

L. Additional comments

Please use this space to provide any additional comments you have on this topic.
___________________________________________________________________________________________________________________________________________________________________________________________
___________________________________________________________________________________________________________________________________________________________________________________________
___________________________________________________________________________________________________________________________________________________________________________________________

M. Innovative practices

Please describe any particular practices you wish to highlight as innovations.
___________________________________________________________________________________________________________________________________________________________________________________________
___________________________________________________________________________________________________________________________________________________________________________________________
___________________________________________________________________________________________________________________________________________________________________________________________
IV. EX-POST EVALUATION OF REGULATIONS, REVIEWS AND MANAGEMENT OF THE STOCK OF REGULATIONS

Ex-post evaluation of regulations is a relatively new area for many OECD countries and therefore a lot of the questions may not apply to the situation in your country. If you are unsure about how to answer a question, please contact our hotline.

In this section, the term regulation covers both primary laws and subordinate legislation (see definitions).

1. Please highlight any major reforms or changes to ex-post evaluation processes for existing regulation that have been undertaken since 2008: ________________________________

A. Ad-hoc reviews of the stock of regulation/legislation

Please note the questions in Section A refer exclusively to reviews of a large number of regulations. Reviews of individual regulations are covered in Section B.
1. In the last 12 years, have any major reviews of the following kind been conducted?
   a. 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. (Yes/No)
      i. If yes, which principles was the review/were the reviews based on? Please select all that apply. (Yes/No)
         1. Competition
            a. If yes, were one or more reviews: (Yes/No)
               i. Economy-wide
               ii. Undertaken in a specific sector
                  1. If yes, please specify: __________________
               iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
                  1. If yes, please specify: __________________
            b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
               i. Name ____________________________
               ii. Date ____________________________
               iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
                  a. If undertaken in a specific sector or policy area, please specify: __________________
               iv. Conclusions/recommendations of the review __________________
               v. Actions taken following the review __________________
               vi. Weblink to the report or, if only internally available, a copy of the report __________________

2. Administrative burdens
   a. If yes, were one or more reviews: (Yes/No)
      i. Economy-wide
      ii. Undertaken in a specific sector
         1. If yes, please specify: __________________
      iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
         1. If yes, please specify: __________________
   b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
      i. Name ____________________________
      ii. Date ____________________________

74 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.
iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
   1. If undertaken in a specific sector or policy area, please specify:____________________
iv. Conclusions/recommendations of the review ________
v. Actions taken following the review __________________
vi. Weblink to the report or, if only internally available, a copy of the report __________________

3. Compliance costs
   a. If yes, were one or more reviews: (Yes/No)
      i. Economy-wide
      ii. Undertaken in a specific sector
         1. If yes, please specify: __________________
      iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
         1. If yes, please specify: __________________
   b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
      i. Name _____________________________________
      ii. Date ______________________________________
      iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
         1. If undertaken in a specific sector or policy area, please specify:____________________
      iv. Conclusions/recommendations of the review ________
      v. Actions taken following the review __________________
      vi. Weblink to the report or, if only internally available, a copy of the report __________________

4. Compliance with international standards
   a. If yes, were one or more reviews: (Yes/No)
      i. Economy-wide
      ii. Undertaken in a specific sector
      1. If yes, please specify: __________________
      iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
      1. If yes, please specify: __________________
   b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:

75 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.
Name _____________________________________

i. Date ______________________________________

ii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
   1. If undertaken in a specific sector or policy area, please specify:____________________

iii. Conclusions/recommendations of the review ________

iv. Actions taken following the review ________

v. Weblink to the report or, if only internally available, a copy of the report __________________________

5. Risk
   a. If yes, were one or more reviews: (Yes/No)
      i. Economy-wide
      ii. Undertaken in a specific sector
         1. If yes, please specify: __________________
      iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
         1. If yes, please specify: __________________
   b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
      i. Name _____________________________________
      ii. Date ______________________________________
      iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
          1. If undertaken in a specific sector or policy area, please specify:____________________
      iv. Conclusions/recommendations of the review ________
      v. Actions taken following the review ________
      vi. Weblink to the report or, if only internally available, a copy of the report __________________________

6. Overlaps between local, regional and federal regulation
   a. If yes, were one or more reviews: (Yes/No)
      i. Economy-wide
      ii. Undertaken in a specific sector
         1. If yes, please specify: __________________
      iii. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
         1. If yes, please specify: __________________
   b. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
      i. Name _____________________________________
      ii. Date ______________________________________
iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
   1. If undertaken in a specific sector or policy area, please specify:

   iv. Conclusions/recommendations of the review

   v. Actions taken following the review

   vi. Weblink to the report or, if only internally available, a copy of the report

7. Other

   a. If yes, please provide one or more examples (max. 3). Please specify for each review:
      i. Name
      ii. Date
      iii. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
         1. If undertaken in a specific sector or policy area, please specify:
      iv. Conclusions/recommendations of the review
      v. Actions taken following the review
      vi. Weblink to the report or, if only internally available, a copy of the report

   b. 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 (Yes/No)
      i. If yes, were one or more reviews: (Yes/No)
         1. Economy-wide
         2. Undertaken in a specific sector
            a. Please specify:
         3. Undertaken in a specific policy area (e.g. all regulations concerning environmental policy)
            a. Please specify:
      ii. If yes, please provide one or more examples (max. 3). If you selected “economy-wide” please provide at least one example of an economy-wide review. Please specify for each review:
         1. Name
         2. Date
         3. Was the review: (Economy-wide/ Undertaken in a specific sector/ Undertaken in a specific policy area)
            a. If undertaken in a specific sector or policy area, please specify:
         4. Who was invited to provide information and how?
         5. Conclusions/recommendations of the review
         6. Actions taken following the review
7. Weblink to the report or, if only internally available, a copy of the report if possible 

c. Reviews which compare regulation, regulatory processes, and/or regulatory outcomes across countries, regions or jurisdictions (Yes/No)
   i. If yes, please provide one or more examples (max. 3). Please specify for each review:
      1. Name __________________________________________________
      2. Date ___________________________________________________
      3. Which countries, regions or jurisdictions were compared? ____________
      4. Conclusions/recommendations of the review ______________________
      5. Actions taken following the review _____________________________
      6. Weblink to the report or, if only internally available, a copy of the report if possible ______________________________

d. “In-depth” reviews\(^{76}\), i.e. comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy areas or sectors and its effects (Yes/No)
   i. If yes, please provide one or more examples (max. 3). Please specify for each review:
      1. Name __________________________________________________
      2. Date ___________________________________________________
      3. Industry/sector/policy area covered ___________________________
      4. Conclusions/recommendations of the review ______________________
      5. Actions taken following the review _____________________________
      6. Weblink to the report or, if only internally available, a copy of the report if possible ______________________________

e. Other (Yes/No)
   i. If yes, please provide one or more examples (max. 3). Please specify for each review:
      1. Name __________________________________________________
      2. Date ___________________________________________________
      3. Conclusions/recommendations of the review ______________________
      4. Actions taken following the review _____________________________
      5. Weblink to the report or, if only internally available, a copy of the report if possible ______________________________

\(^{76}\) In-depth reviews are comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy areas or sectors and its effects. While efforts to assess costs of regulation, e.g. administrative burdens or compliance costs, may trigger in-depth reviews (see section A question 1), these do not in themselves constitute an in-depth review.
B. Ex-post evaluation of regulation P/S

1. Have ex-post evaluations of existing regulations been undertaken in the last three years? (Yes, frequently/ Yes, some/ No)
   a. If yes, what triggered the ex-post evaluation? (Frequently/ Sometimes/ Never)
      i. Government or party programme
      ii. Accidents
      iii. Emergency
      iv. Results of ad-hoc review or pre-screening to select regulations for further evaluation
      v. Threshold test
      vi. Legal requirements
      vii. Ad-hoc political decisions
      viii. Request from parliament
      ix. Decision by audit office to review
      x. Request by external group or committee
      xi. Other
         1. If other, please specify:_____________________________________

2. Is periodic ex-post evaluation of existing regulation mandatory? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from 17a
   a. If yes, since when? ____________________________________________

If no to 1 and 2, proceed to section C.

3. Is there a "threshold"\(^{77}\) for deciding whether an ex-post evaluation is required? (Yes/No)
   a. If yes, please provide details:
      ____________________________________________________________

4. Do regulations include ‘sunsetting’\(^{78}\) clauses? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from 17e and f
   a. If yes, what is the standard period within which a regulation must sunset? adapted from 17e(i) and f(i)

5. Do regulations include automatic evaluation requirements? (For all regulations/ For major regulations/ For some regulations/ Never) adapted from 17g and 17h

6. Does the government defer or bring forward some evaluations to enable packages of regulation on similar issues to be considered together? (For all regulations/ For major regulations/ For some regulations/ Never)

---

\(^{77}\) This includes multiple-criteria and pre-defined conditions or rules. Thresholds can be quantitatively or qualitatively based.

\(^{78}\) The automatic repeal of regulations a certain number of years after they have come into force.
Ex-post evaluation methodology

7. Are there standardised evaluation techniques that are required to be used when existing regulation is evaluated? (Yes/No) adapted from 17b

8. Is written guidance on ex-post evaluations available to regulatory officials? (Yes/No)
   a. If yes, please provide us with the weblink to the guidance document or send us an electronic version.

9. Do ex-post evaluations contain by default an assessment of whether the underlying policy goals of regulation have been achieved? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)

10. Are ex-post evaluations required to contain an assessment of costs? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)
    a. If so, is it required to quantify these costs? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)

11. Are ex-post evaluations required to contain an assessment of benefits? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)
    a. If so, is it required to quantify these benefits? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)

12. Where it is required to assess and/or quantify cost or benefits, please describe how it is ensured that this assessment is completed:

13. Are existing regulations evaluated by conducting a Regulatory Impact Assessment? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)

14. Are comparisons of the actual vs predicted impacts of a regulation made? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never) adapted from 10k

15. Do ex-post evaluations compare the impact of the existing regulation to alternative options? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)


---

79 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.
17. Are ex-post evaluations required to consider the consistency of regulations and take steps to address areas of overlap/duplication/inconsistency? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never) adapted from 17c

18. Are ex-post evaluations required to assess consistency with comparable international standards and rules? (All ex-post evaluations/ Ex-post evaluations regarding major regulations/ Some ex-post evaluations/ Never)

19. Please specify any other impacts considered and any other requirements for ex-post evaluation not covered in previous questions: ________________________________

20. 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. (For all ex-post evaluations/ For ex-post evaluations regarding major regulations/ For some ex-post evaluations/ Never) Select all that apply.
   a. Checklist of types of assessment which must be completed
   b. Written statement that each of the types of assessment have been considered
   c. The ex-post evaluations are reviewed by an independent body who is responsible for ensuring each type of assessment is completed
   d. Other
      i. If other, please specify: ________________________________

Institutional setting and oversight

21. Who prepares ex-post evaluations of regulations? (Yes/No)
   a. Standing body
      i. If so, please specify (including name and location): ________________________________
   b. Official/department responsible for developing the regulation
   c. Private-sector consultants
   d. Academics
   e. Unit in the parliament or legislature
      i. If so, please specify (including name and location): ________________________________
   f. Group or committee outside government
      i. If so, please provide details: ________________________________
   g. Other
      i. If other, please specify: ________________________________

22. Are evaluations of existing regulations made publicly available over the internet? (Yes/No)
   a. If yes, please provide the weblink: ________________________________

23. Is there a quality control system for ex-post evaluations? (Yes/No)
   a. If yes, please specify who undertakes these, what the powers of the relevant body/unit are and how it works:
      ________________________________

24. How are findings and recommendations of ex-post evaluations dealt with? ________________________________
C. On-going management, feedback mechanisms and consolidation programmes

1. 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) (Yes/No)
   a. If yes, has there been an independent evaluation of the efficiency and effectiveness of these programmes? (Yes/No)
      i. If yes, is there a publicly available report on the findings? (Yes/No)
         1. If yes, please provide a weblink: ______________________

2. Are there ongoing mechanisms by which the public can make recommendations to modify, provide feedback or dispute specific regulations? (Yes/No) adapted from 17d
   a. If the answer is yes, please specify (tick all that apply):
      i. Electronic mailboxes adapted from 17d(i)
      ii. Ombudsman adapted from 17d(ii)
      iii. Judicial challenges
      iv. Petitions for reconsideration
      v. Other
         1. If other, please specify: __________________________________

3. Do you use, or have you used in the last 5 years, any of the following approaches?
   a. Regulator mechanisms (e.g. complaints portals and regular reviews to examine complaints and other problems, internal review and evaluation by the regulator) (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
      i. If yes, please describe the mechanism, who administers it, when it was introduced and the results:
         ________________________________
   b. Recasting, codification or consolidation programmes for existing legislation, including repeal of obsolete acts (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
      i. If yes, please describe the mechanism, who administers it, when it was introduced and the results:
         ________________________________
   c. Other (Yes, used on a regular basis/ Yes, used ad-hoc/ No)
      i. If yes, please describe the mechanism, who administers it, when it was introduced and the results:
         ________________________________

D. Standing bodies

1. Is there a standing body that regularly undertakes reviews of existing regulations? (Yes/No)
   a. If yes, what is its name? ________________________________
   b. If yes, where is it situated within the administration? ________________________________
   c. If yes, does it have a degree of independence from government? (Yes/No)

80 Please note that this question refers to mechanisms to provide feedback on existing regulations. Mechanisms for consultation and feedback on designing regulations (ex-ante consultation) are covered in Part II Stakeholder Engagement and Transparency.
i. If yes, how is its independence assured? (e.g. through legislation)

______________________________________________________________

d. What resources does the body have to undertake reviews of existing regulations? (please specify annual budget and number of full time staff in charge of reviewing the stock of regulation)

e. Can it review:
   i. Primary laws (Yes/No)
   ii. Subordinate regulations (Yes/No)

f. Has this body conducted any in-depth reviews of specific regulatory areas in the last 3 years? (Yes/No)
   i. If yes, how many in the last 3 years? ________________________________
   ii. If yes, what regulatory areas were covered? ____________________
   iii. If yes, please provide one or more examples (max. 3) of in-depth reviews from the last 3 years. Please specify for each review:
      1. Name: __________________________________________________
      2. Date: ___________________________________________________
      3. Key policy recommendations: ______________________________
      4. How many of the policy recommendations were implemented? __________
      5. Weblink to report: ______________________________________
   iv. If yes, did this body report its findings publicly? (Yes/No)
      1. If yes, please provide weblinks to findings: ___________________

81 In-depth reviews are comprehensive reviews, focusing on the nature and extent of regulation in specific industries, policy areas or sectors and its effects. While efforts to assess costs of regulation, e.g. administrative burdens or compliance costs, may trigger in-depth reviews (see section A question 1), these do not in themselves constitute an in-depth review.

   g. Has this body conducted any other major reviews in the last 3 years? (Yes/No)
   i. If yes, please provide one or more examples (max. 3) of other major reviews from the last 3 years. Please specify for each review:
      1. Name: ___________________________________________________
      2. Date: ___________________________________________________
      3. Key policy recommendations: ______________________________
      4. How many of the policy recommendations were implemented? __________
      5. Weblink to report: ______________________________________
   ii. If yes, did this body report its findings publicly? (Yes/No)
      1. If yes, please provide weblinks to findings: ___________________

h. Who is responsible for deciding what the body reviews?
   i. Government
   ii. The body itself
   iii. Board
   iv. Other
      1. If other, please specify: ______________________________________
i. Is the body a permanent entity, or convened for a fixed duration? (Permanent entity/ Fixed duration)

E. Stakeholder engagement

1. Are stakeholders engaged in ex-post evaluation of existing regulation? (For all regulations/ For major regulations/ For some regulations / Never)
   a. If yes, at what stage and how do you involve stakeholders in ex-post evaluation?

2. Can you provide an example demonstrating how stakeholder engagement or public consultation has been used to inform ex-post evaluation of regulation?

F. Synergies, innovation and experience

1. How are reviews of the stock of regulation linked to general evaluation practices in government? (e.g. programme evaluation, performance-based budgeting, evaluation of policy areas etc.)

2. Can you provide an example of how such reviews have helped to improve the stock of regulations? (optional)

3. Please share your experience in the effectiveness and efficiency of different types of ex-post evaluation and any suggestions on how to make them work better. (optional)

4. What are the major challenges in implementing effective ex-post evaluation in your country? (optional)

G. Definition of answer categories P/S

If you have answered ‘for major regulations’, for any of the questions above, please answer the questions below.

5. Is the major category distinguished by: (Monetary threshold/ Other pre-defined condition or rule/ Ad-hoc basis)
   a. Please explain.

6. If the criteria for defining major regulations differ amongst questions, please explain.
7. If you have answered ‘for some regulations’ for any of the questions above, please explain how these have been selected.

_______________________________________________________________________

H. Statistics

1. Please fill in the following table.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of primary laws on which ex-post evaluation was conducted (in absolute numbers)</th>
<th>Number of subordinate regulations on which ex-post evaluation was conducted (in absolute numbers)</th>
<th>Total (in absolute numbers)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Please only provide data for those evaluations that have included in their assessment whether the policy objectives of regulation had been achieved.

2. Please provide information on the methodology and definitions used to calculate the numbers.

______________________________________________________________________________________

______________________________________________________________________________________

______________________________________________________________________________________

Evaluation of ex-post evaluation systems

Data will be taken from the 2014 publication OECD Framework for Regulatory Policy Evaluation.

I. Additional comments

______________________________________________________________________________________

______________________________________________________________________________________

______________________________________________________________________________________

J. Innovative practices

Please use this space to describe in more detail particular practices you wish to highlight.

______________________________________________________________________________________

______________________________________________________________________________________

______________________________________________________________________________________
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.