

Swedish Code of Statutes

Ordinance on Impact Analysis of Regulation;

Issued on 6 December 2007.

The Government prescribes the following.

Introductory provisions

Section 1

This Ordinance applies to administrative agencies responsible to the Government.

Section 2

This Ordinance shall not apply to

1. regulations exclusively concerning activities within the agency,
2. regulations on such fees as are covered by the obligation to undertake consultations under Section 7 of the Fees Ordinance (1992:191),
3. regulations for the Foreign Service, and
4. regulations issued pursuant to the Security Protection Ordinance (1996:633) or the general advice pertaining to that Ordinance.

Section 3

For the purposes of this Ordinance, 'general advice' has the same meaning as in Section 1 of the Ordinance on the Code of Statutes (1976:725).

General provisions on impact analyses

Section 4

As early as possible, before an agency decides on regulations or general advice, the agency shall

1. make an assessment of the financial impact and other consequences of the regulations or the general advice to the extent necessary in the individual case, and document this assessment in an impact analysis, and
2. provide central government agencies, municipalities, county councils, organisations, the business sector and other parties that will be significantly affected financially or otherwise with an opportunity to state their opinion on the issue and on the impact analysis.

If there will be a danger to the environment, life, personal safety or health or a risk of considerable financial damage if a regulation is not decided on, the measures laid down in the first paragraph may be taken after the decision.

Section 5

If an agency considers that there are no grounds for conducting an impact analysis, the agency may approve regulations or general advice without taking the measures laid down in Section 4. Such an assessment shall be documented.

Contents of an impact analysis

Section 6

An impact analysis shall contain the following:

1. a description of the problem and the desired result,
2. a description of the alternative solutions that exist to achieve the desired result and the consequences if no regulation takes place,
3. information on the parties that will be affected by the regulation,
4. information on the financial and other consequences of the regulation and a comparison of the impacts of the alternative regulations being considered,
5. an assessment of whether the regulation complies with, or goes beyond the obligations following from Sweden's membership of the European Union,
and
6. an assessment of whether particular account needs to be taken with regard to the date of entry into force and of whether there is a need for special informational measures.

Section 7

If the regulation could significantly affect the operational conditions of enterprises, their competitiveness or other conditions, the impact analysis shall contain, beyond what is provided for in Section 6 and to the extent possible, a description of the following:

1. the number of enterprises affected, the industries that these enterprises represent and the size of the enterprises,
2. the period of time required for the regulation to be implemented by the enterprises and how the regulation would affect enterprises' administrative costs,
3. the other costs to enterprises entailed by the proposed regulation and the changes in their activities that enterprises may need to make as a result of the proposed regulation,
4. the extent to which the regulation may affect the competitive conditions for the enterprises,
5. the way in which the regulation may affect the enterprises in other respects,
and
6. whether particular account needs to be taken of small enterprises when designing the regulations.

Follow-up and methods development

Section 8

An agency shall follow up the consequences of its regulations and general advice. If the fundamental conditions for the regulations have changed, they shall be reviewed and a new impact analysis conducted.

Section 9

The Swedish Agency for Economic and Regional Growth and the National Financial Management Authority shall be responsible for methods development, advice and training in connection with this Ordinance. The Swedish Agency for Economic and Regional Growth shall be responsible for coordination.

This Ordinance enters into force on 1 January 2008, on which date the terms of the Ordinance concerning special impact assessments of the effects of regulations on conditions for small enterprises (1998:1820) shall cease to apply.

On behalf of the Government

MAUD OLOFSSON

Dan Sandberg
(Ministry of Enterprise, Energy and Communications)