

# OECD Regulatory Policy Outlook 2015

Country profile

## SPAIN



### Access links

- **OECD Regulatory Policy Outlook 2015:** [www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm](http://www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm)
- **Indicators of Regulatory Policy and Governance and the underlying data:** [www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm](http://www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm)
- **Regulatory policy in Spain:** [www.oecd.org/regreform/regulatory-policy/spain.htm](http://www.oecd.org/regreform/regulatory-policy/spain.htm)
- **Regulatory Policy Outlook country profiles:** [www.oecd.org/regreform/regulatory-policy/outlook-country-profiles.htm](http://www.oecd.org/regreform/regulatory-policy/outlook-country-profiles.htm)
- **OECD regulatory policy website:** [www.oecd.org/governance/regulatory-policy/](http://www.oecd.org/governance/regulatory-policy/)

# Overview

Spain is a relatively late comer to the Better Regulation agenda, starting in the late 1990s with programmes for administrative simplification. Since then, momentum has grown and a broader range of issues has gradually been tackled, including that of impact assessment. The different levels of government are now aware of the principles for Better Regulation and have started to integrate a broader agenda.

On 26 October 2012, the Council of Ministers published the Agreement to Create the Commission to Reform the Public Administrations (CORA) whose mandate was to produce proposals to make public administrations more efficient, useful and effective. The CORA report proposes a series of reforms to simplify the normative framework for business and facilitate interactions with public administrations. Many of these initiatives follow good practices of OECD countries. In some cases, the initiatives require some horizontality, while others are ministry-specific. Initiatives in the CORA include, inter alia:

- Burden reduction manual.
- Common commencement dates.
- One-in one-out.
- Simplification of start-ups, tax, and environmental procedures.
- Normative review and codification of laws.
- RIA improvement.
- Law for a seamless market.

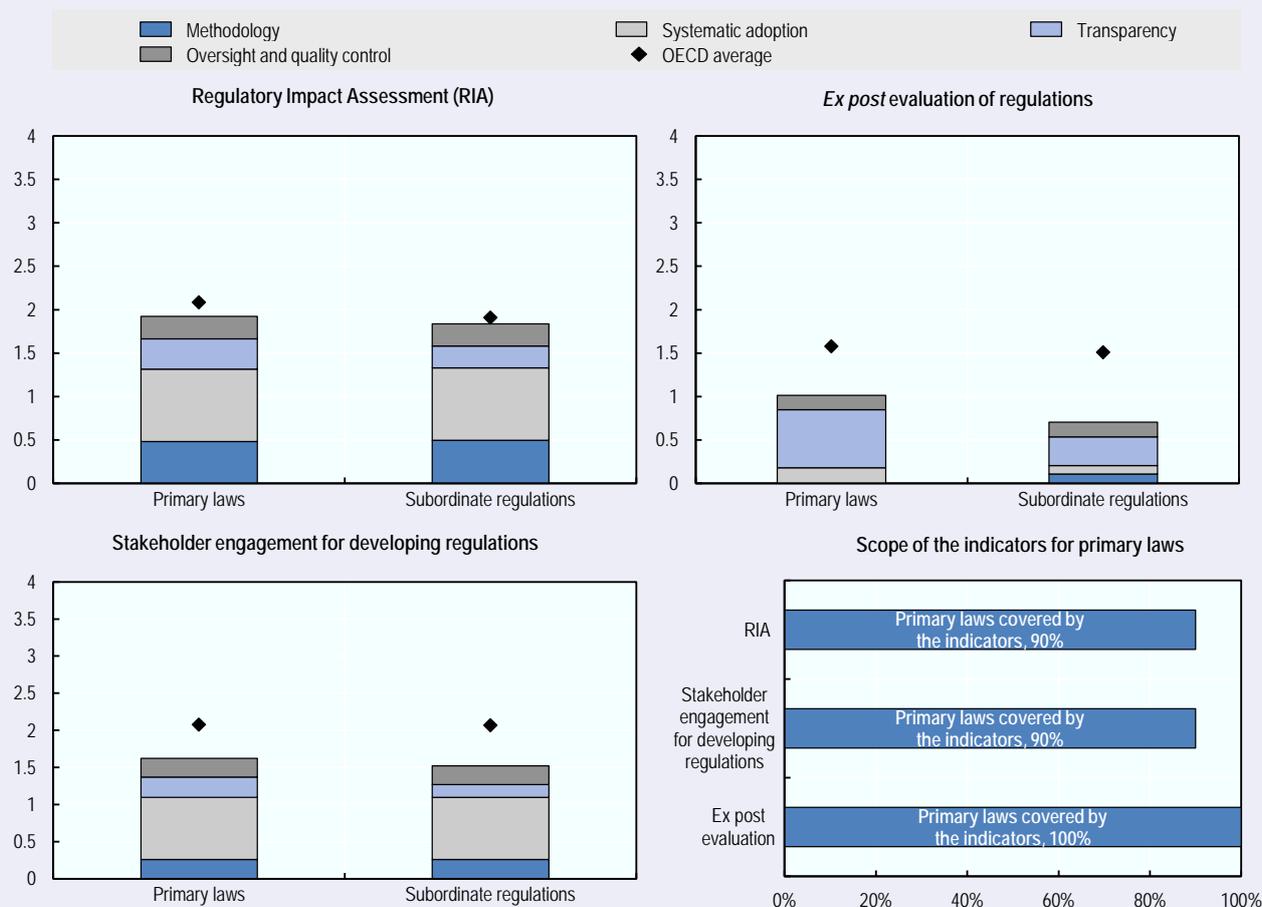
The RIA Guidelines stress the importance of assessing economic impacts and measuring administrative burdens. RIAs are conducted for all primary laws and subordinate regulations. However, the guidance could be further developed by providing advice on methods of data collection as well as providing clear assessment methodologies.



## Spotlight: General Access Point for Public Administrations (PAG)

One of the most important initiatives foreseen by the CORA is the establishment of a General Access Point for Public Administrations (PAG), a single entry point to access public administrations and all horizontal information on activities, organisation, and functioning of the administration, as well as for handling transactions and most relevant services. It represents a further step in advancing the administrative simplification process initiated in the late 1990s. Legislation defines, regulates, and describes the basic features of the e-Access Point. The e-Access Point <http://administracion.gob.es> has replaced the former portal [www.060.es](http://www.060.es) and should be recognised as the trademark representing the general state administration to guide citizens and entrepreneurs in their dealings with public administrations. It is expected that the PAG will fill the gaps currently present in the mentioned portal, and it will be designed to respond to citizens' expectations.

# Indicators of Regulatory Policy and Governance 2015



1. The figures display the aggregated scores from all four categories giving the total composite score for each indicator. The maximum score for each category is one and the maximum score for each aggregated indicator is four.
2. The information presented in the indicators for primary laws on RIA and stakeholder engagement only covers processes of developing primary laws that are carried out by the executive branch of the national government. As in Spain approx. 90% of primary laws are initiated by the executive, the indicators on RIA and stakeholder engagement cover approx. 90% of primary laws. There is no formal requirement in Spain for consultation with the general public and for conducting RIAs to inform the development of primary laws initiated by parliament. The information presented in the indicators for primary laws on ex post evaluation covers processes in place for both primary laws initiated by parliament and by the executive. The percentage of primary laws initiated by parliament refers to 2011.

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

Statlink: <http://dx.doi.org/10.1787/888933263338>

# Indicators of Regulatory Policy and Governance (iREG)

The three composite indicators provide an overview of a country's practices in the areas of stakeholder engagement, Regulatory Impact Assessment (RIA) and *ex post* evaluation. Each indicator comprises four equally weighted categories:

- Systematic adoption which records formal requirements and how often these requirements are conducted in practice.
- Methodology which gathers information on the methods used in each area, e.g. the type of impacts assessed or how frequently different forms of consultation are used.
- Oversight and quality control records the role of oversight bodies and publically available evaluations.
- Transparency records information from the questions that relate to the principles of open government, e.g. whether government decisions are made publically available.



The composite indicators are based on the results of the *OECD 2014 Regulatory Indicators Survey*, which gathers information from all 34 OECD countries and the European Commission as of 31 December 2014. The survey focuses on regulatory policy practices as described in the 2012 *OECD Recommendation on Regulatory Policy and Governance*. The more of these practices a country has adopted, the higher its indicator score. Further information on the methodology is available online at [www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm](http://www.oecd.org/gov/regulatory-policy/measuring-regulatory-performance.htm).

Whilst the indicators provide an overview of a country's regulatory framework, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform.

## OECD Regulatory Policy Outlook 2015

The *OECD Regulatory Policy Outlook* ([www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm](http://www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm)) provides the first evidence-based, cross-country analysis of the progress made by OECD countries in improving the way they regulate. Findings are based on the results of the *OECD 2014 Regulatory Indicators Survey*.

Key findings:

- Laws and regulations are essential instruments, together with taxes and spending, in attaining policy objectives such as economic growth, social welfare and environmental protection. OECD countries have generally committed at the highest political level to an explicit whole-of-government policy for regulatory quality and have established a standing body charged with regulatory oversight.
- Implementation of regulatory policy varies greatly in scope and form across countries. While RIA has been widely adopted, few countries systematically assess whether their laws and regulations achieve their objectives. Stakeholder engagement on rule making is widespread in OECD countries, taking place mostly in the final phase of developing regulation.
- The national executive government has made important progress over the last decade to improve the quality of regulations. Parliaments, regulatory agencies and sub-national and international levels of government need to be more engaged to ensure that there are evidence-based and efficient laws and regulations for stimulating economic activity and promoting well-being.
- The impact of regulatory policy could be further improved by addressing shortcomings in the implementation and enforcement of regulations and by considering new approaches to regulatory design and delivery such as those based on behavioural economics.

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