



# Estonia

Indicators of Regulatory Policy and Governance 2021





## Overview and recent developments

Estonia has not made any major changes to its regulatory framework since 2014. Preliminary regulatory impact assessments (RIAs) are prepared for all primary laws and selected subordinate regulations. Full RIAs tended to be conducted rarely, and while that remains the case, simplified RIAs are included in every explanatory letter of draft laws. The level of analysis contained within them has deepened over time.

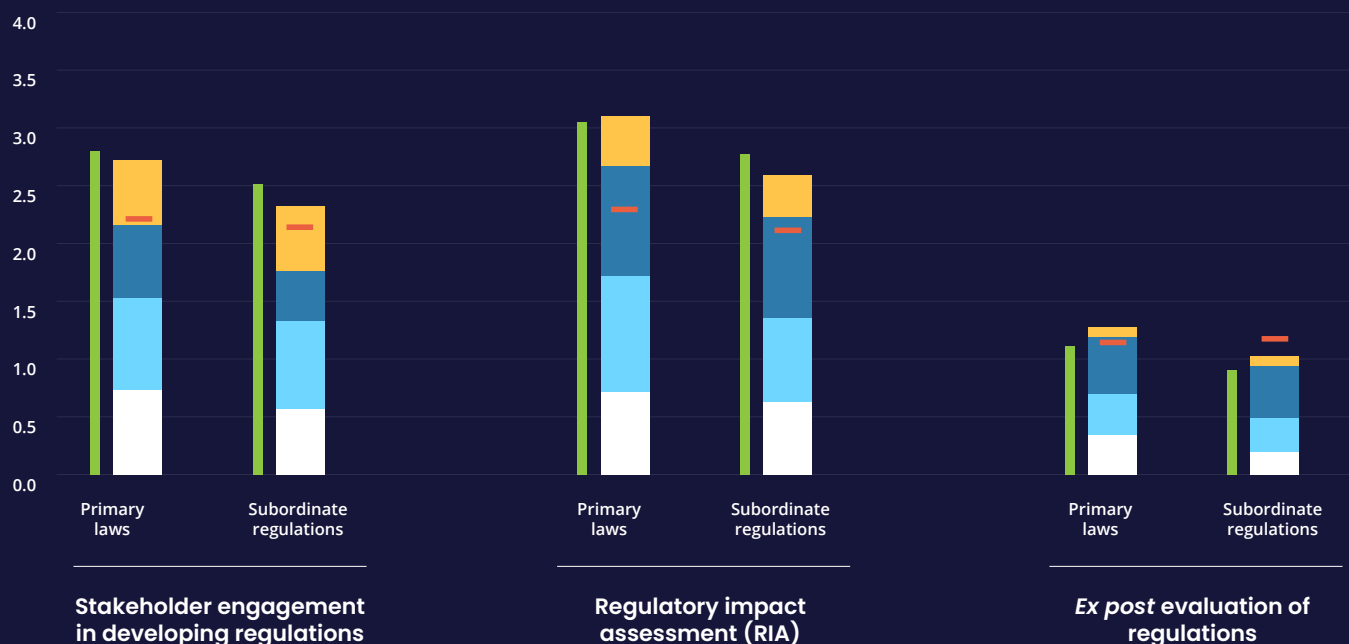
The Legislative Quality Division within the Ministry of Justice reviews the quality of RIAs and can return them for revision if quality standards are not met. It is also responsible for the systematic improvement and evaluation of regulatory policy. The Minister of Justice reports annually to parliament on the application of Better Regulation principles, including the compliance of RIA and stakeholder engagement practices with formal requirements. The Division also issues RIA guidelines and scrutinises the legal quality of draft regulations. The Government Office of Estonia complements this work by co-ordinating stakeholder engagement in policy making across government. This includes issuing guidelines on stakeholder engagement, managing the country's e-consultation system and promoting the engagement co-ordinators' programme. The Government Office's EU Secretariat performs a co-ordination function regarding EU law and its transposition, and its Legal Department has a role scrutinising the legislation.

Estonia places a strong focus on accessibility and transparency of regulatory policy by making use of online tools. The online information system EIS tracks all legislative developments and makes RIAs available on a central portal. For public consultations, in addition to EIS, other channels are used to disseminate information such as ministries' websites, social media platforms, and general media. Later-stage consultation is conducted for all regulations. Public online consultations to inform officials about the nature of the policy problem and identify policy options are conducted in some cases.

*Ex post* evaluation has been mandatory for some regulations since 2012. The first evaluations were undertaken in 2018. In general, *ex post* evaluations take place between 3–5 years after the implementation of the regulation and have covered areas of competition, administrative burden, and regulatory overlap. More recently in-depth reviews have begun to be conducted in some policy areas. The publication of *ex post* evaluations remains at the discretion of the relevant minister. Estonia could support the implementation of its *ex post* evaluation requirements by embedding stronger capacity to scrutinise the quality of *ex post* evaluations into the existing framework. The objective to increase the proportion of *ex post* evaluations is set out in the new strategy document Principles for Legislative Policy until 2030, adopted in November 2020.

# Indicators of Regulatory Policy and Governance (iREG): Estonia, 2021

● Methodology 
 ● Systematic adoption 
 ● Transparency 
 ● Oversight and quality control 
 ■ Country total, 2018 
 — OECD average, 2021



Notes: The more regulatory practices as advocated in the [OECD Recommendation on Regulatory Policy and Governance](#) a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (85% of all primary laws in Estonia).

Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/ireg>.

## Estonia: Transparency throughout the policy cycle



### Inform the public in advance that:

A public consultation is planned to take place	<b>Never</b>
Regulatory impact assessment (RIA) is due to take place	<b>No</b>
Ex post evaluations are planned to take place	<b>Never</b>



### Consult with stakeholders on:

Draft regulations	<b>All</b>
Evaluations of existing regulations	<b>All</b>



### Publish online:

Ongoing consultations*	<b>All</b>
Views of participants in the consultation process	<b>Yes</b>
RIAs	<b>All</b>
Evaluations of existing regulations	<b>Yes</b>



### Policy makers use:

Interactive website(s) to consult with stakeholders	<b>Yes</b>
Website(s) for the public to make recommendations on existing regulations	<b>Yes</b>



### Policy makers provide a public response to:

Consultation comments	<b>Yes</b>
Recommendations made in ex post evaluations	<b>Never</b>

\* Publish on a single central government website.

Note: The data reflects Estonia's practices regarding primary laws initiated by the executive.

Source: Indicators of Regulatory Policy and Governance Survey 2021, <http://oe.cd/ireg>.



## THE OECD REGULATORY INDICATORS SURVEY AND THE IREG COMPOSITE INDICATORS

The data presented in the 2021 Regulatory Policy Outlook are the results of the 2014, 2017 and 2021 Indicators of Regulatory Policy and Governance (iREG) surveys.

The iREG survey investigates in detail three principles of the 2012 OECD Recommendation of the Council on Regulatory Policy and Governance: stakeholder engagement, regulatory impact assessment (RIA) and *ex post* evaluation. Three composite indicators were developed based on information collected through the surveys for these areas. Each composite indicator is composed of four equally weighted categories:

- **Systematic adoption** comprises formal requirements and how often these requirements are conducted in practice;
- **Methodology** presents 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** reflects the role of oversight bodies and publicly available evaluations; and
- **Transparency** comprises information which relates to the principles of open government e.g. whether government decisions are made publicly available.

The data underlying the composite indicators reflect practices and requirements in place at the national level of government, as of 1 January 2021. The indicators for stakeholder engagement

and RIA relate to regulations initiated by the executive, while the indicator on *ex post* evaluation relates to all regulations. Whilst the indicators provide an overview of a country's regulatory policy system, 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. A full score on the composite indicators does not imply full implementation of the Recommendation. To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of sensitivity analysis are available publicly on the OECD website (<http://oe.cd/ireg>).

Related links:

- [Regulatory Policy Outlook 2021](#)
- [Indicators and underlying data and methodology](#)
- [2012 Recommendation of the Council on Regulatory Policy and Governance](#)
- [OECD Measuring Regulatory Performance Programme](#)
- [OECD work on regulatory policy](#)

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