

Italy

Indicators of Regulatory Policy and Governance 2021





Overview and recent developments

Ex post evaluations have become more commonplace across a wider range of policy areas, and the public is now informed in advance of *ex post* evaluations that will take place through two-year plans posted on the website of each ministry. Italy also introduced new non-binding guidance on *ex post* evaluation and RIA in 2018.

Ministries have to prepare a simplified RIA, providing a first assessment of expected impacts and a justification for not conducting a full RIA for low impact proposals, which is reviewed by the Department of Legal and Legislative Affairs (DAGL) within the Presidency of the Council of Ministers. Ministries are also required to publish twice a year a 6-month legislative programme, highlighting planned RIAs and consultations. The programmes are to be posted on the central government website and the website of individual ministries.

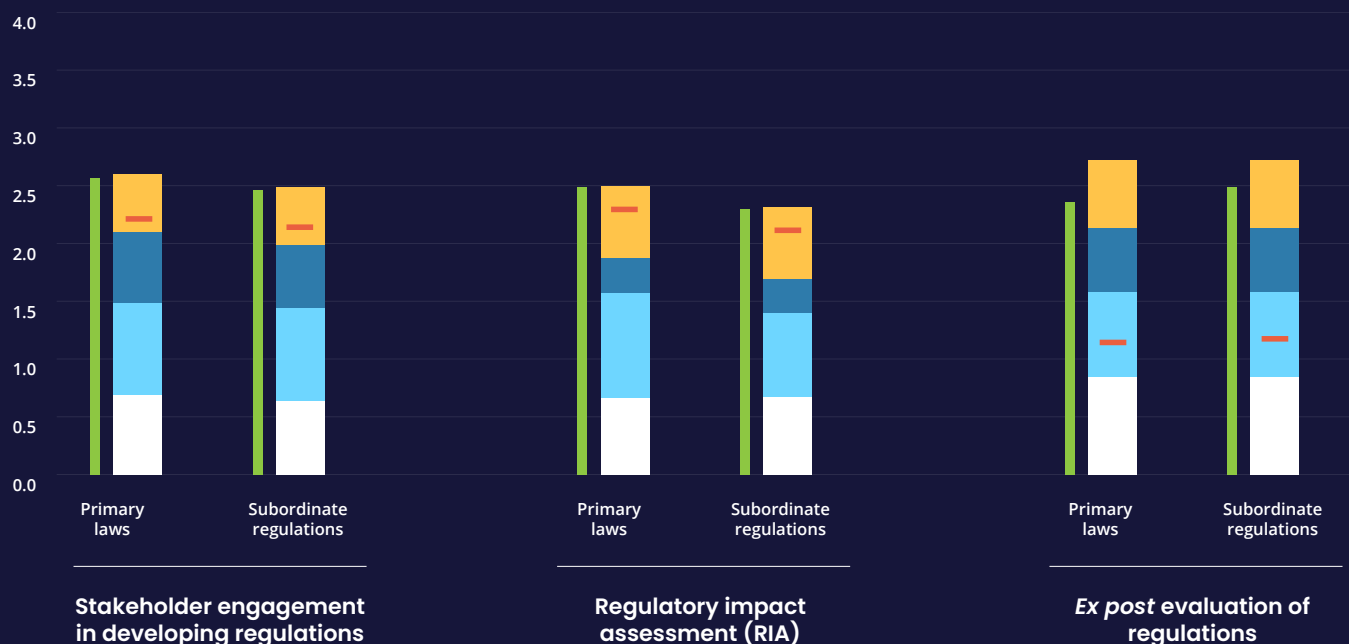
DAGL reviews the quality of RIAs and *ex post* evaluations. It can issue a negative opinion to the State Secretary to the Presidency if RIA quality is deemed inadequate and before the draft legislation is presented to the Council. The DAGL also validates planned RIAs and consultations included in the 6-month legislative programmes and *ex post* evaluation included in the two-year ministries' plans, proposes changes to the regulatory policy framework, promotes training, provides technical guidance and reports annually to Parliament on regulatory quality tools. An Impact Assessment Independent Unit (Nucleo AIR) supports the DAGL in reviewing *ex ante* and *ex post* evaluations. This unit is composed of external experts serving a four-year term, selected through an open and competitive

process. The Consultative Chamber on draft normative acts of the Council of State checks the quality of RIA and stakeholder engagement practices and evaluates regulatory policy.

In practice, however, several problems persist in implementation. Many RIAs lack sufficient quantification not only in terms of impacts, but also regarding the number of people affected. While RIAs are published, they are difficult to find by the general public. The challenge ahead is therefore to “connect the dots” to develop a culture of evidence-based user-centric policy making: Besides improving their quality, RIAs should be systematically made available when a regulation is proposed on a single webpage. The website could also link to the websites of independent regulators where their RIAs are posted. Most importantly, the planning and preparation of regulations needs to be genuinely informed by RIA, rather than it being an “add-on” for regulations that have fundamentally been already decided upon. While initial steps have been taken to plan *ex post* evaluations when preparing RIAs for major legislation, it is important to ensure that *ex post* evaluations are actually always taking place as planned in practice, and that results are effectively used for improving existing regulations. Consultation processes have been improved by the creation of a single online access point. They could become more systematic and consistent across different ministries and used to understand citizens' preferences, gather evidence on implementation options (early stage) and gaps (evaluation) – and feedback from consultations should be more systematically responded to, and taken into account.

Indicators of Regulatory Policy and Governance (iREG): Italy, 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 (54% of all primary laws in Italy). Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/ireg>.

Italy: Transparency throughout the policy cycle



Inform the public in advance that:

A public consultation is planned to take place	All
Regulatory impact assessment (RIA) is due to take place	No
<i>Ex post</i> evaluations are planned to take place	Major



Consult with stakeholders on:

Draft regulations	Some
Evaluations of existing regulations	Some



Publish online:

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



Policy makers use:

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



Policy makers provide a public response to:

Consultation comments	No
Recommendations made in <i>ex post</i> evaluations	Never

* Publish on a single central government website.

Note: The data reflects Italy'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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