



Overview and recent developments

Poland has made some recent adjustments to its legal framework for regulatory management. Following changes in the Rules of Works of the Council of Ministers in 2019, draft laws can now be returned to ministries if public consultation did not take place or if the consultation process did not comply with the rules, including if the consultation report is absent. In 2018, the requirement for assessing the impact of economic law on SMEs has been strengthened in the Law for Entrepreneurs Act, and the Centre for Strategic Analysis was established as the central government body responsible for assessing regulatory impact assessments (RIAs). RIAs continue to be required for all laws and regulations.

The Department for the Improvement of Business Regulation within the Ministry of Economic Development and Technology is responsible for the systematic improvement of regulation and the better regulation agenda in Poland. The Chancellery of the Prime Minister is responsible for the central oversight of regulatory management tools in Poland. It encompasses several regulatory oversight instances. The Government Programming Board is an auxiliary body to the Council of Ministers that receives administrative support from the Government Programming Department. The Board sets the government work programme, which includes legislation as well as strategic programmes and projects, and is responsible for the quality control of stakeholder engagement, RIA and *ex post* evaluations. The Center for Strategic Analysis (CAS) was established in April 2018 to act as an advisory body to the Prime Minister. It participates in the legislative process directly as well as indirectly,

through the deputy director of the RIA Department, who operates within the CAS and acts as a RIA co-ordinator upon designation by the Prime Minister. It issues opinions on the impact of proposals for the government work programme. Moreover, the CAS is responsible for reviewing all RIAs submitted by government ministries and offices for primary laws and subordinate regulations issued by the Council of Ministers and the Prime Minister, and it also examines RIAs for government acts and bills before their appraisal by the Council of Ministers' Standing Committee.

Ex post evaluations can be required at the request of the Council of Ministers or subsidiary bodies, since 2019 at the request of the Chief of Centre for Strategic Analysis or Ombudsman for SMEs, and since 2020 at the request of the President of the Government Legislative Center. However, by the end of 2020 no evaluation had been conducted according to these recent procedures. Over time, *ex post* evaluations could be conducted more systematically and broadened beyond administrative burdens, focusing more on the total social, economic, and environmental impacts of regulation.

Regulatory policy requirements for the executive including public consultation do not apply to laws initiated by parliament, which constituted 21% of all laws passed on average between 2017 and 2020. The requirements introduced in the Law for Entrepreneurs Act also apply to non-governmental drafts with the exception of laws initiated by civic initiatives.

Indicators of Regulatory Policy and Governance (iREG): Poland, 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 (75% of all primary laws in Poland). Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/iereg>.

Poland: Transparency throughout the policy cycle



Inform the public in advance that:

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



Consult with stakeholders on:

Draft regulations	All
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	No



Policy makers provide a public response to:

Consultation comments	Yes
Recommendations made in ex post evaluations	Never

* Publish on a single central government website.

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

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

