REGULATORY POLICY REVIEW OF THE SLOVAK REPUBLIC

Kick-off session

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Presentation structure

I. Overview

II. Timeplanning

III. Organisation of the review

IV. Main focus areas

V. Key definitions

VI. OECD survey results

Goals of the kick-off meeting

- To introduce and discuss the process and organisation of the review
- To provide a quick overview of the main focus areas of the review and to explain the OECD terminology used
- To discuss country specifics – additional focus areas, areas which should be examined in more detail
- To provide an opportunity for OECD to understand country's administrative, legal, cultural context and to get a general overview of regulatory policy(-ies) in the country
- To answer any questions

Review process

- Goals of the review
  - To take an accurate picture of the situation in the country
  - To help the country to identify weak spots and suggest policy options for improvements
  - To identify strengths and good practice examples to be presented to OECD members
- Not goals of the review
  - To tick boxes
  - To criticise the Slovak Republic

We are here to help!

Time planning

Dates (tentative)	Milestones
June – July 2019	• Kick-off day in Slovak Republic • Questionnaire to collect background information on regulatory policy system and behavioural insights methods
September - October 2019	• Fact-finding mission to Slovak Republic • Workshop
January 2020	• 1st draft report for fact-checking
April 2020	• Peer review by the OECD Regulatory Policy Committee
June 2020	• Final report published • Possibility of a conference or official launch in Slovak Republic
??? 2020	• Assistance with implementation of recommendations (capacity building/awareness raising)

This is a **peer** review

- Review conducted among peers = equals
- The review team will therefore consist of three experts of the **OECD Secretariat and two peers** – practitioners from OECD countries
- Peers will participate in the fact-finding mission, provide input for the report and help to determine main messages and recommendations

Fact-finding mission

- Monday – Friday (reserved for wrap up meetings)
- OECD team + peers
- Meetings organised by the country contact
  - Main economic and other ministries
  - Regulatory agency(-ies)
  - National audit office, Parliament, local gov't
  - Businesses, Unions, consumers, academics

Organisation of the survey

- One main country contact responsible for distribution of questions and coordination of the response

- OECD „HelpDesk" in Paris – do not hesitate to ask!

- Please, pay attention to the completeness, accuracy and consistency of the response including terminology

- Please bear in mind that we are outsiders

Peer review discussion

- At the OECD Regulatory Policy Committee meeting
- Led by the peers
- Floor open for questions to all delegates
- Country is expected to react on the main conclusions and recommendations and to answer the questions

Structure of the review

1. Introduction, macroeconomic context, business environment
2. Policy(ies) for regulatory quality
3. Institutional framework and capacities for regulatory policy
4. Transparency, consultation and communication
5. Tools and processes: the development of new regulations (flow)
6. Tools and processes: management of existing regulations (stock)
7. Compliance, enforcement and appeals
8. Multi-level governance: interface between sub-national and national/federal levels of government and the EU-level

Key definitions

- Regulation: any instrument by which governments set requirements on and influence behaviour of enterprises and citizens
  - Laws, bylaws, ministerial decrees, orders, administrative procedures
  - Issued by administration or non-governmental bodies with delegated power
- Regulatory management/policy
- Regulatory quality
- Flow/stock, Rule-making, enforcement/delivery

Policy(ies) for regulatory quality

- Explicit, dynamic, and consistent "whole of government" policy
  - Main goal: high quality regulation
  - Principles of good regulation
  - Measurable objectives?
  - Communication on policy
  - ICT/E-gov as a support tool
- Examples:
  - EU Better Regulation Agenda, Better Regulation Agenda in the Slovak Republic, Canada – Cabinet Directive on Regulation

Institutional framework and capacities for regulatory policy

- Who is responsible for co-ordinating regulatory policy?
- Which institution is overseeing quality of regulations? Is it independent?
- Who is co-ordinating administrative simplification?
- Usually highly fragmented
- Center of government? (ex. OIRA)
- One ministry (BEIS) or several ones? (Slovak Republic)
- Advocacy, advisory bodies (PC, ATR, NKR)?
- Role of the parliament, judiciary
- Regulatory agencies – their statute and governance

Transparency, consultation and communication

- Are regulations accessible?
- Is regulatory process open and transparent?
- Are businesses and citizens involved in the development of new regulations? Regulatory reviews?
- Does the government actively engage with stakeholders?

- Examples:
  - Plain language drafting; free online access to all regulations (with efficient search function); consolidated texts of legislation
  - Consultation procedures (online consultation; calling for comment; advisory groups)
  - UK Red Tape Challenge

Tools and processes: development of new regulations (flow)

- General context (trends in production, structure of regulations)

- Standard procedures for developing new regulations (forward planning, internal/external consultation; co-ordination; scrutiny) ?

- *Ex ante* impact assessment of new regulations (policy on impact assessment, institutional framework including guidance and training, methodology and process, public consultation and communication)

- How is legal quality ensured?

- Is regulation-making based on evidence?

- Are alternatives to regulation considered?

Tools and processes: management of existing regulations (stock)

- Legislative approach – consolidation, codification
- Administrative simplification, cutting red tape, reducing administrative burdens
- Streamlining of administrative procedures; process modelling; one-stop shops
- Ex post reviews of regulations (US), sometimes in selected sectors (UK)
- Review or sunset clauses
- Regulatory offsetting approaches like OIXO
- Regulation inside government
- Use of ICTs

Compliance, enforcement and appeals

- Is the level of compliance measured, analysed?

- Enforcement – role of inspections

- Risk-based methods, better targeting, more efficiency

- Providing advice, improved compliance

- Co-operation with policy-makers

Broader institutional structure: interface between sub-national and national/federal levels of government

- Structure, responsibilities and funding of local governments

- Regulatory quality policies deployed at state/regional/local level

- Coordination mechanisms between the center and states/regions/municipalities

Broader institutional structure: interface between the national/federal level and the EU

- Co-ordination process in place between national and EU level
- Negotiating EU regulations
- Transposing EU regulations
- Use of Regulatory Management Tools

Ex post evaluation of regulatory policies

- Do not mix with evaluation of individual regulations
- Are there procedures to evaluate regulatory policy as such or individual initiatives (consultations, simplifications)?
- What is the role of NAO, parliament
- Perception surveys

Indicators of Regulatory Policy and Governance (iREG) – Methodology

Stakeholder engagement

Regulatory Impact Assessment (RIA)

Ex post evaluation

Methodology

Oversight and quality control

Transparency

Systematic adoption

Source: Arndt, C. et al. (2015), "2015 Indicators of Regulatory Policy and Governance: Design, Methodology and Key Results", OECD Regulatory Policy Working Papers, No. 1, OECD Publishing, Paris. http://dx.doi.org/10.1787/5jrnwqm3zp43-en
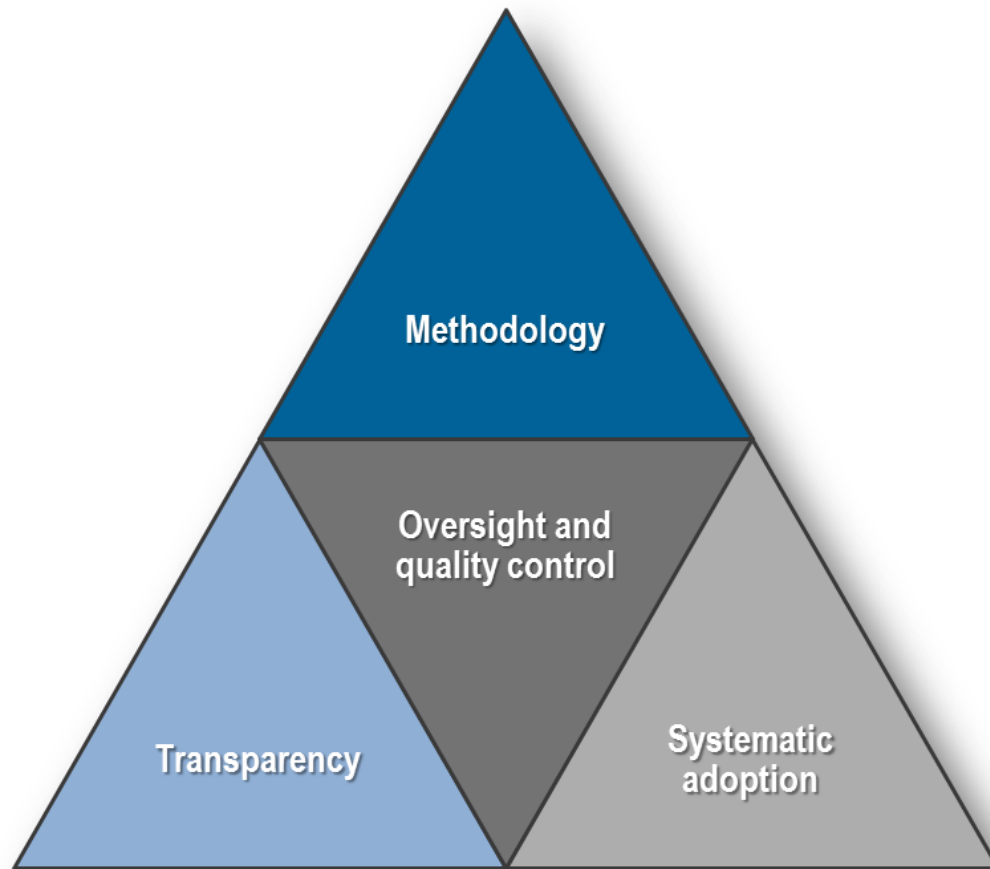
Stakeholder Engagement: Primary laws

Legend: Methodology · Oversight and quality control · Systematic adoption · TOTAL 2015 · Transparency

iREG score

Countries (left to right): Japan, Hungary, Chile, Portugal, Turkey, Austria, Czech Republic, Ireland, Spain, Luxembourg, Germany, France, Sweden, Belgium, OECD, Denmark, Greece, Latvia, Norway, Finland, New Zealand, Switzerland, Israel, Italy, Canada, Iceland, Netherlands, Slovenia, Australia, Poland, Estonia, Korea*, Slovak Republic, Mexico*, United Kingdom, Colombia, Costa Rica, Lithuania, European Union

Note: Data for OECD countries is based on the 34 countries that were OECD members in 2014 and the European Union. Data on new OECD member and accession countries in 2017 includes Colombia, Costa Rica, Latvia and Lithuania. The more regulatory practices as advocated in the 2012 Recommendation a country has implemented, the higher its iREG score. The indicator only covers practices in the executive. This figure therefore excludes the United States where all primary laws 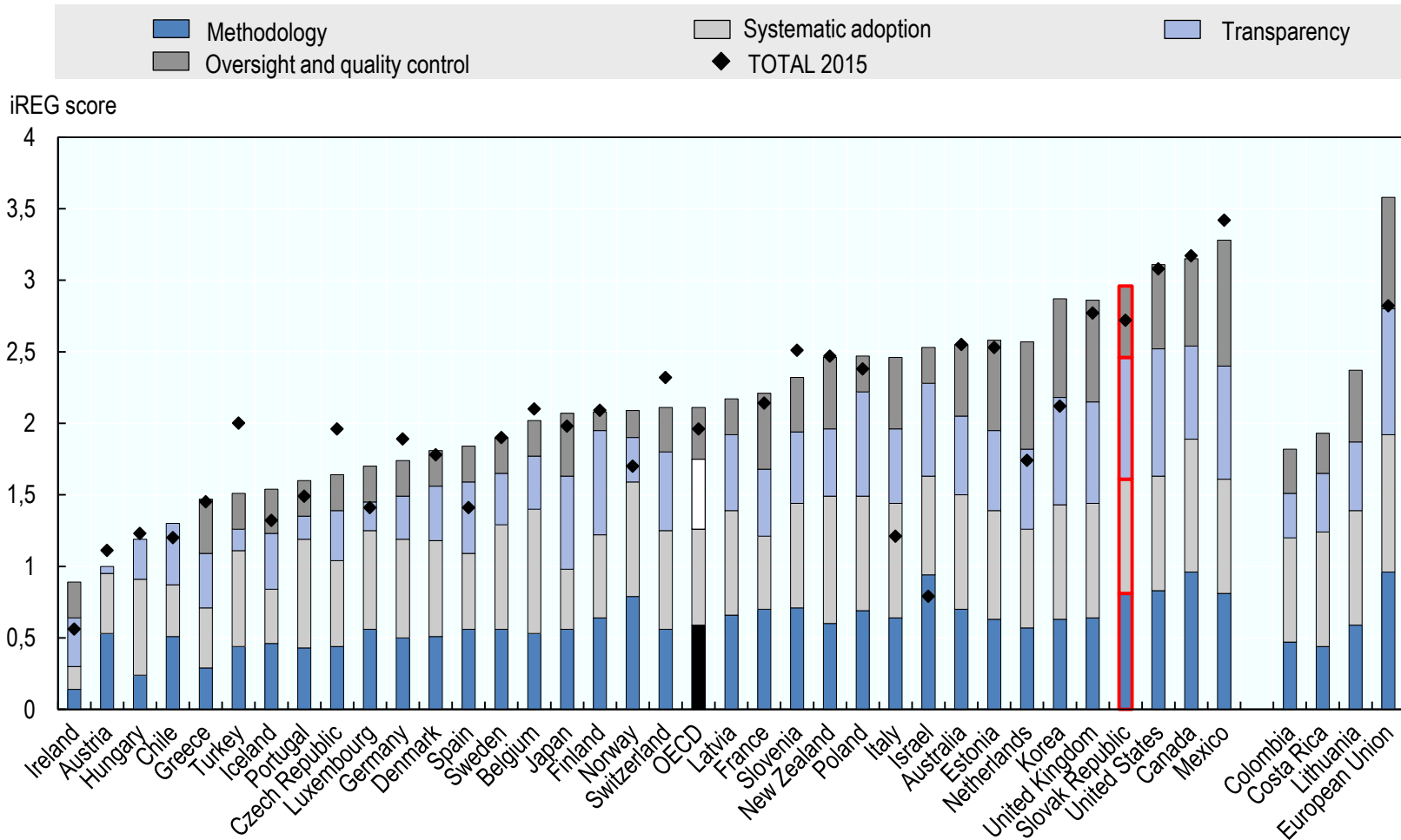are initiated by Congress. *In the majority of OECD countries, most primary laws are initiated by the executive, except for Mexico and Korea, where a higher share of primary laws are initiated by the legislature.
Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, http://oe.cd/ireg.

Stakeholder Engagement: Subordinate regulations

Legend:
- Methodology
- Oversight and quality control
- Systematic adoption
- TOTAL 2015
- Transparency

iREG score

Countries (left to right): Ireland, Austria, Hungary, Chile, Greece, Turkey, Iceland, Portugal, Czech Republic, Luxembourg, Germany, Denmark, Spain, Sweden, Belgium, Japan, Finland, Norway, Switzerland, OECD, Latvia, France, Slovenia, New Zealand, Poland, Italy, Israel, Australia, Estonia, Netherlands, Korea, United Kingdom, Slovak Republic, United States, Canada, Mexico, Colombia, Costa Rica, Lithuania, European Union

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Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, http://oe.cd/ireg.

Regulatory Impact Assessment: Primary laws

Legend: Methodology · Oversight and quality control · Systematic adoption · TOTAL 2015 · Transparency

iREG score

Countries (left to right): Latvia, Portugal, Turkey, Chile, Greece, Netherlands, Israel, Iceland, Denmark, Luxembourg, Norway, Finland, Poland, Ireland, Sweden, Hungary, Japan, Slovenia, Spain, France, OECD, Belgium, Italy, Austria, New Zealand, Slovak Republic, Czech Republic, Canada, Australia, Switzerland, Germany, Estonia, Korea*, Mexico*, United Kingdom, Colombia, Costa Rica, Lithuania, European Union
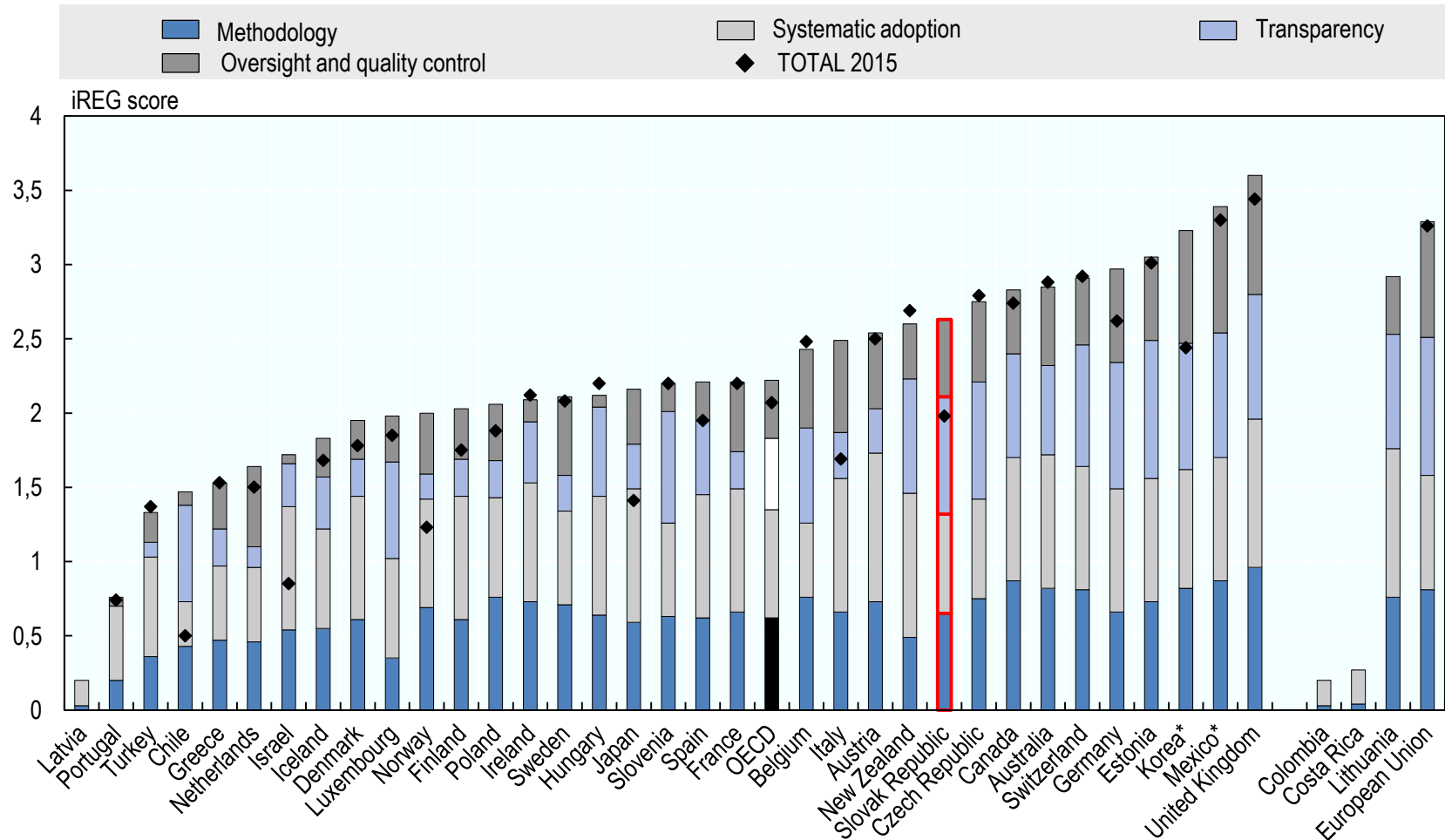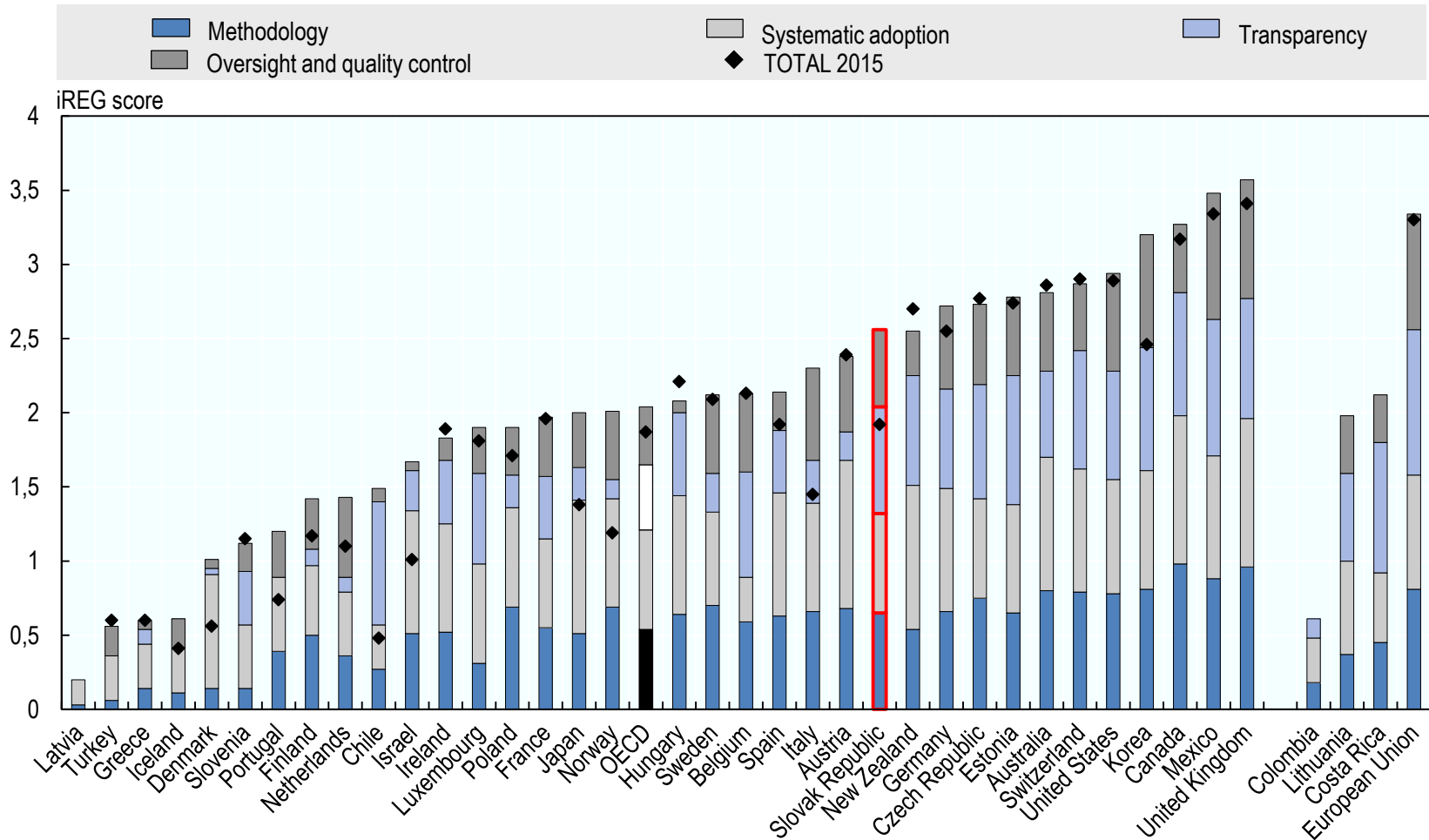
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Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, http://oe.cd/ireg.

Regulatory Impact Assessment: Subordinate regulations

Legend: Methodology | Oversight and quality control | Systematic adoption | ◆ TOTAL 2015 | Transparency
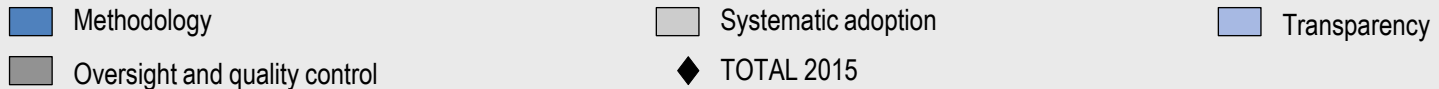
iREG score

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Ex Post Evaluation: Primary laws

Legend:
- Methodology
- Oversight and quality control
- Systematic adoption
- TOTAL 2015
- Transparency

iREG score

Countries (left to right): Latvia, Greece, Turkey, Slovak Republic, Ireland, United States, Spain, Finland, Slovenia, Czech Republic, Hungary, Chile, Portugal, Iceland, Norway, Luxembourg, Israel, Netherlands, OECD, Poland, New Zealand, Sweden, Switzerland, Estonia, France, Japan, Denmark, Austria, Canada, Belgium, Mexico, Germany, Italy, Korea, United Kingdom, Australia, Colombia, Costa Rica, Lithuania, European Union

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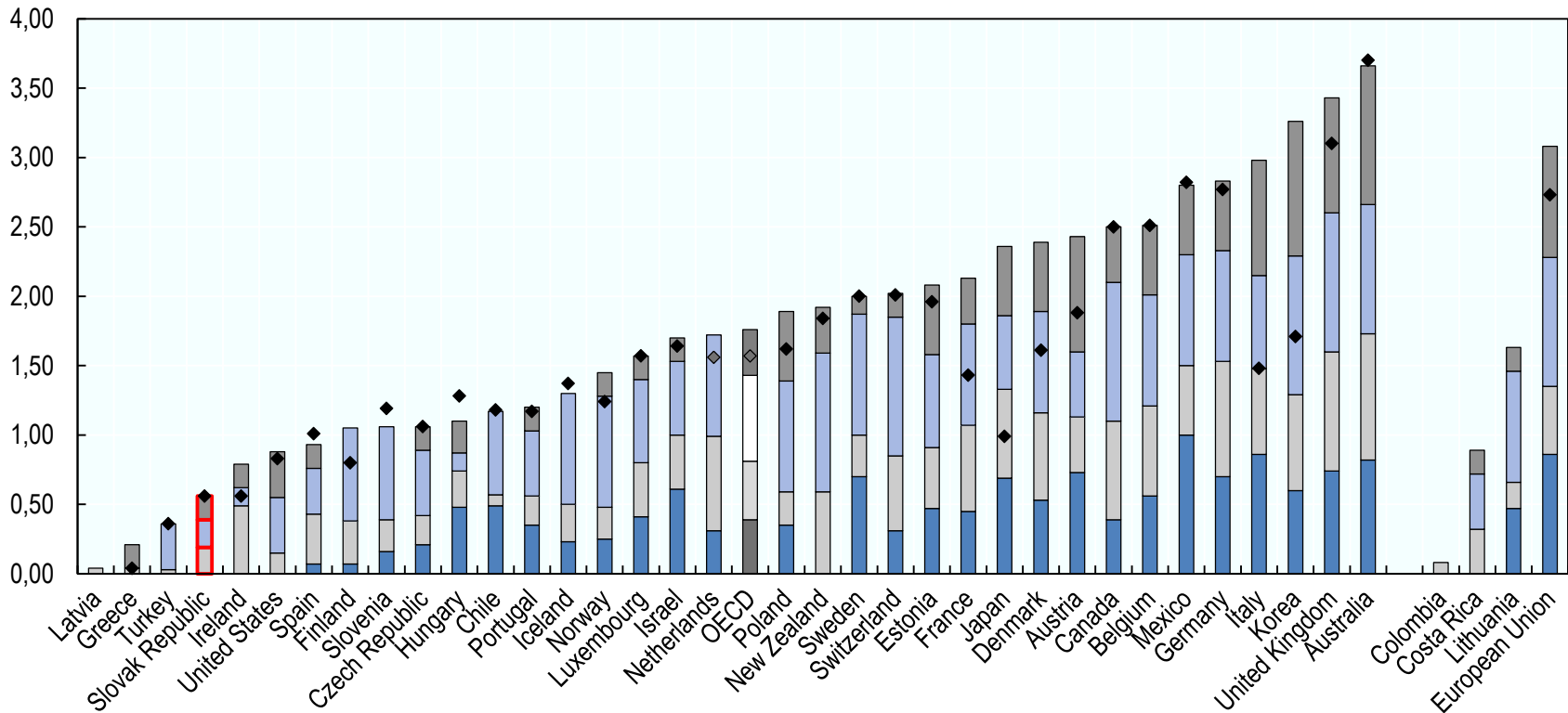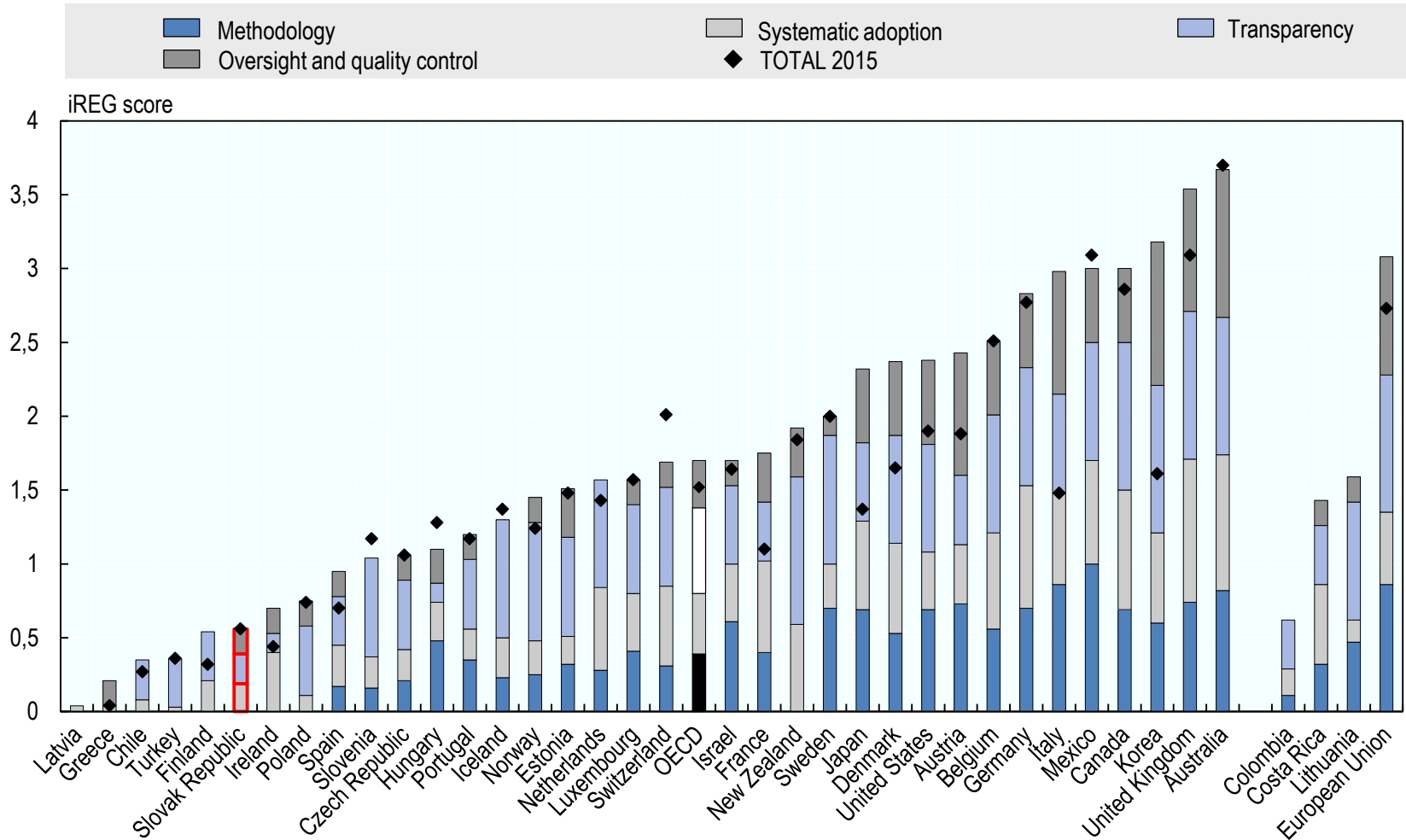
Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, http://oe.cd/ireg.

Ex Post Evaluation: Subordinate regulation

Legend:
- Methodology
- Oversight and quality control
- Systematic adoption
- TOTAL 2015
- Transparency

Y-axis: iREG score (0 to 4)

Countries (left to right): Latvia, Greece, Chile, Turkey, Finland, Slovak Republic, Ireland, Poland, Spain, Slovenia, Czech Republic, Hungary, Portugal, Iceland, Norway, Estonia, Netherlands, Luxembourg, Switzerland, OECD, Israel, France, New Zealand, Sweden, Japan, Denmark, United States, Austria, Belgium, Germany, Italy, Mexico, Canada, Korea, United Kingdom, Australia, Colombia, Costa Rica, Lithuania, European Union

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THANK YOU!

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