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**The Role of Oversight Bodies in Promoting Good
Regulatory Practices: Key Findings from the
Regulatory Policy Outlook 2018**

Submitted by: OECD



**Conference on Good Regulatory
Practices - Regulatory Reform the
Digital Age
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THE ROLE OF OVERSIGHT BODIES IN PROMOTING GRPS: KEY FINDINGS FROM THE REGULATORY POLICY OUTLOOK 2018

APEC Conference on Good Regulatory Practices
13 August, Port Moresby, Papua New Guinea

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2012 OECD Recommendation on Regulatory Policy and Governance

“Establish mechanisms and institutions to actively provide oversight of regulatory policy procedures and goals, support and implement regulatory policy, and thereby foster regulatory quality.”

- A standing body charged with regulatory oversight should be established close to the centre of government [...].
- The authority of the regulatory oversight body should be set forth in mandate [...]. In the performance of its technical functions of assessing and advising on the quality of impact assessments, the oversight body should be independent from political influence.



Definition of regulatory oversight

- » “The variety of functions and tasks carried out by bodies / entities in the executive or at arm's length from the government in order to promote high-quality evidence-based regulatory decision making”
- » Functions can be categorised in 5 key areas:
 - » Quality control of regulatory management tools
 - » Identifying areas where regulation can be made more effective
 - » Systematic improvement of regulatory policy
 - » Co-ordination
 - » Guidance, advice and support
- » The survey also covers bodies responsible for the scrutiny of the legal quality of regulation under development

Areas of regulatory oversight

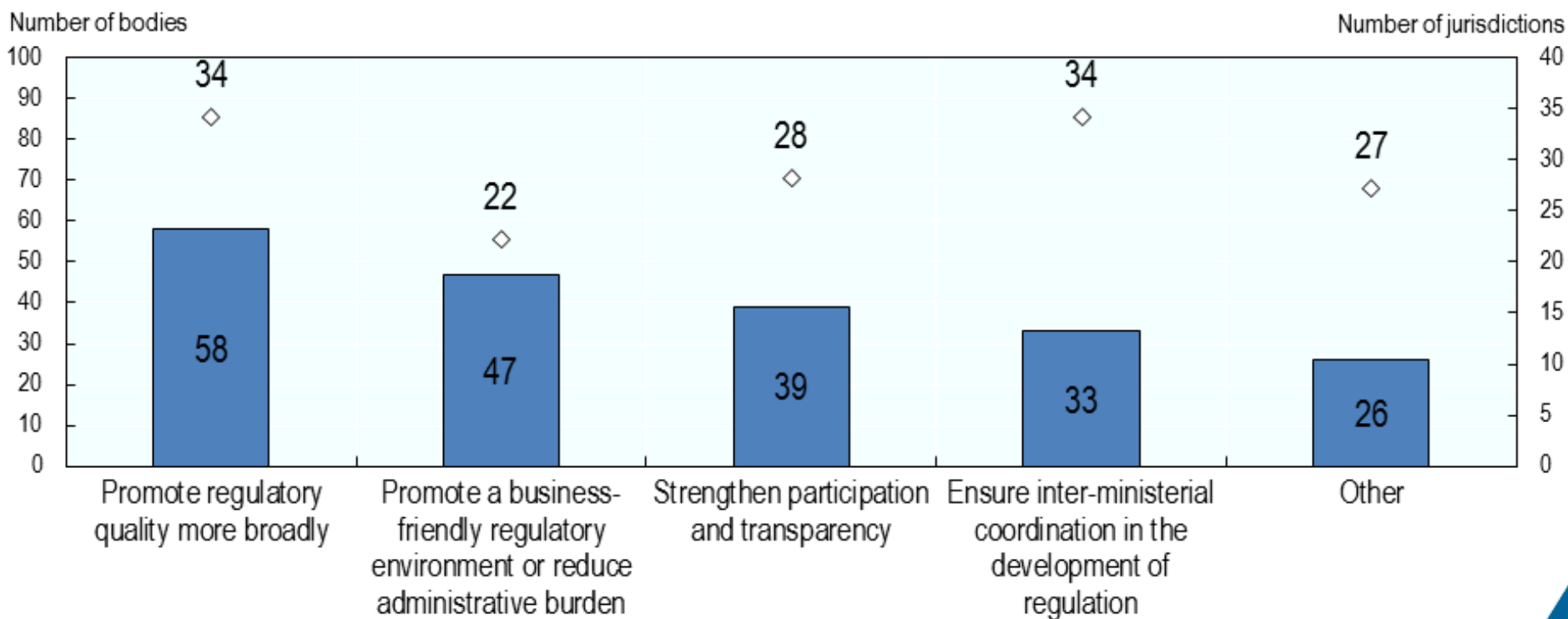
Key tasks

Quality control (scrutiny of process)	<ul style="list-style-type: none">• Monitor adequate compliance with guidelines / set processes• Review legal quality• Scrutinise impact assessments• Scrutinise the use of regulatory management tools and challenge if deemed unsatisfactory
Identifying areas of policy where regulation can be made more effective (scrutiny of substance)	<ul style="list-style-type: none">• Gather opinions from stakeholders on areas in which regulatory costs are excessive and / or regulations fail to achieve its objectives.• Reviews of regulations and regulatory stock.• Advocate for particular areas of reform
Systematic improvement of regulatory policy (scrutiny of the system)	<ul style="list-style-type: none">• Propose changes to improve the regulatory governance framework• Institutional relations, e.g. co-operation with international for a• Co-ordination with other oversight bodies• Monitoring and reporting, including report progress to parliament / government to help track success of implementation of regulatory policy
Co-ordination (coherence of the approach in the administration)	<ul style="list-style-type: none">• Promote a whole of government, co-ordinated approach to regulatory quality• Encourage the smooth adoption of the different aspects of regulatory policy at every stage of the policy cycle• Facilitate and ensure internal co-ordination across ministries / departments in the application of regulatory management tools
Guidance, advice and support (capacity building in the administration)	<ul style="list-style-type: none">• Issue guidelines and guidance• Provide assistance and training to regulators/administrations for managing regulatory policy tools (i.e. impacts assessments and stakeholder engagement)



Oversight bodies have been established with the aim of enhancing overall regulatory quality

■ Number of bodies ◇ Number of countries with at least one body established based on this rationale



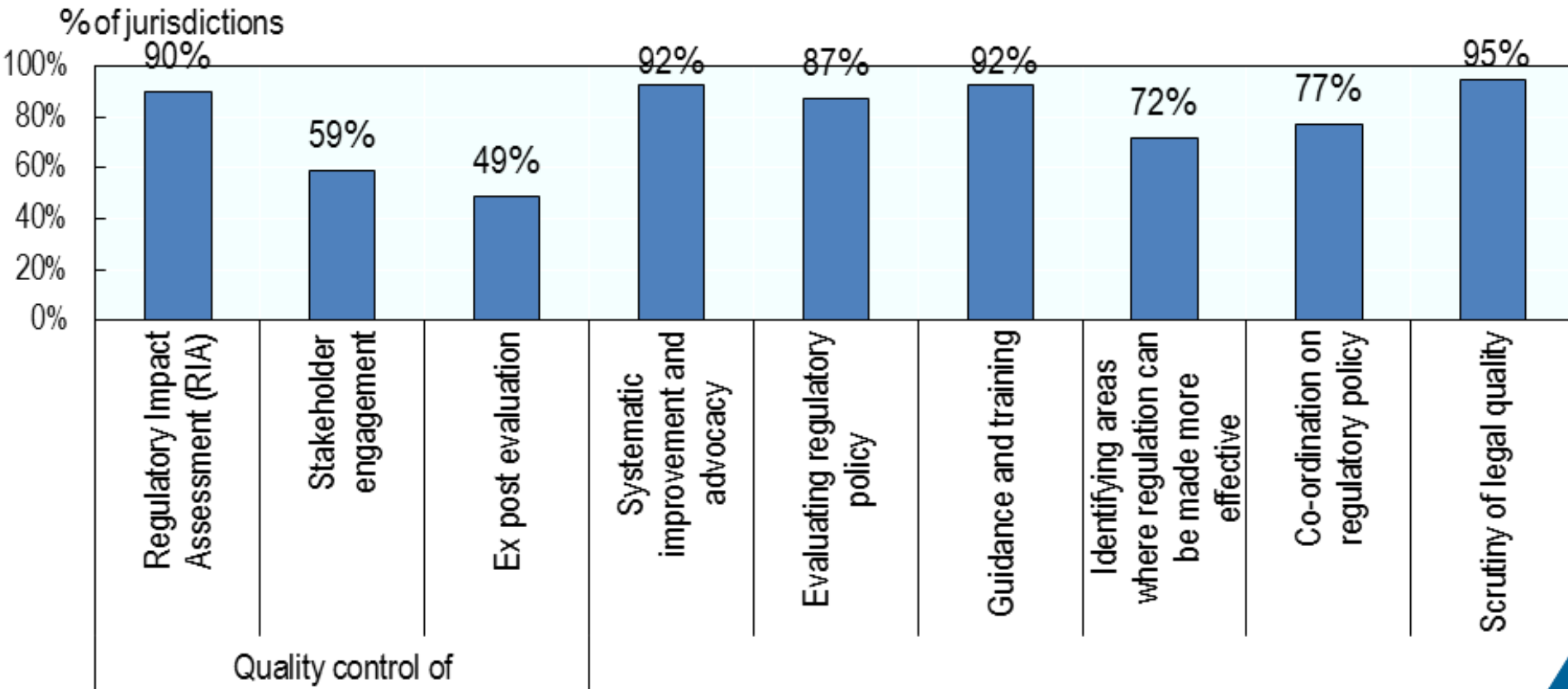
Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



THE INSTITUTIONAL SETUP FOR REGULATORY POLICY AND OVERSIGHT



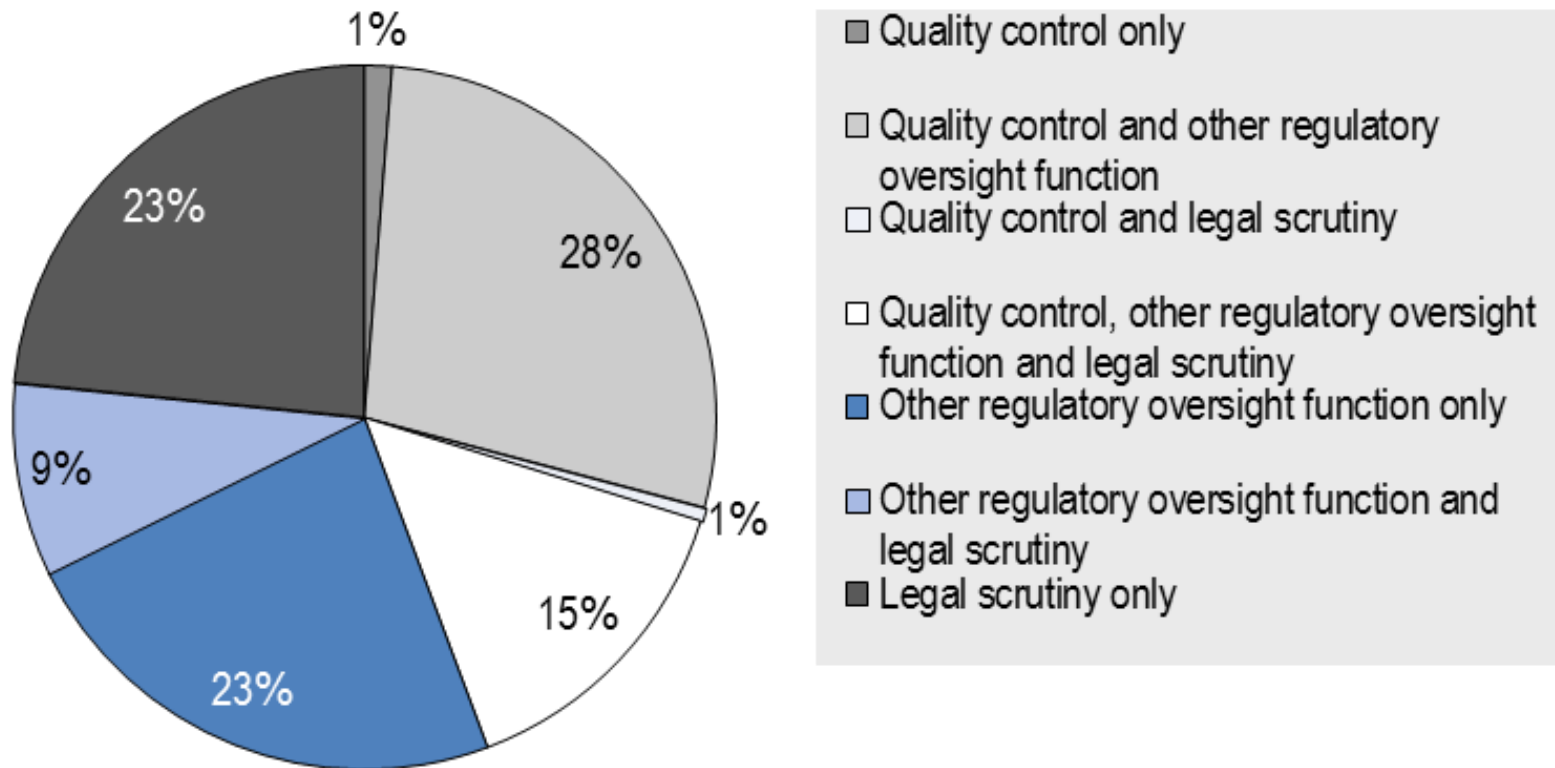
Countries have established bodies to cover regulatory oversight functions.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



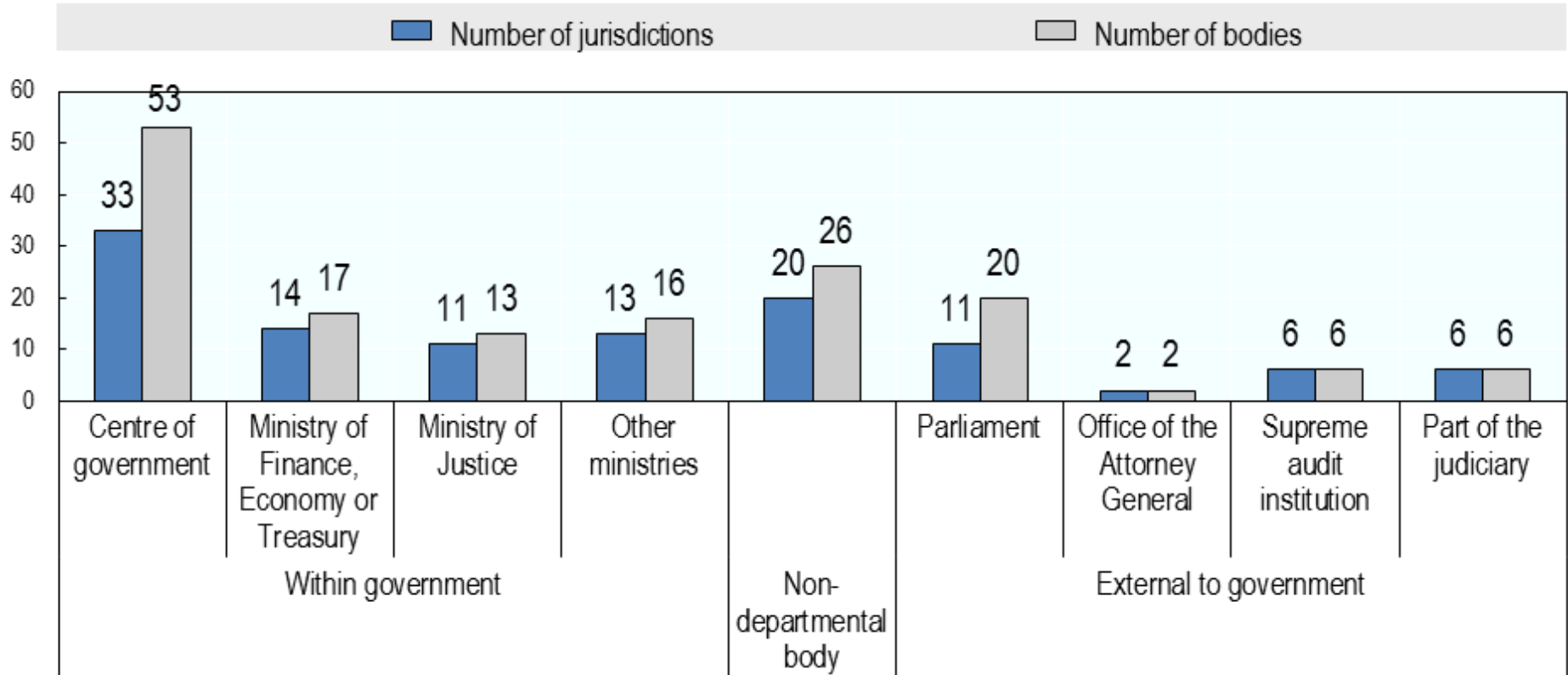
Bodies tend to cumulate and combine different oversight functions.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



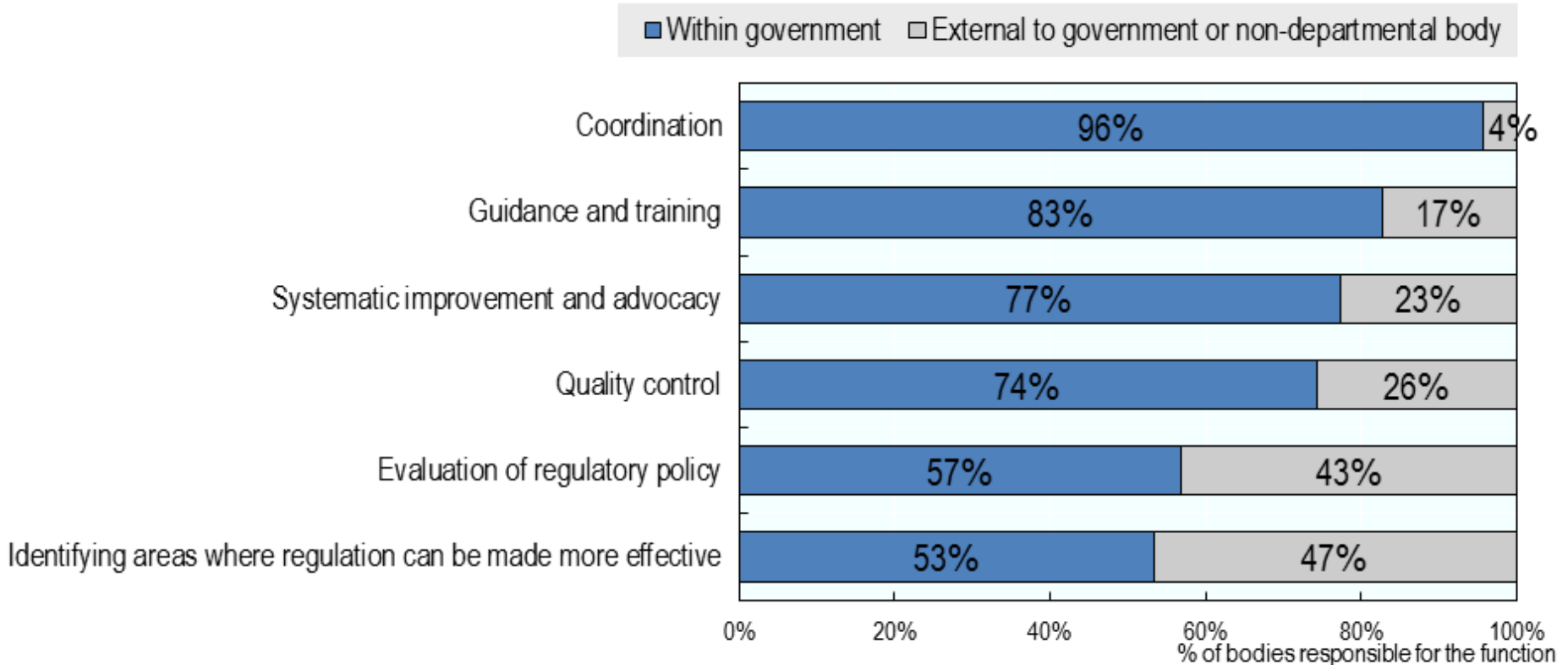
Many bodies are located within government, but other bodies are also involved in regulatory oversight.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



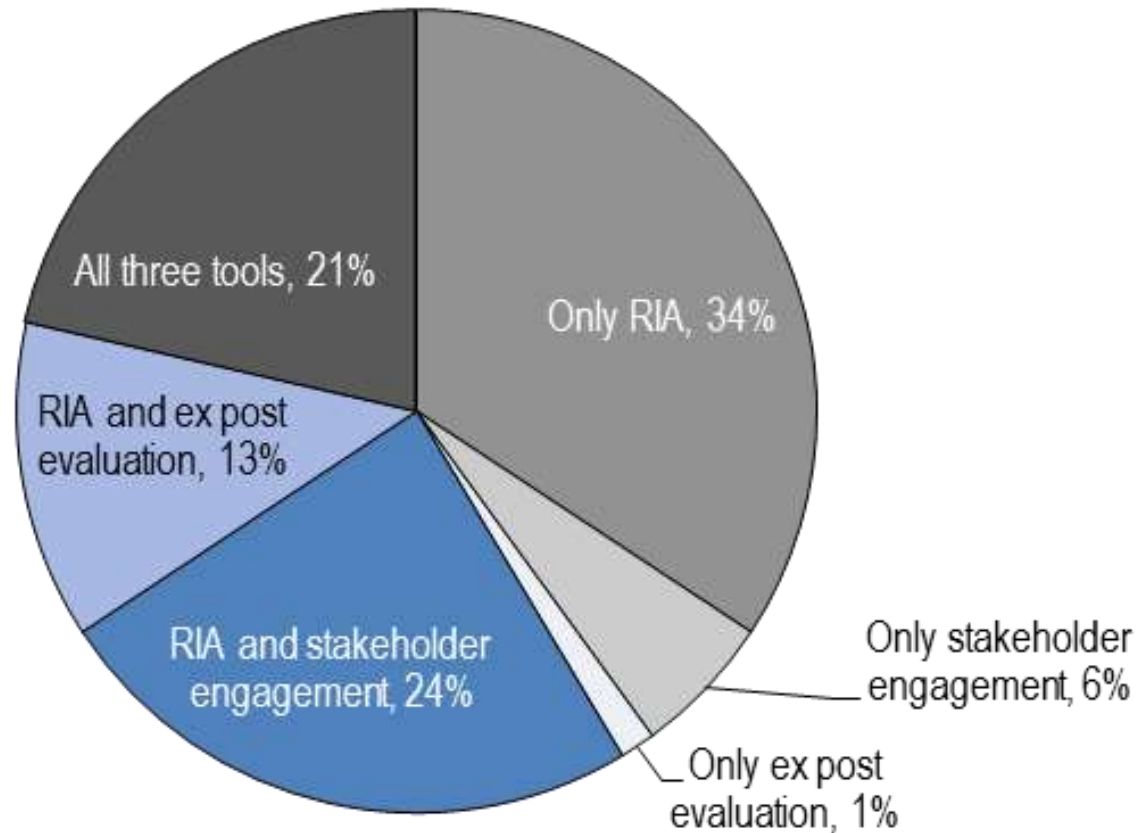
The location of bodies varies depending on oversight functions carried out.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



Bodies responsible for quality control focus mainly on RIA.

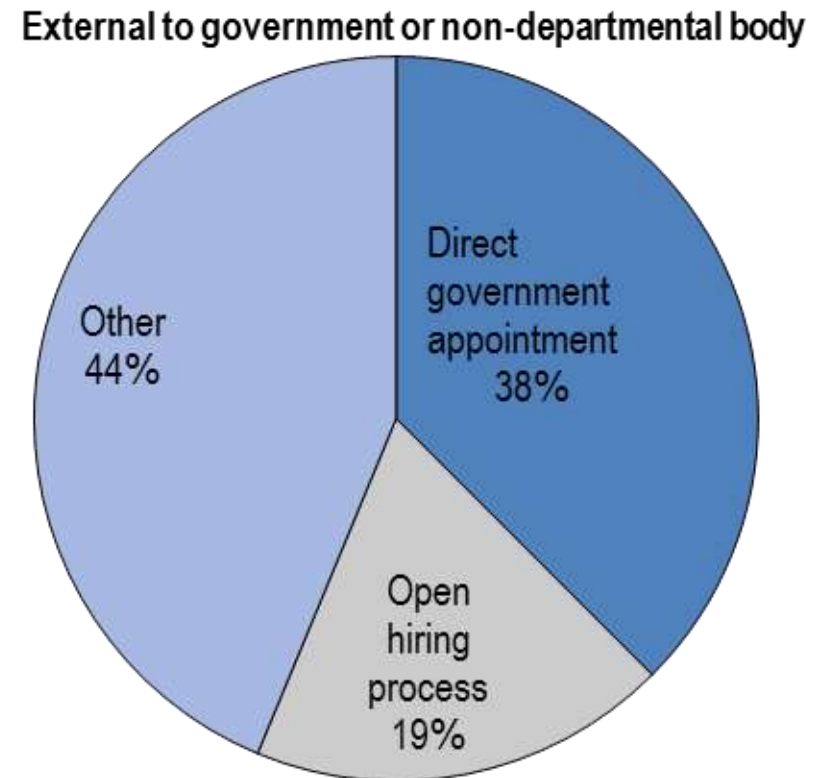
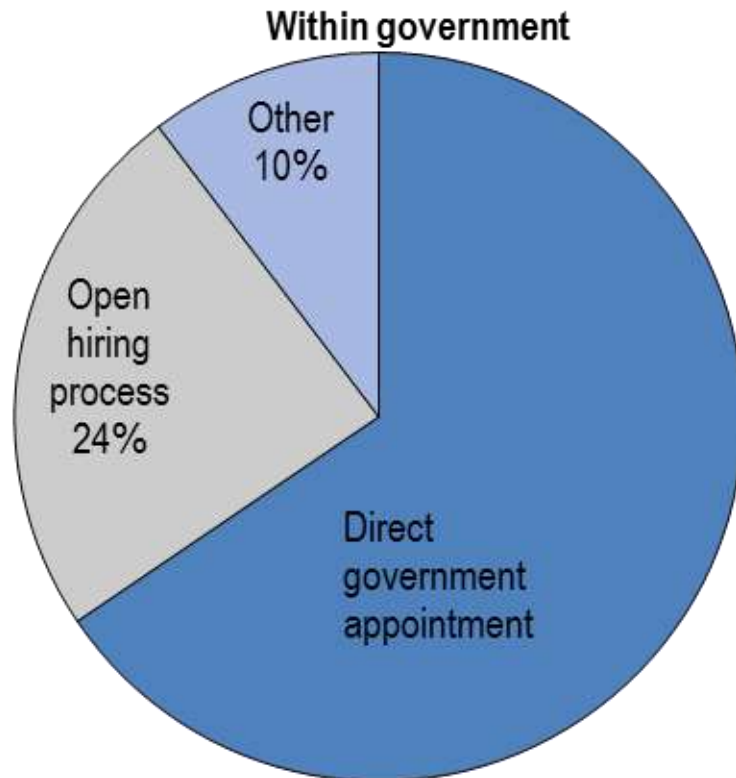




HOW ARE OVERSIGHT BODIES ORGANISED AND STRUCTURED?



The management of oversight bodies is appointed directly by government for a large share of bodies within the executive.

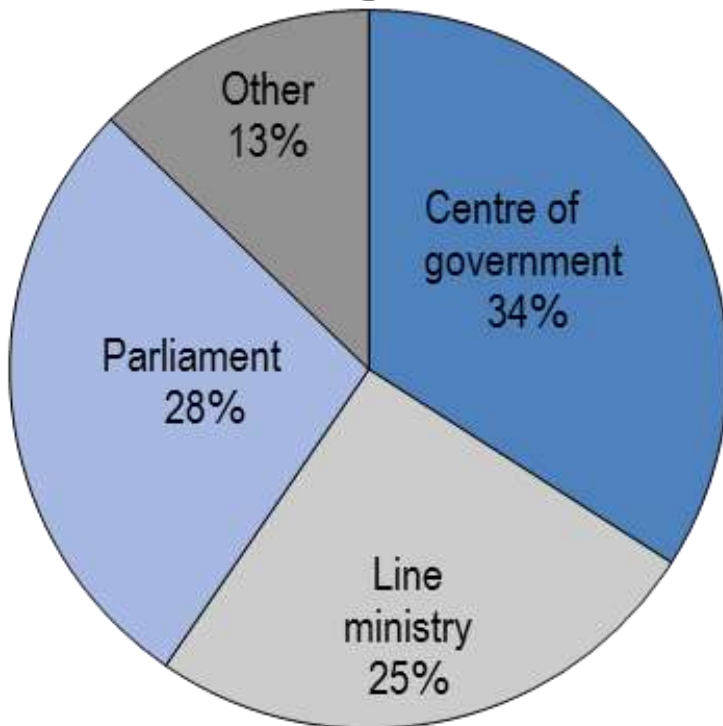


Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).

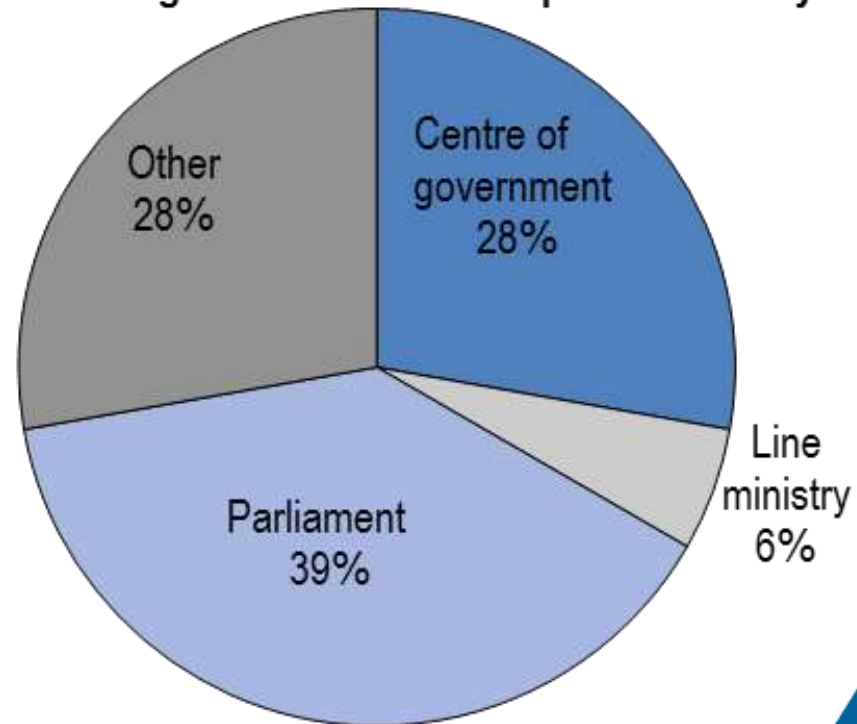


Budgets of bodies within the executive are largely determined by government, while budgets of other bodies are more frequently determined by parliament.

Within government



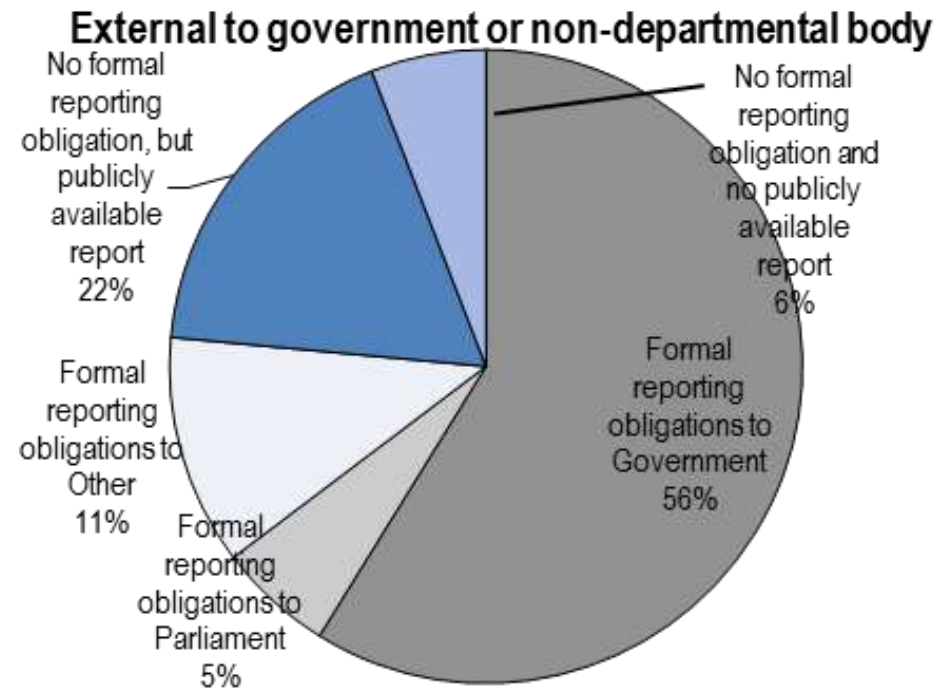
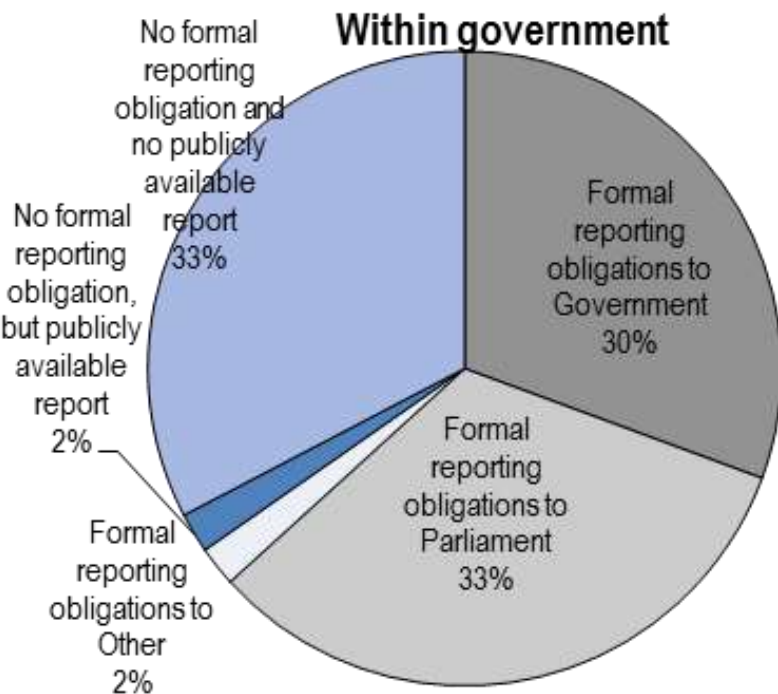
External to government or non-departmental body



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



Bodies within government report less on their oversight activities than others.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



Staff and budget

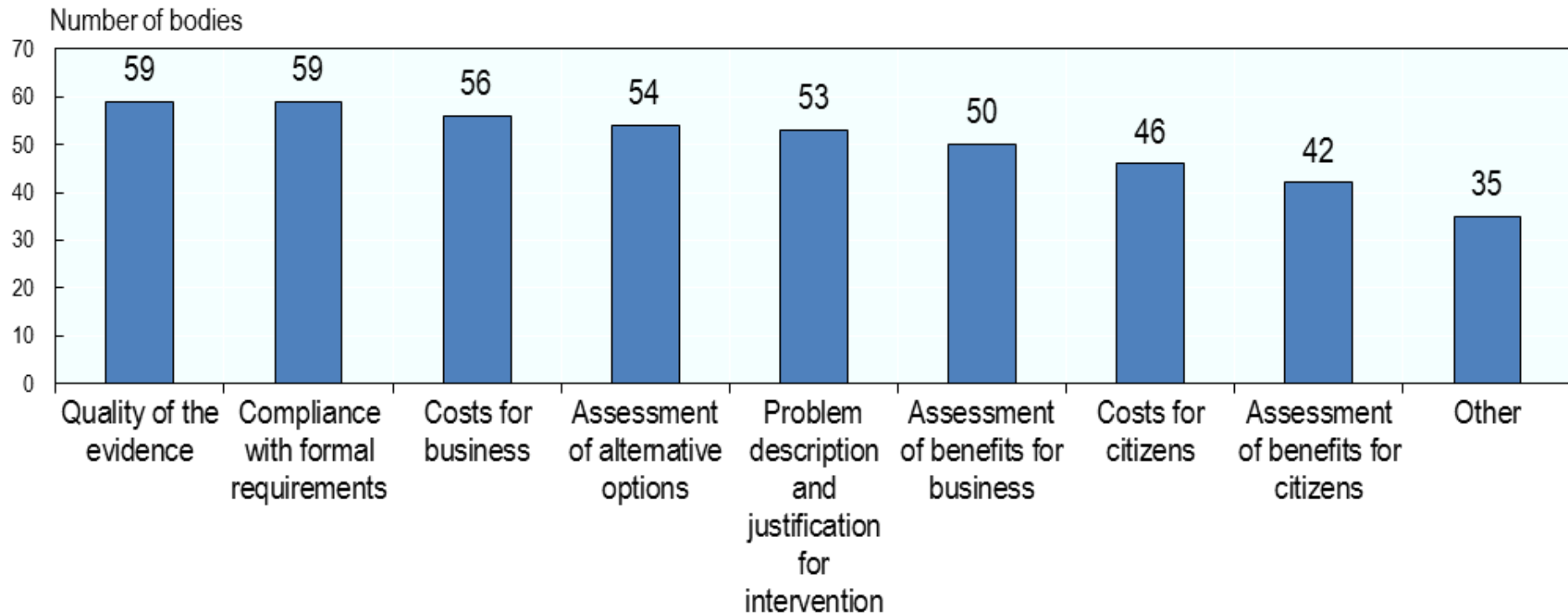
- Bodies that have been specifically established as regulatory oversight bodies report annual budgets between one and two million Euros and an average secretariat size of ten analytical staff
- Units within government that are exclusively dedicated to regulatory oversight report smaller budgets, but similar numbers of staff
- Annual budgets vary strongly for bodies that are tasked with other functions in addition to regulatory oversight



SCOPE AND POWERS FOR QUALITY CONTROL



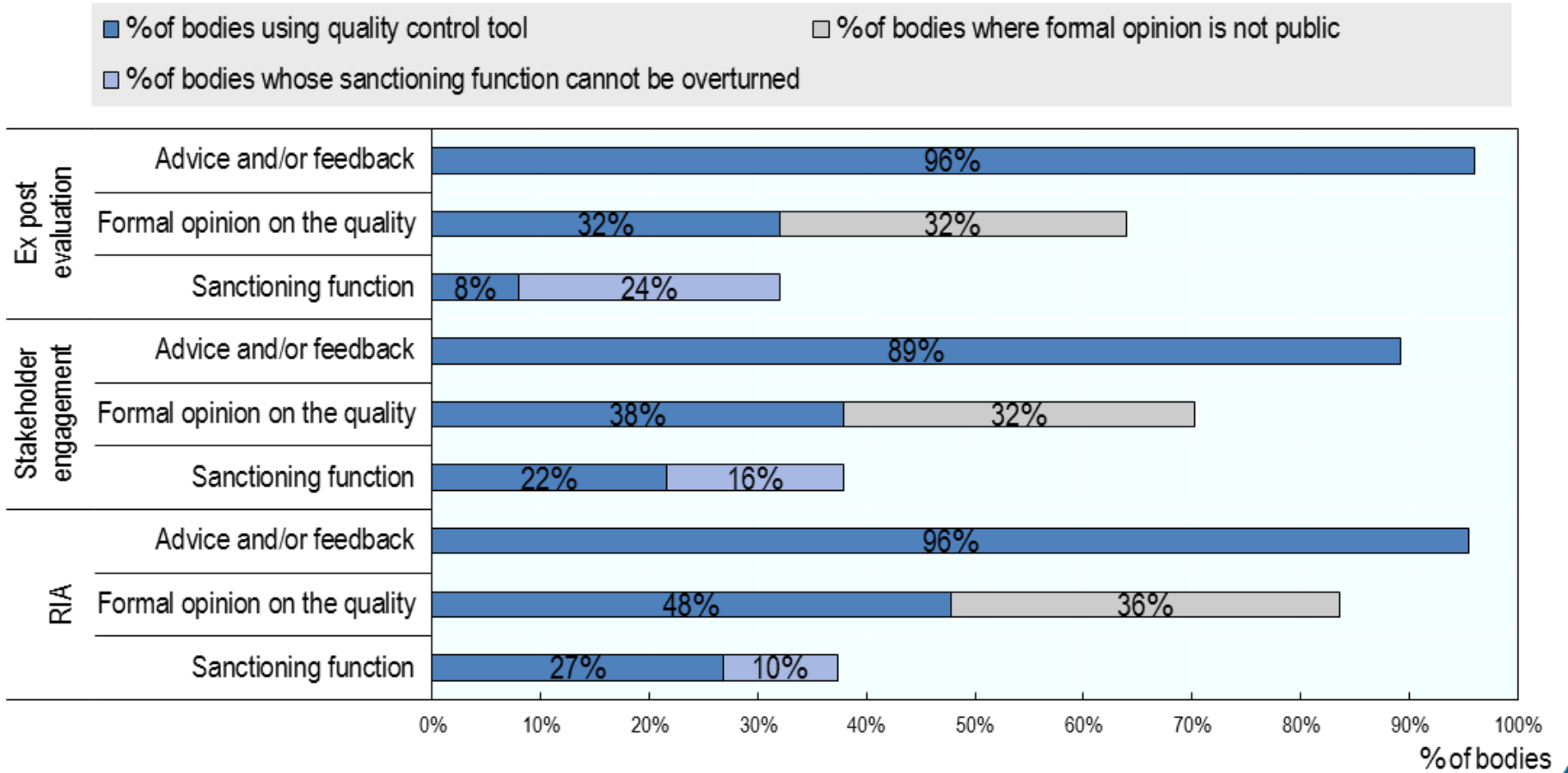
RIA quality control focuses mainly on the quality of evidence and compliance with procedures.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



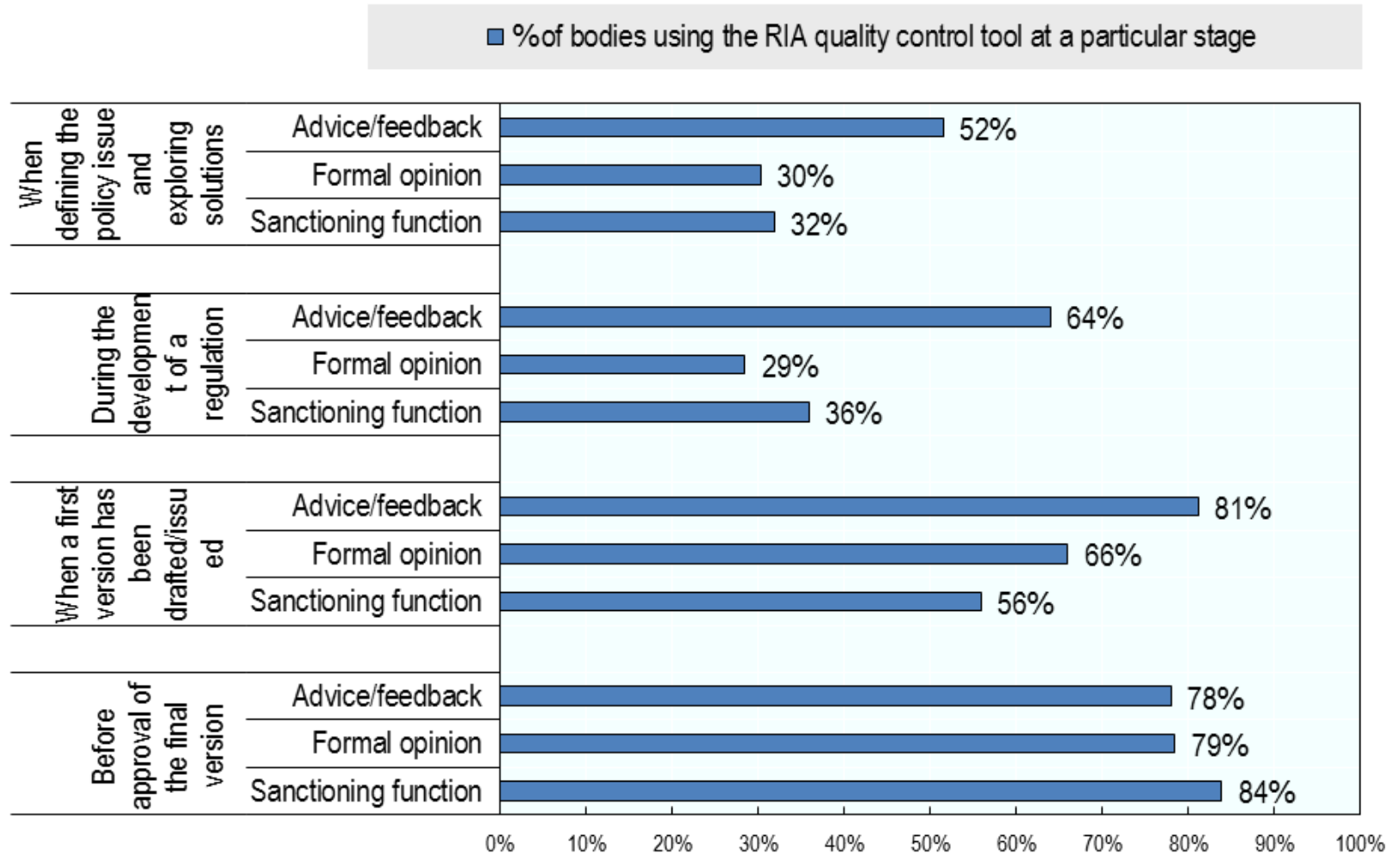
Bodies responsible for quality control use a mix of approaches and powers.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



Quality control happens at a late stage in the rulemaking process.



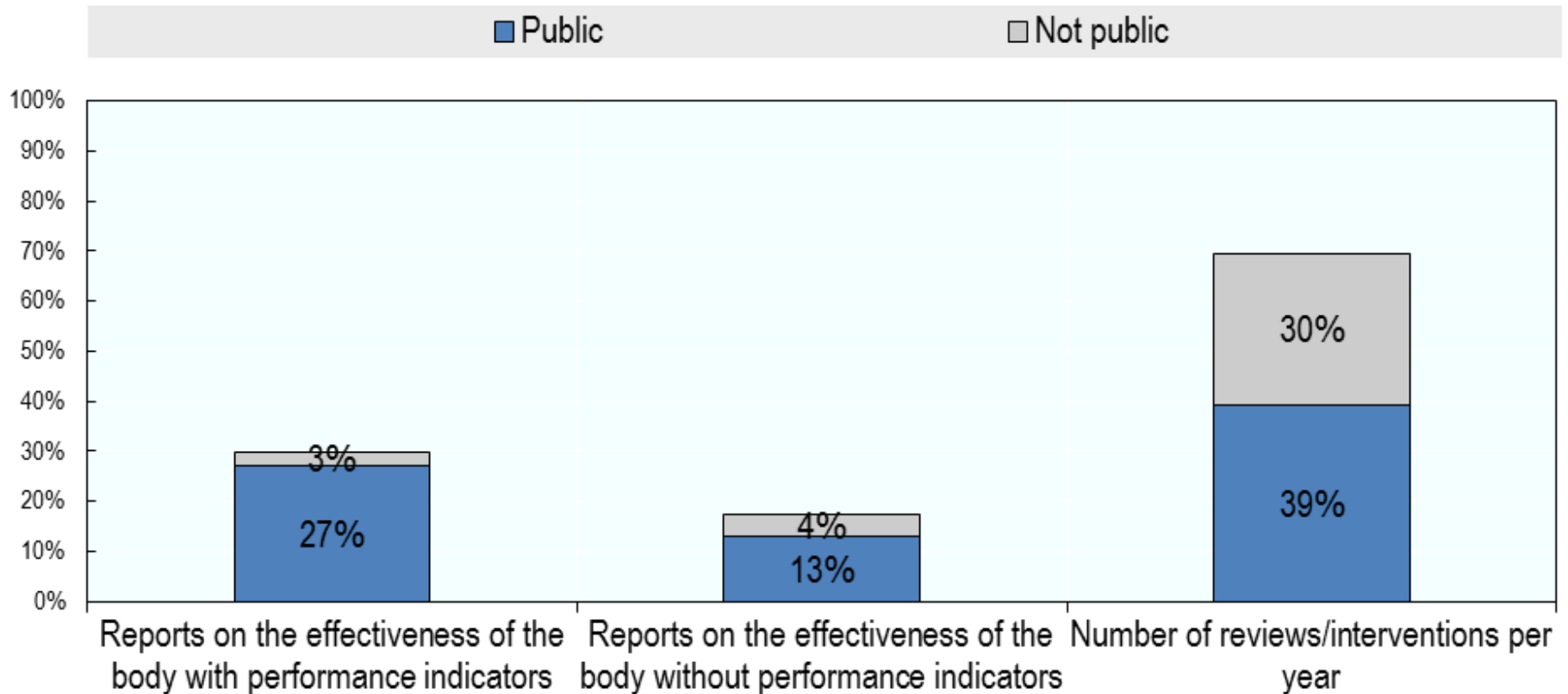
Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



EFFECTIVENESS AND IMPACT OF REGULATORY OVERSIGHT



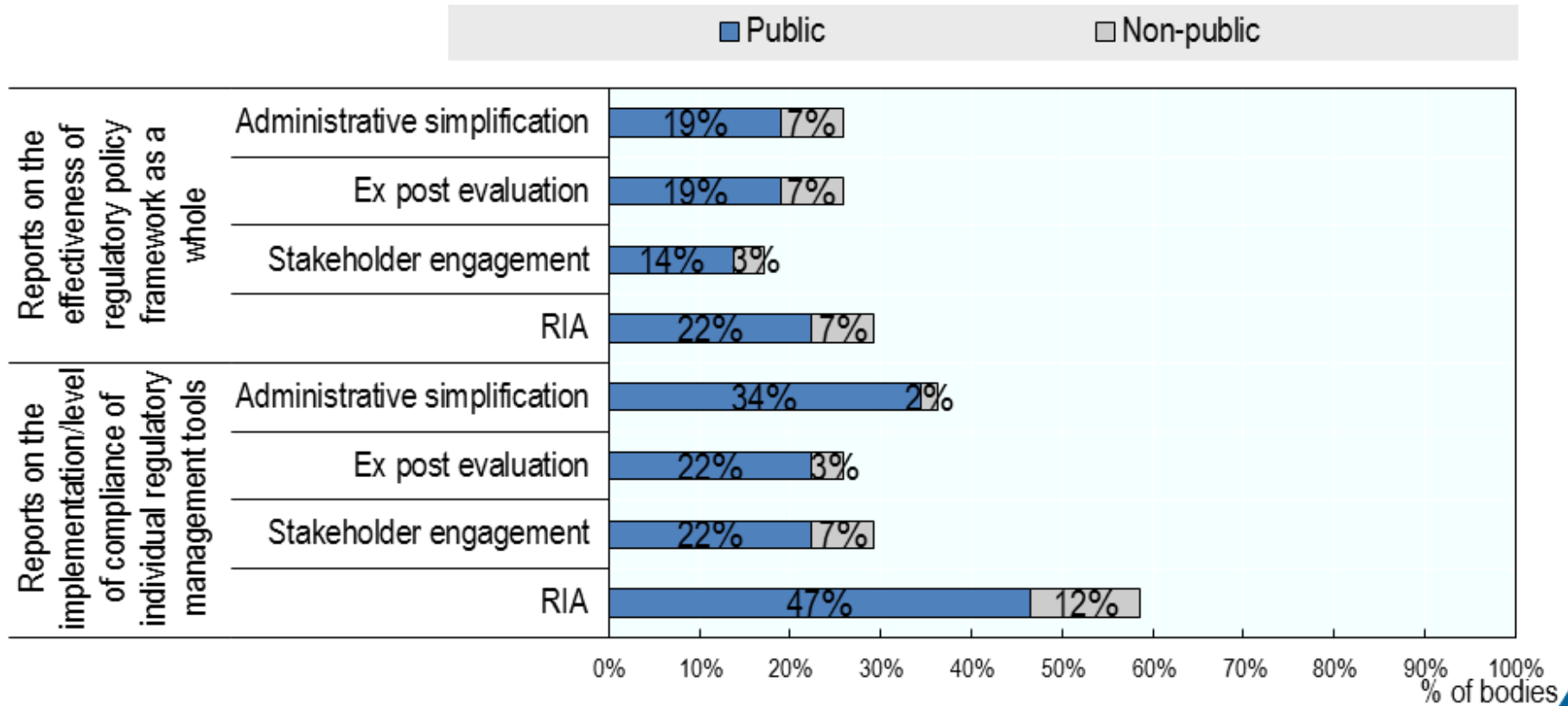
About half of all quality control bodies surveyed monitor and evaluate their activities.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



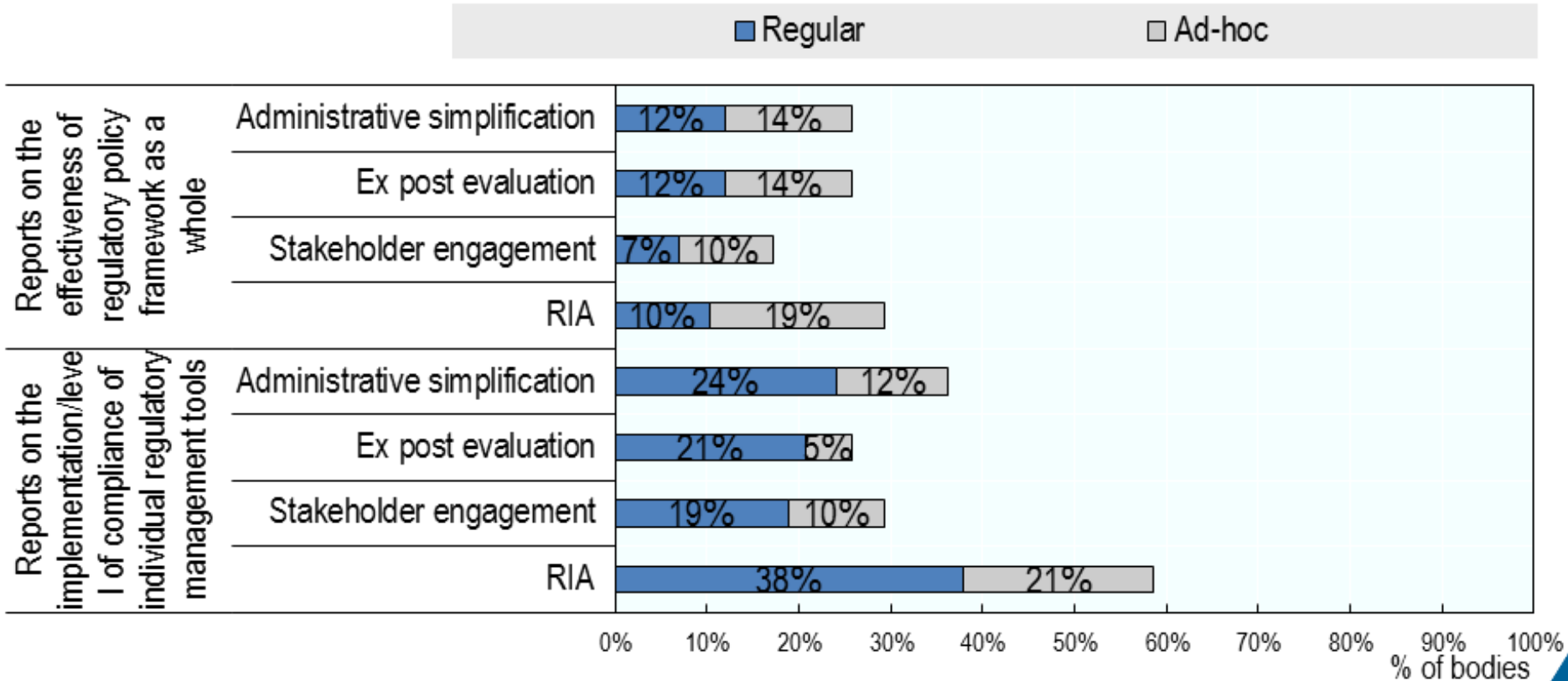
Evaluations of regulatory policy most frequently focus on RIA implementation...



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



...and are often conducted ad-hoc.



Source: OECD 2018 Regulatory Policy Outlook, [oe.cd/ireg](https://www.oecd.org/ireg/).



THANK YOU VERY MUCH!