REGULATORY IMPACT ASSESSMENT RESOURCES







Investment Climate Advisory Services | I World Bank Group







MEMORANDUM RIA Resources (December 2008)

1	RIA: INTERNATIONAL GUIDANCE DOCUMENTS (18)	6
	1.1 World Bank	6
	1.2 DFID	6
	1.3 UNDP	6
	1.4 OECD	6
	1.5 European Union	7
2	RIA: NATIONAL GUIDANCE DOCUMENTS (37)	7
	2.1 Australia	8
	2.2 Canada	8
	2.3 Ireland	9
	2.4 New Zealand	9
	2.5 Poland	9
	2.6 United Kingdom	9
	2.7 United States	10
3	RIA: GUIDANCE ON PARTIAL IAS (29)	10
	3.1 Environmental and Ecologic IA	10
	3.2 Equality IA	10
	3.3 Health IA	11
	3.4 Poverty IA	11
	3.5 Privacy IA	11
	3.6 Social IA Error! Bookmark not	defined.
	3.7 Sustainability IA	11
4	RIA: TRAINING RESOURCES (4)	11
5	RIA: COUNTRY CASE STUDIES AND BEST PRACTICES (166)	12
	5.1 International	12
	5.2 Albania	12
	5.3 Austria	13
	5.4 Belgium	13
	5.5 Bosnia and Herzegovina	13
	5.6 Bulgaria	
	5.7 Canada	
	5.8 Croatia	13

5.9 Czech Republic	14
5.10Denmark	14
5.11Finland	14
5.12France	14
5.13Estonia	15
5.14Germany	15
5.15Greece	15
5.16Hungary	15
5.17Ireland	15
5.18Italy	16
5.19Japan	16
5.20Kenya	16
5.21Korea	16
5.22Latvia	17
5.23Lithuania	17
5.24Macedonia	17
5.25Mexico	17
5.26Moldova	17
5.27Netherlands	17
5.28Norway	18
5.29Poland	18
5.30Portugal	18
5.31Romania	18
5.32Russia	18
5.33Serbia	19
5.34Slovak Republic	19
5.35Slovenia	19
5.36Spain	19
5.37Sri Lanka	19
5.38Sweden	19
5.39Switzerland	19
5.40Turkey	20
5.41Uganda	20

	5.42United Kingdom	20
	5.43United States	20
6	RIA: EXISTING DATABASES (6)	21
	6.1 OECD	21
	6.2 New Zealand	21
	6.3 European countries and EU	21
	6.4 United States	21
	6.5 Australia - Victoria	21
7	RIA: BRG WORLDWIDE DATABASE	21
8	RIA: SELECTED PAPERS (122)	21
9	RIA: Other resources (15)	33
	9.1 RESEARCH PROJECTS	33
	9.2 EU-US documents	34

1 RIA: INTERNATIONAL GUIDANCE DOCUMENTS (18)

1.1 World Bank

- 1. PSIA User's guide
- 2. Analyzing the Distributional Impact of Reforms Vol I A practitioner's guide to trade, monetary and exchange rate policy, utility provision, agricultural markets, land policy, and education. Download PDF, Purchase a paper copy
- 3. Analyzing the Distributional Impact of Reforms Vol II A practitioner's guide to pension, health, labor market, public sector downsizing, indirect tax, decentralization, and macroeconomic shocks and policies tools. Access E-book, Purchase a paper copy

1.2 DFID

- 4. Principles for PSIA process in policy cycles http://www.dfid.gov.uk/mdg/aid-effectiveness/newsletters/psia-policy-cycles.pdf
- 5. DFID (2005) Thoughts on a policy for Poverty Social Impact Analysis (PSIA) PAM Team. March 2005. London: DFID.

1.3 **UNDP**

6. Ex ante policy Impact Analysis (website)
http://europeandcis.undp.org/pia/info/show/FEFD2D9C-F203-1EE9-B25E007C29C57112

1.4 <u>OECD</u>

- 7. 1995: The OECD Reference Checklist for Regulatory Decision-Making
- 8. OECD report: "Regulatory Policies in OECD Countries: From Interventionism to Regulatory Governance, Annex II" (2002).
- 9. **2005 OECD Guiding Principles for Regulatory Quality and Performance 15 March 2005** These guidelines restate the basic principles of 1997, and highlight the dynamic, forward-looking process by which regulatory policies, tools and institutions are adapted for the 21st century.
- 10. **2006 Risk and Regulation: Issues for Discussion OECD Working Party on Regulatory Management and Reform 24 April 2006.** This paper offers a critical overview of the main issues for policymakers considering risk regulation and identifies important areas for future improvement. It examines joint effects of simultaneous exposure to multiple risks; rapid cross-border transmission of risks; ex-ante and ex-post policy impact assessment; analysis of all the effects of risk-reduction efforts; and co-

ordination of risk policies across agencies and governments.

- 11. 2007 Building a Framework for Conducting Regulatory Impact Analysis (RIA) Tools for Policy Makers Special Session of the OECD Working Party on Regulatory Management and Reform, May 2007. This paper gives a comprehensive overview of the RIA concept as understood by OECD. It outlines the expected benefits from implementing RIA as well as potential obstacles; considers the necessary institutional conditions for supporting the conduct of RIA; raises issues in relation to the co-ordination and management of RIA through the establishment of an institutional framework and discusses important factors for ensuring the quality of RIA including training of practitioners, developing technical guidance and communicating outcomes to stakeholders. It provides recommendations and shows best practices based on country experiences.
- 12. 2008: Building an Institutional Framework for Regulatory Impact Analysis (RIA): Guidance for Policy Makers

1.5 European Union

- 13. **2001 Mandelkern Group on Better Regulation, Final Report.** The Mandelkern Group on Better Regulation was a high-level advisory group consisting of regulatory experts from Member States and the European Commission, established by EU Ministers of Public Administration in November 2000. The mandate of the expert group was to take an active part in the preparation of the strategy demanded by the European Council in Lisbon. Better regulation plays a key role for the EU becoming the most competitive and dynamic knowledge-based economy in the world. The Mandelkern Report proposes an Action Plan which would contribute significantly to achieving the required improvements re better regulation on the European scene. It also recommends practices in topics applicable to both national governments and the European Commission.
- 14. 2005 EU Impact Assessment Guidelines. These Guidelines contain a comprehensive overview of what Impact Assessment means within the European Union and why it is considered to be so important in the policy-making process. The document provides information on the theoretical background of the concept and practical guidance on how to actually carry out impact assessment. The Guidelines are built on the integrated concept of Impact Assessment, which argues for the relevance of examining economic, social and environmental impacts of policies and regulations. The document also contains checklists for examining the three aspects of possible impacts which can be relevant for all professionals.
- 15. Annexes to the Guidelines.
- 16. IATOOLS Handbook http://iatools.jrc.ec.europa.eu/bin/view/IQTool/HandBook.html
- 17. IATOOLS Impact Inventory
 http://iatools.jrc.ec.europa.eu/bin/view/IQTool/IntroImpactInventory.html
- 18. 2008 Draft Revised Guidelines (consultation)

2 RIA: NATIONAL GUIDANCE DOCUMENTS (37)

2.1 Australia

1. http://www.finance.gov.au/obpr/proposal/ria-guidance.html (several docs)

Australia -Victoria

- 2. <u>Victorian Guide to Regulation</u>, incorporating Guidelines made under the Subordinate Legislation Act 1994, Melbourne, State of Victoria Department of Treasury and Finance (February 2005).
- 3. Hints and Tips (pdf) VCEC help on how to prepare a RIS or BIA.
- 4. RIS BIA Checklist VCEC assessment checklist for Regulatory Impact Statements and Business Impact Assessments.
- Practice Notes Additional assistance for departments preparing regulatory impacts statements and business impact assessments.

2.2 Canada

- 6. Assessing, Selecting, and Implementing Instruments for Government Action
- 7. Canadian Cost-Benefit Analysis Guide: Regulatory Proposals
- 8. Guidelines for Effective Regulatory Consultations
- 9. Guidelines on International Regulatory Obligations and Cooperation
- 10. New Regulatory Impact Analysis Statement Template
- 11. Medium/high impact template
- 12. Low impact template
- 13. Frequently Asked Questions

Canada – British Columbia

14. Regulatory Best Practices Guide http://www.cserv.gov.bc.ca/lgd/gov_structure/library/regulatory_best_practices_guide.pdf

Canada – Quebec

- 15. Declaration of regulatory impact
- 16. Analysis of regulatory impact
- 17. Evaluation method for bills and draft regulations
- 18. La réglementation par objectifs (PDF, in French, 21 pages, 205 kbytes)

2.3 Ireland

 Report on the introduction of regulatory impact analysis http://www.betterregulation.ie/attached_files/Pdfs/RIA%20english.pdf

2.4 New Zealand

20. Policy Development Guidance Material

Guidance to help government agencies develop policy. Includes the RIA Guidelines and the Guidelines on Assessing Policy Options.

- 21. Regulatory Impact Analysis Requirements Hints and Tips Sheet [Published 01 April 2007] Hints and tips on preparing Regulatory Impact Statements.
- 22. **Regulatory Impact Statement Template** [Published 26 April 2007] RIS template in RTF which can be copied and pasted into a word processing document and filled out with the required information.
- 23. Protocol between the Office of Regulation Review and the Regulatory Impact Analysis Unit [Published 15 September 2004] This document details the working arrangements between the Australian ORR and MED's Regulatory Impact Analysis Unit in relation to the assessment of RISs prepared for Ministerial Councils and standard setting bodies.

2.5 Poland

24. Guidelines for Regulatory Impact Assessment (download file.doc)

2.6 United Kingdom

- 25. Impact assessment guidance 🖄 (50KB)
- 26. Impact Assessment toolkit
- 27. Full impact assessment template (226KB)
- 28. Impact Assessment training http://www.iatraining.berr.gov.uk/
- 29. Impact assessment template: some pointers for using the forms version [PDF version]
 (187KB)
- 30. UK Better Regulation Task Force (2005) Better Regulation from design to delivery, Annual report 2005, at http://www.brc.gov.uk/publications/designdelivery.asp
- 31. UK Cabinet Office, Regulatory Impact Unit (January 2003) Better Policy Making: a Guide to Regulatory Impact Assessment, London
- 32. UK Better Regulation Task Force (March 2005) Regulation Less is More. Reducing

Burdens, Improving Outcomes, A BRTF report to the Prime Minister, London.

UK-Scotland

- 33. RIA Guidance
- 34. RIA Checklist

2.7 United States

- 35. <u>Circular A-4, "Regulatory Analysis"</u> (September 17, 2003) (48 pages, 435 kb)
- 36. M-07-24, Updated Principles for Risk Analysis (September 19, 2007) (13 pages, 156 kb)

3 RIA: GUIDANCE ON PARTIAL IAS (29)

3.1 Environmental and Ecologic IA

- 1. Canada The Cabinet directive on Strategic Environmental Assessment
- 2. http://www.eiatoolkit.ewt.org.za/documents/Biodiversity/CBBIA-IAIA%20Guidance%20Document%20on%20Biodiversity,%20Impact%20Assessment %20and%20Decision%20making%20in%20SA.pdf
- 3. http://www.iaia.org/modx/assets/files/SP2.pdf.
- 4. Office of the Deputy Prime Minister Environmental Impact Assessment: guide to procedures http://www.odpm.gov.uk/index.asp?id=1143250;
- 5. Note on Environmental Impact Assessment Directive for Local Planning Authorities http://www.odpm.gov.uk/index.asp?id=11432737;
- 6. Institute of Environmental Management and Assessment (2004) Guidelines for Environmental Impact Assessment. IEMA, Lincoln;
- 7. Department for Transport (2004) Transport Analysis Guidance (TAG) www.webtag.org.uk
- 8. Scottish Transport Appraisal Guidance (STAG),
- 9. http://www.scotland.gov.uk/Topics/Transport/integrated-transport/stag
- 10. Welsh Transport Analysis Guidance (WelTAG) (in draft)
- 11. Environment Agency (May 2002) Environmental Impact Assessment (EIA): A handbook for scoping projects

3.2 Equality IA

12. http://www.londoncouncils.gov.uk/London%20Councils/Improvement%20and%20E mployment/Appendix1guidanceonEIAgeneri.pdf.

13. http://www.idea.gov.uk/idk/core/page.do?pageId=7209653.

3.3 Health IA

14. http://www.who.int/hia/en/

3.4 Poverty and Social IA

- 15. Ireland http://www.socialinclusion.ie/pia.html
- 16. OECD http://www.oecd.org/dataoecd/46/39/38978856.pdf
- 17. DFID http://www.dfid.gov.uk/mdg/aid-effectiveness/newsletters/poverty-impact-assessment.pdf
- 18. ADB http://www.adb.org/Documents/Handbooks/PIA_Eco_Analysis/default.asp#content s
- 19. Principles and quidelines for social impact assessment in the USA
- 20. New Zealand
- 21. Australia

3.5 Privacy IA

- 22. UK http://www.ico.gov.uk/upload/documents/pia_handbook_html/html/1-intro.html
- 23. Canada http://www.statcan.ca/english/about/pia/piapolicy.htm

3.6 Sustainability IA

- 24. ftp://ftp.cordis.europa.eu/pub/sustdev/docs/environment/pub_ml_socio_eco_tools_en.pdf;
- 25. http://www.unep.org/dec/onlinemanual/Compliance/NegotiatingMEAs/AssessDome sticCapabilities/Resource/tabid/610/Default.aspx
- 26. http://ec.europa.eu/trade/issues/global/sia/

4 RIA: TRAINING RESOURCES (4)

- 1. IATOOLS Handbook
- 2. UK BERR Impact Assessment training
- 3. E*RIA (Jacobs and Associates)
- 4. Australia, Victoria Training Cost-benefit course and dates for RIS/BIA and SCM training

5 RIA: COUNTRY CASE STUDIES AND BEST PRACTICES (166)

5.1 International

- 1. EU Directors Of Better Regulation Group (2004). A comparative analysis of regulatory impact assessment in ten EU countries. Dublin. (doc, 2MB).
- 2. Ad hoc group of experts on better regulation (2003). Report to the Ministers responsible for Public Administration in the EU member states on the progress of the implementation of the Mandelkern Report's Action Plan on Better Regulation. Athens. (pdf, 220 kb)
- 3. Jacobs, C. (2005), <u>The Role of Regulatory Impact Assessment in Democratisation:</u>
 <u>Selected Cases from the transition States of Central and Eastern Europe</u> –Centre on Regulation and Competition Working Paper Series, March 2005.
- 4. Staronova et al. (2007), Mapping of ex-ante Impact Assessment Tools and Experiences in Europe: a resource book for practitioners.
- 5. World Bank (2007), Poverty and Social Impact Analysis of Reforms: Lessons and Examples from Implementation A series of case studies illustrating PSIA in agriculture, energy, utilities, social sectors, taxation, and macro-economic modeling. E-book
- 6. Proceedings of ECPRD Seminar, Tallinn 2001, Legal and Regulatory Impact Assessment of Legislation.
- 7. L'AIR in prospettiva comparata
- 8. IATOOLS: Good practice IAs since 2003 (by year)
- 9. IATOOLS: Good practice IAs (examples for each step of the IA process)
- IATOOLS: Good practice IAs (examples for different aspects of stakeholder consultation)
- 11. OECD: Regulatory Impact Analysis Best Practices in OECD Countries
- 12. OECD: country reviews
- 13. OECD: ten good practices in the design and implementation of RIA
- 14. OECD: RIA in OECD Countries. Challenges for Developing Countries
- 15. DFID Country profiles
- 16. Czech Rep, Slovenia and Slovakia (ENBR Working Paper)

5.2 Albania

17. UNDP: Better regulation in Albania (UNDP)

5.3 Austria

18. Austria (ENBR Working Paper)

5.4 Belgium

- 19. Better regulation in Belgium http://www.funzionepubblica.it/dipartimento/docs-pdf/Better-Regulation.pdf
- 20. Cesar Cordova on Belgium
- 21. Belgium-Flanders (ENBR Working Paper)
- 22. Belgium Agence pour la simplification administrative: Rapport Annuel 2000 2001

5.5 Bosnia and Herzegovina

23. UNDP: Better regulation in Bosnia and Herzegovina (UNDP)

5.6 <u>Bulgaria</u>

24. UNDP: Better regulation in Bulgaria (UNDP)

5.7 Canada

- 25. Government Capacity to Assure High Quality Regulation in Canada
- 26. The Role of Competition Policy in Regulatory Reform in Canada
- 27. Enhancing Market Openness through Regulatory Reform in Canada
- 28. Regulatory Reform in the Telecommunications Industry in Canada

5.8 Croatia

29. UNDP: Better regulation in Croatia (UNDP)

5.9 Czech Republic

- 30. Government Capacity to Assure High Quality Regulation in the Czech Republic
- 31. The Role of Competition Policy in Regulatory Reform in the Czech Republic
- 32. Enhancing Market Openness through Regulatory Reform in the Czech Republic
- 33. Regulatory Reform Electricity
- 34. Regulatory Reform in the Telecommunications Industry in the Czech Republic
- 35. SIGMA documentation on the Czech Republic
- *36. UNDP: Better regulation in Czech Republic (UNDP)*

5.10 Denmark

- 37. Government Capacity to Assure High Quality Regulation in Denmark
- 38. The Role of Competition Policy in Regulatory Reform in Denmark
- 39. Enhancing Market Openness through Regulatory Reform in Denmark
- 40. Regulatory Reform in the Electricity Sector in Denmark
- 41. Regulatory Reform in the Telecommunications Industry in Denmark

5.11 Finland

- 42. Government Capacity to Assure High Quality Regulation in Finland
- 43. The Role of Competition Policy in Regulatory Reform in Finland
- 44. Enhancing Market Openness through Regulatory Reform in Finland
- 45. Marketisation of Government Services? State-owned Enterprises in Finland

5.12 France

- 46. Government Capacity to Assure High Quality Regulation in France
- 47. The Role of Competition Policy in Regulatory Reform in France
- 48. Enhancing Market Openness Through Regulatory Reform in France
- 49. Regulatory Reform in the Civil Aviation Sector in France
- 50. Regulatory Reform in the Telecommunications Sector in France

5.13 Estonia

- *51. UNDP: Better regulation in Estonia (UNDP)*
- 52. Estonia (ENBR Presentation)

5.14 Germany

- 53. Government Capacity to Assure High Qualty Regulation in Germany
- 54. The Role Of Competition Policy In Regulatory Reform in Germany
- 55. Regulatory Reform in Electricity, Gas, and Pharmacies
- 56. Enhancing Market Openness Through Regulatory Reform in Germany
- 57. Regulatory Reform in Telecommunications in Germany

5.15 *Greece*

- 58. Government Capacity to Assure High Quality Regulation in Greece
- 59. The Role of Competition Policy in Regulatory Reform in Greece
- 60. Enhancing Market Openness through Regulatory Reform in Greece
- 61. Regulatory Reform in Electricity
- 62. Regulatory Reform in the Telecommunications Industry in Greece
- 63. <u>Greece</u> (ENBR Working Paper)

5.16 Hungary

- 64. Government Capacity to Assure High Quality Regulation in Hungary
- 65. The Role of Competition Policy in Regulatory Reform in Hungary
- 66. Enhancing Market Openness through Regulatory Reform in Hungary
- 67. Regulatory Reform in the Electricity Sector in Hungary
- 68. Regulatory Reform in the Telecommunications Industry in Hungary
- 70. SIGMA documentation on Hungary
- 71. UNDP: Better regulation in Hungary (UNDP)

5.17 Ireland

72. Government Capacity to Assure High Quality Regulation in Ireland

- 73. The Role of Competition Policy in Regulatory Reform in Ireland
- 74. Enhancing Market Openness through Regulatory Reform in Ireland
- 75. Regulatory Reform in Electricity
- 76. Regulatory Reform in the Telecommunications Industry in Ireland

5.18 Italy

- 77. Government Capacity to Assure High Quality Regulation in Italy
- 78. Enhancing Market Openness through Regulatory Reform in Italy
- 79. Regulatory Reform in Electricity
- 80. Regulatory Reform in the Telecommunications Industry in Italy

5.19 Japan

- 81. OECD Reviews of Regulatory Reform Regulatory Reform in Japan
- 82. Government Capacity to Assure High Quality Regulation in Japan
- 83. The Role of Competition Policy in Regulatory Reform in Japan
- 84. Enhancing Market Openness through Regulatory Reform in Japan
- 85. Regulatory Reform in the Electricity Sector in Japan
- 86. Regulatory Reform in the Telecommunications Industry in Japan
- 87. OECD Reviews of Regulatory Reform Japan: Progress in Implementing Regulatory Reform

5.20 Kenya

88. Jacobs, Scott, Peter Ladegaard and Ben Musau (2007): <u>"Kenya's Radical Licensing Reforms, 2005-2007: Design, Results, and Lessons Learned."</u> Paper for the Africa Regional Consultative Conference "Creating Better Business Environments for Enterprise Development: African and Global Lessons for More Effective Donor Practices". November 2007, Accra

5.21 *Korea*

- 89. Government Capacity to Assure High Quality Regulation in Korea
- 90. The Role of Competition Policy in Regulatory Reform in Korea
- 91. Enhancing Market Openness through Regulatory Reform in Korea
- 92. Regulatory Reform in the Electricity Sector in Korea

93. Regulatory Reform in the Telecommunications Industry in Korea

5.22 Latvia

94. UNDP: Better regulation in Latvia (UNDP)

5.23 Lithuania

- 95. UNDP: Better regulation in Lithuania (UNDP)
- 96. <u>Lithuania</u> (ENBR Presentation)

5.24 Macedonia

97. UNDP: Better regulation in FYR Macedonia (UNDP)

5.25 Mexico

- 98. Government capacity to assure high quality regulation in Mexico
- 99. The Role of Competition Policy in Regulatory Reform in Mexico
- 100. Enhancing Market Openness through Regulatory Reform in Mexico
- 101.Regulatory Reform in the Telecommunications Industry in Mexico

5.26 Moldova

102. UNDP: Better regulation in Moldova (UNDP)

5.27 Netherlands

- 103. Government Capacity to Assure High Quality Regulation in the Netherlands
- 104. The Role of Competition Policy in Regulatory Reform in the Netherlands
- 105. Enhancing Market Openness through Regulatory Reform in the Netherlands
- 106. Regulatory Reform in the Electricity Industry in the Netherlands
- 107. Regulatory Reform in the Telecommunications Industry in the Netherlands

5.28 Norway

108. Government Capacity to Assure High Quality Regulation in Norway

109. The Role of Competition Policy in Regulatory Reform in Norway

110.Enhancing Market Openness through Regulatory Reform in Norway

111. Modernising Regulators and Supervisory Agencies in Norway

112.Marketisation of Government Services - State-owned Enterprises in Norway

5.29 Poland

113. Government Capacity to Assure High Quality Regulation in Poland

114.The Role of Competition Policy in Regulatory Reform in Poland

115. Enhancing Market Openness through Regulatory Reform in Poland

116. The Postal and Energy Sectors in Poland

117. Regulatory Reform in the Telecommunications Industry in Poland

118.SIGMA documentation on Poland

119.UNDP: Better regulation in Poland (UNDP)

120. <u>Poland</u> (ENBR Working Paper)

5.30 Portugal

121. Portugal (ENBR Working Paper)

5.31 Romania

122. UNDP: Better regulation in Romania (UNDP)

5.32 Russia

123. Government Capacity to Produce High Quality Regulation in Russia

124. The Role of Competition Policy in Regulatory Reform in Russia

125.Enhancing Market Openness in Regulatory Reform in Russia

126. Electricity Reform in Russia

127.Regulatory Reform of Railways in Russia

5.33 Serbia

128. UNDP: Better regulation in Serbia (UNDP)

5.34 Slovak Republic

- 129. SIGMA documentation on the Slovak Republic
- 130. UNDP: Better regulation in Slovak Republic (UNDP)

5.35 Slovenia

131. UNDP: Better regulation in Slovenia (UNDP)

5.36 Spain

- 132. Government Capacity to Assure High Quality Regulation in Spain
- 133. The Role of Competition Policy in Regulatory Reform in Spain
- 134. Enhancing Market Openness through Regulatory Reform in Spain
- 135.Regulatory Reform in the Electricity Sector in Spain
- 136. Regulatory Reform in the Telecommunications Industry in Spain

5.37 Sri Lanka

137. Regulatory Impact Assessment: A Tool for Improved Regulatory Governance in Sri Lanka?

5.38 Sweden

- 138. Government capacity to assure high quality regulation in Sweden
- 139. The role of competition policy in regulatory reform in Sweden
- 140. Enhancing market openness through regulatory reform in Sweden
- 141.Multi-level regulatory capacity in Sweden
- 142. Regulatory reform and the environment in Sweden

5.39 Switzerland

- 143. Government Capacity to Assure High Quality Regulation in Switzerland
- 144. The Role of Competition Policy in Regulatory Reform in Switzerland

- 145. Enhancing Market Openness through Regulatory Reform in Switzerland
- 146. Regulatory Authorities for Air Transport, Railways, Telecommunications and Postal Services in Switzerland
- 147. Electricity Reform in Switzerland

5.40 Turkey

- 148. Government Capacity to Assure High Quality Regulation in Turkey
- 149. The Role of Competition Policy in Regulatory Reform in Turkey
- 150. Enhancing Market Openness through Regulatory Reform in Turkey
- 151. Regulatory Reform in Electricity
- 152. Regulatory Reform in the Telecommunications Industry in Turkey
- 153. SIGMA documentation on Turkey
- 154. UNDP: Better regulation in Turkey (UNDP)
- *155. Turkey presentation* (ppt)

5.41 Uganda

156.Welch, Darren, Bannock Consulting (2004). <u>Introducing Regulatory Impact</u>
Assessment (RIA) in Developing Countries. The Case of Uganda.

5.42 United Kingdom

- 157. Government Capacity to Assure High Quality Regulation in the United Kingdom
- 158. The Role of Competition Policy in Regulatory Reform in the United Kingdom
- 159. Enhancing Market Openness through Regulatory Reform in the United Kingdom
- 160. Regulatory Reform in Gas and Electricity and the Professions in the United Kingdom
- 161. Regulatory Reform in the Telecommunications Industry in the United Kingdom

5.43 United States

- 162. Government Capacity to Assure High Quality Regulation in the United States
- 163. The Role of Competition Policy in Regulatory Reform in the United States
- 164. Enhancing Market Openness through Regulatory Reform in the United States
- 165. Regulatory Reform in the Electricity Industry in the United States
- 166. Regulatory Reform in the Telecommunications Industry in the United States

6 RIA: EXISTING DATABASES (6)

6.1 <u>OECD</u>

OECD Regulatory Impact Analysis (RIA) Inventory – OECD, Note by the Secretariat –
15 April 2004. This paper contains the findings of a survey of RIA systems in OECD
countries, and offers an explanatory note to that survey. It compares key elements of
RIA systems in the OECD countries surveyed, concluding that even if most OECD
countries claim to use RIA, the quality of RIA systems is still far below expectations.

6.2 New Zealand

2. http://www.med.govt.nz/templates/StandardSummary____16471.aspx

6.3 European countries and EU

- 3. European Commission's IAs 2003-present
- 4. DIADEM www.enbr.org/diadem

6.4 United States

5. Reg-markets RIA Database http://www.reg-markets.org/publications/index.php?tab=topics&topicid=56

6.5 Australia - Victoria

6. Regulatory Impact Statements 2004 - Present. Complete list of RISs since 2004

7 RIA: BRG WORLDWIDE DATABASE

(TBA)

8 RIA: SELECTED PAPERS (122)

1. What does Regulatory Impact Assessment mean in Europe? – Claudio M. Radaelli; January 2005 – JOINT CENTER – AEI – Brrokings Joint Center for Regulatory Studies This paper explains how the concept of Regulatory Impact Assessment

- has spread across Europe. It shows that even if countries have accepted the idea, the content of RIA is notably varied between national contexts.
- 2. The Limits of Regulatory Reform in the EU Frank Vibert, Institute of Economic Affairs 2006; Published by Blackwell Publishing, Oxford This paper argues that even if Regulatory Impact Assessment is a good tool for holding the regulators accountable, it is still too easy to use the RIAs to justify preconceived opinions. To achieve deregulation in the EU it is necessary to have a commitment to liberal markets and the concept of regulatory competition.
- 3. The Role of Regulatory Impact Assessment in Democratisation: Selected Cases from the transition States of Central and Eastern Europe *Dr Colin Jacobs, Centre on Regulation and Competition Working Paper Series, March 2005. This paper argues that as well as saving resources, regulatory impact assessment strengthens the credibility and transparency of democratically elected governments. This argument is bolstered by case studies from the Baltic States, Poland and Bulgaria.*
- 4. Better Regulation and the Lisbon Agenda C. M. Radaelli, Paper delivered to European Evaluation Society Conference "Evaluation in society: Critical Connections" October 2006. This paper assesses the congruence between the initiatives for regulatory reform known as 'better regulation' and the re-formulated 'growth and jobs' Lisbon agenda of the European Union. The author that a strong fit between better regulation and Lisbon may come at the cost of narrowing the range of interested parties involved in better regulation, with potential problems for credibility and regulatory legitimacy down the road.
- 5. Data Collection for Cost Estimation in Regulatory Impact Analysis Peter Van Humbeeck; Center For Applied Studies in Law and Economics, Ghent University; Working Paper May 2006. Data collection is considered to be the most difficult and problematic part of the Regulatory Impact Analysis process. The purpose of this working paper is to explore the data that is necessary in performing a good RIA (demand side) as well as the range of techniques and data sources that are being used in RIAs (supply side).
- 6. Regulatory Impact Assessment, Political Control and the Regulatory State Claudio M. Radaelli and Fabrizio De Francesco; Paper delivered to the 4th General Conference of the European Consortium for Political Research, Pisa, Italy 6-8 September, 2007. This paper argues that RIA provides an excellent test for theories of political control of the bureaucracy and a litmus test for current academic debates on the nature of the regulatory state.
- 7. What Connects Regulatory Governance to Poverty? Martin Minogue, Centre on Regulation and Competition Working Paper Series June 2005. The paper describes the different interpretations of poverty and the interpretation of regulatory governance and examines the possible linkages between regulatory governance and poverty reduction. Relative poverty meaning falling behind most others in the community is often even more strengthened by restrictively market-oriented policy formulation that does not take into account the cultural context and the specific understanding and knowledge regarding the inputs and choices of affected parties.
- 8. Jacobs, Scott (2006), Current Trends in Regulatory Impact Analysis: The Challenges of Mainstreaming RIA into Policy-making, Jacobs and Associates Inc.
- 9. FIAS (2007): Regulatory Reform: Case Studies and Synthesis Report (forthcoming)
- 10. Ladegaard, Peter, Simeon Djankov and Caralee McLiesh (2007): "Review of the Dutch Administrative Burden Reduction Programme." World Bank, Investment Climate Department, Washington, D.C. (www.doingbusiness.org)

- 11. Radaelli, Claudio (2007): "Desperately Seeking Regulatory Impact Assessments:
 Diary of a Reflective Researcher" Paper delivered to the ENBR (European Network
 for Better Regulation) workshop on "Policy Processes", Lisbon, 5 July 2007.
- 12. World Bank (2004): "World Development Report 2005: A Better Investment Climate for Everyone." World Bank, Investment Climate Department, Washington, D.C.
- 13. Renda, A. (2006), Impact Assessment in the EU: the State of the Art and the Art of the State, CEPS Paperbooks (see pdf).
- 14. Ackerman, F. and L. Heinzerling, Priceless: On Knowing the Price of Everything and the Value of Nothing, The New Press, 2004.
- 15. Ackerman, F., L. Heinzerling and R. Massey, Applying Cost-Benefit to Past Decisions: Was environmental protection ever a good idea?, Georgetown Public Law Research Paper No. 576161, August 2004.
- 16. Adler, M.D. and E.A. Posner, Cost-Benefit Analysis: Legal, Economic, and Philosophical Perspectives, Chicago, IL: University of Chicago Press, 2001.
- 17. Arculus, D., Speech to the staff of the Financial Services Authority, 29 June 2005 (available at http://www.fsa.gov.uk/Pages/Library/Communication/Speeches/2005/0705_sda.shtml).
- 18. Arrow, K., et al., Benefit-Cost Analysis in Environmental, Health, and Safety Regulation: A Statement of Principles, American Enterprise Institute and Brookings Institute, Washington, D.C., 1996 (available at http://aeibrookings.org/publications/books/benefit_cost_analysis.pdf).
- 19. Baldwin, R. and C. McCrudden, Regulation and Public Law, London: Weidenfeld and Nicolson, 1987.
- 20. Boardman, A.E., Cost-benefit Analysis: Concepts and Practice, Upper Saddle River, NJ: Prentice Hall, 1997.
- 21. Boden R., J. Froud, A. Ogus and P. Stubbs, Controlling the Regulators, London: MacMillan Press, 1998.
- 22. Bosanquet, N., "Sir Keith's Reading List", Political Quarterly, 52(3): 324-341, 1983.
- 23. Breyer, S., "Regulation and Deregulation in the United States", in G. Majone (ed.), Deregulation or Re-regulation? Regulatory Reform in Europe and the United States, London: Pinter Publishers, 1990.
- 24. COSAC (Conference of Community and European Affairs Committees of Parliaments of the European Union), Report on developments in European Union procedures and practices relevant to parliamentary scrutiny, 2004.
- 25. Craswell, R., "Passing On the Costs of Legal Rules: Efficiency and Distribution in Buyer-Seller Relationships", Stanford Law Review, 1991, Vol. 43, p. 361.
- 26. Donev, G., "Methodology for Regulatory Impact Assessment Related to Occupational Safety and Health", paper presented at the International Seminar on Implementation of Regulatory Impact Assessment: Best Practices in Europe, 8-11 June, AUBG, Blagoevgrad, Bulgaria, 2004.
- 27. Driesen, D., Is Cost-Benefit Analysis Neutral?, 2 February 2005 (available at http://ssrn.com/abstract=663602).
- 28. Everson, M., G. Majone, L. Metcalfe and A. Schout, The Role of Specialised Agencies in Decentralising EU Governance, Report to the Commission, 1999 (available at

- http://europa.eu.int/comm/governance/areas/group6/index en.htm).
- 29. Friedman, B.D., Regulation in the Reagan-Bush Era: The Eruption of Presidential Influence. Pittsburgh, PA: Pittsburgh University Press, 1995.
- 30. Frontier Economics, Bulletin, Wrong Numbers Difficulties in Estimating the Welfare Gains from Regulation, June 2005.
- 31. Gaebler, T., J. Blackman, L. Blessing, R. Bruce, W. Keene and P. Smith, Positive Outcomes: Raising the Bar on Government Reinvention, Chatelaine Press, 1999.
- 32. GAO (General Accounting Office), OMB's Role in the Reviews of Agencies' Draft Rules and the Transparency of these Reviews, US Government, Washington, D.C., 2003.
- 33. Gattuso, J.L., "What is the Bush Administration's Record on Regulatory Reform?", testimony before the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs Committee on Government Reform, US House of Representatives, 17 November 2004 (available at http://www.heritage.org/Research/Regulation/tst111604a.cfm visited 1 August 2005).
- 34. Gore, Al, From Red Tape to Results: Creating a Government that Works Better and Costs Less, Report of the National Performance Review, 1993.
- 35. Hagerup, B., "Business Impact Assessment The Danish Model", paper presented at the Seminar on Regulatory Transparency: The Use of Public Consultation to Improve the Investment Climate, Thessaloniki, Greece, 22-23 November 2002 (available at http://www.oecd.org/dataoecd/58/39/2410437.pdf).
- 36. Hahn, R.W., Regulatory Reform: Assessing the Government's Numbers, AEI-Brookings Center for Regulatory Studies, Working Paper No. 99-06, American Enterprise Institute and Brookings Institute, Washington, D.C., 1999.
- 37. -----, In Defense of the Economic Analysis of Regulation, American Enterprise Institute, Washington, D.C., 2005.
- 38. Hahn, R.W. and R. Litan, An Analysis of the Third Government Report on the Benefits and Costs of Federal Regulation, AEI-Brookings Joint Center for Regulatory Studies, American Enterprise Institute and Brookings Institute, Washington, D.C., 2000.
- 39. Hahn, R.W., J. Burnett, Chan Yee-Ho, E. Mader and P. Moyle, "Assessing Regulatory Impact Analysis: the Failure of Agencies to Comply with Executive Order 12866", Harvard Journal of Law and Policy, 2000, Vol. 23, No. 3.
- 40. Hahn, R.W. and Cass R. Sunstein, Regulatory Oversight Takes Exciting New Tack, AEI-Brookings Joint Center Policy Matters 01-25, American Enterprise Institute and Brookings Institute, Washington, D.C., 2001.
- 41. Hahn, R. and C. Sunstein, "New Executive Order For Improving Federal Regulation? Deeper And Wider Cost-Benefit Analysis", University of Pennsylvania Law Review, 2002, Vol. 150, No. 1489.
- 42. Hahn, R.W. and M.B. Muething, "The Grand Experiment in Regulatory Reporting", Administrative Law Review, 2003, Vol. 55, No. 3, pp. 607-642.
- 43. Hahn, R. and P. Dudley, How well Does the Government Do Cost-Benefit Analysis?, AEI-Brookings Joint Center for Regulatory Studies, Working Paper 04-01,

- American Enterprise Institute and Brookings Institute, Washington, D.C., 2004.
- 44. Hahn, R.W. and R.E. Litan, "Counting Regulatory Benefits and Costs: Lessons for the U.S. and Europe", Journal of International Economic Law, 2005, Vol. 8, No. 2, pp. 473-508.
- 45. Hampton, P., Reducing Administrative Burdens: Effective Inspection and Enforcement, 2004 (available at http://www.hm-treasury.gov.uk/media/935/64/Hampton_Interim_Report_709.pdf).
- 46. Harrington, W., "RIA Assessment Methods", paper prepared for the OECD project on ex post evaluation of regulatory tools and institutions, OECD, Paris, 2004.
- 47. Harrington, W. and R.D. Morgenstern, "Evaluating Regulatory Impact Analyses", paper prepared for the OECD project on ex post evaluation of regulatory tools and institutions, OECD, Paris, 2003.
- 48. Hicks, J.R., "The Foundations of Welfare Economics", 49 Economic Journal, 1939, pp. 696-712.
- 49. Kaldor, N., "Welfare Propositions of Economics and Inter-personal Comparisons of Utility", 49 Economic Journal, 1939, pp. 549-52.
- 50. Kamensky, J., "The US Reform Experience: The National Performance Review", paper presented at the Conference on Civil Service Systems in Comparative Perspectives, Indiana University, Bloomington, IN, 6 April 1997 (available from the US Government archive at http://govinfo.library.unt.edu/npr/library/papers/bkgrd/kamensky.html).
- 51. Kleinertova, J., "Specifics and Problems of RIA in Transition Economics and How to Overcome Them", paper presented at the International Seminar on "Implementation of Regulatory Impact Assessment. Best Practices in Europe", 8-11 June, AUBG, Blagoevgrad, Bulgaria, 2004.
- 52. Konvitz, J., "The Institutional Context for Better Regulation", paper presented at the Conference on Simple is Better: Effective Regulation for a More Competitive Europe, Amsterdam, 7-8 October 2004.
- 53. KPMG, The CEO's Guide to International Business Costs, 2004.
- 54. Laffont, J.J. and D. Martimort, The Theory of Incentives: The Principal-Agent Model, Princeton, NJ: Princeton University Press, 2002.
- 55. Lane, J.E., New Public Management, London: Routledge, 2000.
- 56. Lazer, D., Regulatory Review: Presidential Control through Selective Communication and Institutionalized Conflict, 1998 (available at http://www.ksg.harvard.edu/prg/lazer/control.pdf).
- 57. Lee, N. and C. Kirkpatrick, A Pilot Study of the Quality of European Commission Extended Impact Assessments, IARC Working Paper Series No. 8, 2004 (available at http://idpm.man.ac.uk/iarc/Reports/IARCWP8.DOC.pdf).
- 58. Lussis, B., EU Extended Impact Assessment Review, Institut pour un Développement Durable Working Paper, 9 December 2004 (available at http://users.skynet.be/idd/documents/EIDDD/WP01.pdf).
- 59. Lutter, R., Economic Analysis of Regulation in the U.S.: What Lessons for the European Commission?, AEI-Brookings Joint Center for Regulatory Studies, American Enterprise Institute and Brookings Institute, Washington, D.C., 2001.

- 60. McGarity, T.O., "Regulatory Analysis and Regulatory Reform", Texas Law Review, 1987, Vol. 65, No. 1243.
- 61. Moe, T., "Regulatory performance and presidential administration", American Journal of Political Science, 26(2): 197-224, 1982.
- 62. ----, "Control and feedback in economic regulation: The case of the NLRB", American Political Science Review, 79: 1094-1016, 1985.
- 63. ----, "The new economics of organization", American Journal of Political Science, 79: 1094-1117, year?.
- 64. Morgenstern, R.D., Economic Analyses at EPA: Assessing Regulatory Impact, Resources for the Future, Washington, D.C., 1997.
- 65. Morrall III, J., "An Assessment of the U.S. Regulatory Impact Assessment Program", in Best Practices in the Main OECD Countries, OECD, Paris, 1997.
- 66. —————, "Ebbs and Flows in the Quality of Regulatory Analysis", speech at the Weidenbaum Center Forum on Executive regulatory analysis: Surveying the record, making it work, National Press Club, Washington, D.C., 17 December 2001 (available at http://wc.wustl.edu/ ExecutiveRegulatoryReviewTranscripts/Morrall.pdf).
- 67. Morrison, A., "OMB Interference with Agency Rulemaking: The Wrong Way to Write a Regulation", Harvard Law Review, 1986, Vol. 99, No. 1059, p. 1062.
- 68. Munger, M., Analyzing Policy; Choices, Conflicts and Practices, place, W.W. Norton & Co., 2000.
- 69. Munnich, N., The Regulatory Burdens and Administrative Compliance Costs for Companies, survey by the Confederation of Swedish Enterprise, Brussels Office, 2004.
- 70. Niskanen, W.A., Bureaucracy and Representative Government, Chicago, IL: Aldine, 2001.
- 71. ----, "The Weak Fourth Leg of Reaganomics", Wall Street Journal, 30 June 1988.
- 72. OECD, Regulatory Impact Analysis: Best Practice in OECD Countries, Paris, 1997.
- 73. ----, Regulatory Reform in the United States: Government Capacity to Ensure High-Quality Regulation, OECD, Paris, 1999.
- 74. -----, The OECD Review of Regulatory Reform in the United States, Paris, 1999.
- 75. ----, From Red Tape to Smart Tape. Administrative Simplification in OECD Countries, Paris, 2003.
- 76. ————, "Regulatory Impact Analysis (RIA) Inventory", note by the Secretariat, 29th Session of the OECD Public Governance Committee, International Energy Agency, Paris, 2004.
- 77. -----, Regulatory Performance: Ex-Post Evaluation of Regulatory Tools and Institutions, OECD, Paris, 2004.
- 78. ----, Economic Survey of the United Kingdom, Paris, 2004.
- 79. ----, Modernising Government: The Way Forward, Paris, 2005.

- 80. —————, "Designing Independent and Accountable Regulatory Authorities for High-Quality Regulation", proceedings of the OECD Working Party on Regulatory Management and Reform, London, 10-11 January 2005 (available at http://www.oecd.org/dataoecd/15/28/35028836.pdf).
- 81. Opoku, C. and A. Jordan, "Impact Assessment in the EU: A Global Sustainable
 Development Perspective", paper presented at the Berlin Conference on the Human
 Dimension of Global Environmental Change, 3-4 December 2004 (available at
 http://www.fu-berlin.de/
 ffu/akumwelt/bc2004/download/opoku_jordan_f.pdf visited 3 August 2005).
- 82. Osborne, D. and T. Gaebler, Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector, Addison-Wesley Publ. Co., 1992.
- 83. Parisi, F. and J. Klick, "Functional Law and Economics: The Search for Value-Neutral Principles of Lawmaking", 79 Chicago-Kent Law Review, 2004, pp. 431-450.
- 84. Parker, R., "Grading the Government", University of Chicago Law Review, 70: 1346, 2003.
- 85. Pelkmans, J., S. Labory and G. Majone, "Better EU Regulatory Quality: Assessing Current Initiatives and New Proposals", in G. Galli and J. Pelkmans (eds), Regulatory Reform and Competitiveness in Europe, Cheltenham: Edward Elgar, Vol. 1, 2000.
- 86. Pierce, M., Computer-based models in integrated environmental assessment, EEA Technical Report No. 14, European Energy Agency, where?, 1999.
- 87. Pildes, R.H. and C.R. Sunstein, "Reinventing the Regulatory State", University of Chicago Law Review, 1995, Vol. 62, No. 1.
- 88. Pollitt, C. and G. Bouckaert, Public Management Reform. A Comparative Analysis, Oxford: Oxford University Press, 2000.
- 89. Posner, E.A., "Controlling Agencies with Cost-benefit Analysis. A Positive Political Theory Perspective", University of Chicago Law Review, Vol. 68, 2001.
- 90. ————, "Controlling Agencies with Cost-Benefit Analysis: A Positive Political Theory Perspective", University of Chicago Law Review, 2001, Vol. 68, No. 1137.
- 91. Radaelli, C., "The Diffusion of Regulatory Impact Analysis in OECD Countries: Best Practices or Lesson-drawing?", European Journal of Political Research, 43(5): 723-747, 2004.
- 92. ----, "How Context Matters: Regulatory Quality in the European Union", paper prepared for the Special Issue of the Journal of European Public Policy on Policy Convergence, 2004.
- 93. ----, What Does Regulatory Impact Assessment Mean in Europe?, AEI-Brookings Joint Center for Regulatory Studies, Working Paper No. 05-02, American Enterprise Institute and Brookings Institute, Washington, D.C., January 2005.
- 94. Radaeli, C., A. Meuwese and V. Troeger (2008), <u>The implementation of regulatory impact assessment in Europe</u>, ENBR Workshop on Regulatory Quality.
- 95. Rajdlova, J., "Impact Assessment in a Country of Reforms Slovak Experience", paper presented at the International Seminar on Implementation of Regulatory Impact Assessment: Best Practices in Europe, 8-11 June, AUBG, Blagoevgrad, Bulgaria,

2004.

- 96. Rodriguez, L., "Constitutional and Statutory Limits for Cost-Benefit Analysis Pursuant to Executive Orders 12291 and 12498", Environmental Affairs Law Review, 1988, Vol. 15, No. 505, p. 512.
- 97. Staronova, K., "Analysis of the Policy-making Process in Slovakia", 2003 (available at http://www.policy.hu/staronova/FinalResearch.pdf).
- 98. Sunstein, C.R., The Cost-Benefit State, University of Chicago Law School, John M. Olin Law & Economics, Working Paper No. 39, May 1996.
- 99. Sunstein, C., Risk and Reason. Safety, Law and the Environment, Cambridge: Cambridge University Press, 2002.
- 100. Toth, F.L., Participatory integrated assessment methods An assessment of their usefulness to the European Environmental Agency, EEA Technical Report No. 64, European Environment Agency, where?, 2001.
- 101. Van Den Bergh, R., "Towards Efficient Self-Regulation in Markets for Professional Services", 2005 (available at http://www.hertig.ethz.ch/ LE_2005_files/Papers).
- 102. Vander Beken, T., "Legislative crime proofing Detection and evaluation of loopholes that offer opportunities for organised crime", presentation at the first European Congress on developing public/private partnerships to reduce the harm of organised crime, Dublin, 21 November 2003 (available at http://www.ircp.be/uploaded/dublin-21-11-2003.ppt).
- 103. Vibert, F., The EU's New System of Regulatory Impact Assessment A Scorecard, European Policy Forum, London, 2004.
- 104. Weidenbaum, M., Regulatory Process Reform from Ford to Clinton, CATO Institute, 2000 (available at www.cato.org/pubs/regulation/reg2on1a.html).
- 105. West, W.F., "The Institutionalization of Regulatory Review. Organizational Stability and Responsive Competence at OIRA", Presidential Studies Quarterly, No. 1, Center for the Study of the Presidency, 2005.
- 106. Woodward, B. and D.S. Broder, "Quayle's Quest: Curb Rules, Leave 'No Fingerprints", Washington Post, 9 January 1992.
- 107. World Bank, Doing Business in 2005: Understanding Regulation, Washington, D.C., September 2004.
- 108. Zerbe, R.O. Jr., Y. Bauman and A. Finkle, An Aggregate Measure for Benefit-Cost Analysis, AEI-Brookings Centre Working Paper 05-13, American Enterprise Institute and Brookings Institute, Washington, D.C., August 2005.
- 109. Zerbe, R.O. Jr., "Is Cost-Benefit Analysis Legal? Three Rules", Journal of Policy Analysis and Management, 1998, Vol. 17, pp. 419-456.
- 110. Jacob, K., Hertin, J. et al: Improving the Practice of Impact Assessment (2008) (pdf) This paper summarises the main results of the EVIA study which has analysed Impact Assessment procedures and practices in the European Union and all Member States. It is based on 27 country studies, a detailed analysis of 22 concrete

- policy proposals in five countries and a survey amongst government officials and stakeholders in three countries and the EU.
- 111. Wilkinson, D., M. Fergusson, et al. (2004). Sustainable development in the European Commission's integrated Impact Assessments for 2003. London. (pdf, 180 kb). This report reviews whether and how sustainable development considerations have been addressed in the extended impact assessments of European Commission proposals produced in 2003, the first year of operation of the Commission's new impact assessment system.
- 112. German Federal Ministry for the Environment (2004). Workshop on "The Environmental Dimension of Impact Assessment. Berlin 17-18 June 2004. Summary of the Chairs, presented on the Council (Environment) meeting on Oct 14, 2004 by the German delegation. (pdf, 160 kb). The paper summarises main issues and suggestions for further development of IA procedures in regards of procedural and substantial standards, to ensure a balanced consideration of environmental concern at each stage of Impact Assessment.
- 113. Pope, Jenny, David Annandale and Angus Morrison-Saunders (2004) Conceptualising sustainability assessment (pdf, 290 kb). This article seeks to provide some clarification by reflecting on the different approaches described in the literature as being forms of sustainability assessment, and evaluating them in terms of their potential contributions to sustainability. Many of these are actually examples of 'integrated assessment', derived from environmental impact assessment (EIA) and strategic environmental assessment (SEA), but which have been extended to incorporate social and economic considerations as well as environmental ones, reflecting a 'triple bottom line' (TBL) approach to sustainability. The article presents an alternative conception of sustainability assessment, with the aim of seeking to determine whether or not an initiative is actually sustainable.
- 114. Söderbaum, Peter (2002) Decision Processes and Decision-making in relation to Sustainable Development and Democracy (pdf, 63 kb) Mälardalen University, Sweden A number of approaches to decision processes and decision-making have been proposed. These include Cost-Benefit Analysis, Multi-Criteria Approaches, Environmental Impact Assessment, and Positional Analysis (as a form of Systems Approach). While these all claim to be useful in illuminating or solving specific problems related to environment and development, the meta-level question remains how do we choose among approaches to decision-making? Is there a meta-approach to the choice among approaches? While not claiming to give the final answer, the paper tries at least to illuminate this question. Each approach is related to criteria such as theory of science, paradigm, ideology, ways of dealing with sustainable development and democracy. This information is summarized in a profile for each method. The profiles are then used to discuss the pros and cons of different methods. It is concluded that CBA does not very well match the criteria suggested while the three other methods, each have something to offer.
- 115. From Precautionary Principle to (Regulatory) Impact Analysis (pdf, 355 kb) by Ragnar E. Löfstedt (2004), King's Centre for Risk Management, International Policy Institute, King's College London. Regulation in Europe is currently driven by competitiveness, sustainable development and governance. To ensure better regulation, two regulatory philosophies have been put forward, namely the precautionary principle and impact assessment. The paper describes the current drivers of better regulation and examines the use of the two regulatory philosophies in helping to achieve better regulation. It is questioned if elements of the Commission and the EU member states are going to operate in an even more precautionary environment in the future, or will if the implementation of the precautionary principle be seen as too costly, forcing regulators to resort to an even greater use of impact analysis.

- 116. Claudio M. Radaelli (2004) Getting to Grips with Quality in the Diffusion of Regulatory Impact Assessment in Europe (pdf, 437 kb). 'Quality' features in all initiatives for better regulation launched by the OECD and the European Union. Yet policy-makers who have tried to import regulatory impact assessment (RIA) from its original Anglo-Saxon context to other European contexts have found it difficult to scratch below the surface of new public management rhetoric and implement successful RIA programmes. One reason for that is that the notions of quality that circulate in the current debate are insensitive to context. This article shows that quality is intrinsically linked to context, and why assessing context will improve the chances of getting significant results in RIA.
- 117. Winston Harrington and Richard D. Morgenstern (2004) Evaluating Regulatory Impact Analyses (pdf, 326 kb). Federal agencies in the United States are required to prepare regulatory impact analyses (RIAs) for every major regulatory action they undertake. Increasingly, other OECD countries are imposing similar requirements. However, there has been little examination of the quality of these documents or of the uses to which they have been put in the regulatory process or elsewhere. In this paper previous efforts to evaluate RIAs are surveyed.
- 118.European Policy Centre (2001). Regulatory impact analysis: Improving the quality of EU regulatory activity. Occasional Paper. Brussels. (pdf, 100 kb) This report identifies emerging trends and best practices in RIA systems in leading industrialised countries. It then compares and contrasts the status of RIA at the EU level with those best practices. The paper finally makes recommendations for a new improved RIA system in the European Union.
- 119. Soederbaum, P. (2004). "Decision processes and decision-making in relation to sustainable development and democracy where do we stand?" Journal-of-interdisciplinary-economics 15(1): 41-60.
- 120. Jacob, Klaus et al. (2004). Ex-ante sustainability appraisal of national-level policies: A comparative study of assessment practice in seven countries. Conference Paper. Berlin. (pdf, 180 kb). This paper reviews the procedures for sustainability appraisal of generic policies through seven qualitative case studies: the United States, the European Union, Britain, Canada, Australia, Italy, and the Netherlands.
- 121.Colin Kirkpatrick, David Parker, and Yin-Fang Zhang, (2004): Regulatory Impact Assessment in Developing and Transition Economies: A Survey of Current Practice Centre on Regulation and Competition Working Paper Series 83. Colin Kirkpatrick and David Parker (2004): Regulatory Impact Assessment: Developing its Potential for Use in Developing CountriesCentre on Regulation and Competition Working Paper Series 56.
- 122. Colin Kirkpatrick and David Parker (2004): Regulatory Impact Assessment and Regulatory Governance in Developing Countries(pdf, 103 kb) Copyright # 2004 John Wiley & Sons, Ltd. The purpose of this article is to assess the contribution that RIA can make to 'better regulation' in developing countries. Results from a survey of a small number of middle-income countries suggest that a number of developing countries apply some form of regulatory assessment, but that the methods adopted are partial in their application and are certainly not systematically applied across government. The article discusses the capacity building requirements for the adoption of RIA in developing countries, in terms of regulatory assessment skills, including data collection methods and public consultation practices. The article also proposes a framework for RIA that can be applied in low and middle-income countries to improve regulatory decision-making and outcomes.
- 123. Radaelli, C.M (2004): How Context Matters: Regulatory Quality in the European

- *Union.* Available from www.psa.ac.uk/cps/2004/Radaelli.pdf.
- 124. Allio, L. 2007. "Better regulation and impact assessment in the European Commission." In Regulatory Impact Assessment: Towards Better Regulation?, ed. C. Kirkpatrick and D. Parker. Cheltenham: Edward Elgar.
- 125.Bagley, Nicholas, and Richard L. Revesz. 2006. "Centralized Oversight of the Regulatory State." AEI-Brookings Joint Center for Regulatory Studies.
- 126. Baldwin, Robert. 2005. "Is better regulation smarter regulation?" Public Law (Autumn):485-511.
- 127.Black, Julia. 2007. "Tension in the regulatory state (United Kingdom)." Public Law (Spring 2007):58-73.
- 128. Buchanan, M., and G. Tullock. 1975. "Polluters' profit and political response: direct controls versus taxes." American Economic Review 65 (1):139-47.
- 129. Coglianese, C. 2002. "Empirical analysis and administrative law." University of Illinois Law Review 2002 (4):1111-37.
- 130. Croley, S. P. 1998. "Theories of regulation: Incorporating the administrative process." Columbia Law Review 98 (1):1.
- 131.DBR EU Directors of Better Regulation. 2004. "Regulatory Impact Assessmets in Europe."
- 132. De Francesco, F. 2006. "Towards an 'impact assessment state' in Europe?" In 56th Political Studies Association Annual Conference. University of Reading.
- 133. Froud, J., R. Boden, A. Ogus, and P. Stubbs. 1998. Controlling the Regulators. London: Macmillan.
- 134. Gilardi, Fabrizio. 2008. Delegation in the Regulatory State: Independent Regulatory Agencies in Western Europe. Cheltenham: Edward Elgar.
- 135.Hahn, R. W. 2006. "What do we know about regulatory oversight?" Washington DC: AEIBrookings Joint Center for Regulatory Studies.
- 136. Hahn, R. W., and R.E. Litan. 2004. "Counting regulatory benefits and costs: Lessons for the US and Europe." Journal of International Economic Law 8 (2):473-508.
- 137.Hahn, Robert W., Rohit Malik, and Patrick M. Dudley. 2004. Reviewing the Government's Number on Regulation [PDF file]. AEI-Brookings Joint Center on Regulatory Studies 2004 [cited 12 February 2004]. Available from http://www.aeibrookings.org/publications/index.php?menuid=3.
- 138. Harrington, Winston, and Richard D. Morgestern. 2003. "Evaluating Regulatory Impact Analysis." In Working Party on Regulatory Management and Reform Regulatory Performance: Ex Post Evaluation of Regulatory Policies. Paris.
- 139. Horn, M.J., and K.A. Shepsle. 1989. "Administrative process and organizational form as legislative responses to agency costs." Virginia Law Review 75:499-509.
- 140. Jacob, K., J. Hertin, P. Hjerp, C.M. Radaelli, and Et.al. 2008. "Improving the practice of impact assessment." In EVIA Evaluating Impact Assessment (A framework six project, no. 028889). Berlin, EVIA consortium.
- 141.Jacobs, Scott. 2006. "Current trends in regulatory impact analysis: the challenges of

- mainstreaming RIA into policy-making." Washington DC: Jacobs and Associates.
- 142. Johnston, Jason Scott. 2002. "A game theoretic analysis of alternative institutions for regulatory cost-benefit analysis." University of Pennsylvania Law Review 150 (5):1343-428.
- 143. Kaufmann, Daniel, Aart Kraay, and Massimo Mastruzzi. 2004. Governance Matters III: Governance Indicators for 1996-2002 [Pdf file]. www.worldbank.org/wbi/governance/govdata2002/.
- 144. Lofstedt, Ragnar. 2006. "The Plateau-ing of the European Better Regulation Agenda: An Analysis of Activities Carried Out by the Barroso Commission." AEI-Brookings Joint Center for Regulatory Studies.
- 145.Macey, J.R. 1992. "Organizational design and political control of administrative agencies." Journal of Law, Economics, and Organization 8 (1):93-110.
- 146. Mandelkern Group on Better Regulation. 2001. "Final Report." Brussels.
- 147.McCubbin, M.D., R.G. Noll, and B.R. Weingast. 1987. "Administrative procedures as instruments of political control." Journal of Law, Economics, and Organization 3 (2):243-77.
- 148. McCubbins, M.D., R.G. Noll, and B.R. Weingast. 1987. "Administrative procedures as instruments of political control." Journal of Law, Economics, and Organization 3 (2):243-77.
- 149. ——. 1989a. "Structure and process, politics and policy: administrative arragements and the political control of agencies." Virginia Law Review.
- 150. McCubbins, Matthew D., Roger G. Noll, and Barry R. Weingast. 1989b.
 "Structure and process, politics and policy: administrative arrangements and the political control of agencies. (Symposium on the Law and Economics of Bargaining)."
 75 (n2):431-82.
- 151.McGarity, T.O. 1991. Reinventing Rationality The Role of Regulatory Analysis in the Federal Bureaucracy. Cambridge: Cambridge University Press.
- 152.Meuwese, Anne. 2008. Impact Assessment in EU Lawmaking. Edited by E. Monograph. The Hague: Kluwer Law International
- 153.Morgan, B. 2003. Social Citizenship in the Shadow of Competition. Aldershot Hants: Ashgate.
- 154.Moynihan, Donald P. 2005. "Why and how do State governments adopt and implement "Managing for Results" reforms." Journal of Public Administration Research and Theory 15 (2):219-43.
- 155.OECD. 2002. Regulatory policies in OECD countries: from interventionism to regulatory governance. Paris: OECD.
- 156.Posner, E.A. 2001. "Controlling agencies with cost-benefit analysis: a positive political theory perspective." University of Chicago Law Review 68:1137.
- 157.Radaelli, C.M., and F. De Francesco. 2007. Regulatory Quality in Europe: Concepts, Measures, and Policy Processes. Manchester: Manchester University Press.
- 158. Radaelli, C.M., and K. O'Connor. 2008. "Does a better regulation community exist in Europe?" Journal of Public Policy (under review).
- 159.Radaelli, Claudio M. 2004. "The diffusion of regulatory impact analysis: Best-practice

- or lesson drawing?" European Journal of Political Research 43 (5):723-47.
- 160. ——. 2005. "Diffusion Without Convergence: How Political Context Shapes The Adoption Of Regulatory Impact Assessment." Journal of European Public Policy 12 (5):924-43.
- 161.——. 2006. Whither better regulation for the Lisbon agenda? Paper read at the ESRCfunded seminar on Governance after Lisbon, 28 April 2006, at University of Edinburgh.
- 162. Renda, Andrea. 2005. Impact Assessment in the EU The State of the Art and the Art of the State. Brussels: Centre for European Policy Studies.
- 163. Sunstein, Cass R. 1996. "The Cost-Benefit State." In Chicago Working Paper in Law & Economics.
- 164. Wiener, Jonathan Bart. 2006. "Better Regulation in Europe." Current Legal Problems 59:447-518.

9 RIA: OTHER RESOURCES (15)

9.1 <u>RESEARCH PROJECTS</u>

- 1. EVIA Evaluating Integrated Impact Assessment
- 2. European Network on Better Regulation
- Sustainability A-Test Advanced Techniques for the Evaluation of Sustainability Assessment Tools
- 4. MATISSE: Methods and Tools for Integrated Sustainability Assessment
- 5. SENSOR:Sustainability Impact Assessment: Tools for Environmental, Social and Economic Effects of Multifunctional Land Use in European Regions EU FP6 Integrated Project
- 6. INSURE Flexible Framework for Indicators for Sustainability in Regions using Systems Dynamics
- 7. SEAMLESS: System for Environmental and Agricultural Modeling; Linking European Science and Society
- 8. KASSA: Knowledge Assessment and Sharing on Sustainable Agriculture
- 9. EASY-ECO 2005-2007 is a training and conference programme on evaluations in the specific context of sustainable development
- 10. NATURNET-REDIME New Education and Decision Support Model for Active Behaviour in Sustainable Development Based on Innovative Web Services and Qualitative Reasoning
- 11. MethodsEx: Methods and data on environmental and health externalities: harmonising and sharing of operational estimates

- 12. Indicators of Regulatory Quality
- $13. \ Sustainability\ Impact\ Assessment\ of\ Strategies\ Integrating\ Transport,\ Technology\ and\ Energy\ Scenarios$

9.2 <u>EU-US documents</u>

- 14. http://ec.europa.eu/enterprise/enterprise_policy/competitiveness/doc/us_com_guid elines_iapaper_eco_reform_paper_n3_020507.pdf
- 15. Joint report on impacts on trade and investment in EU and US impact assessment guidelines