

Belgium

Overview and recent developments

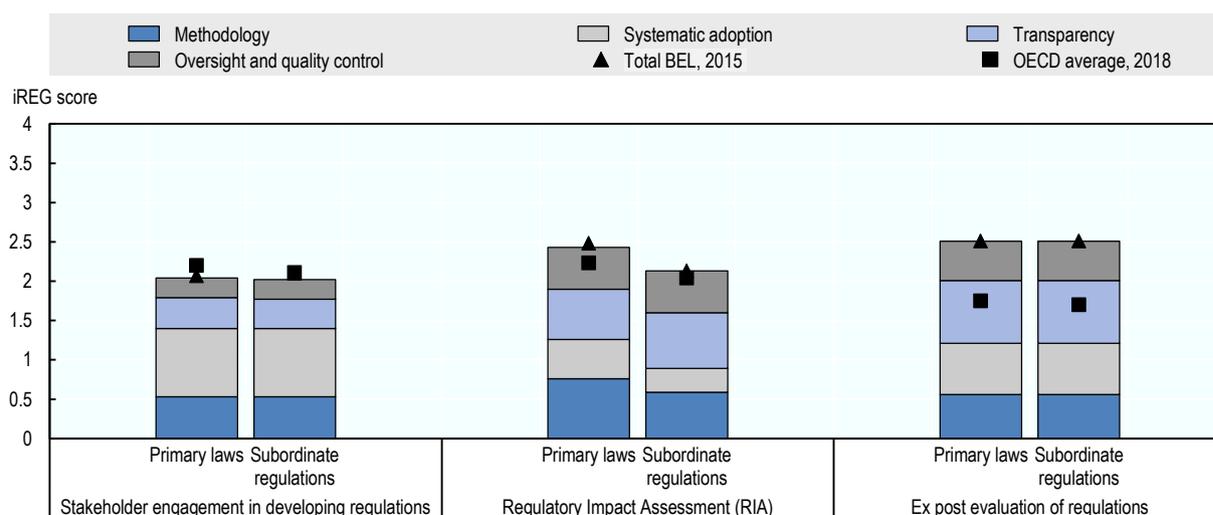
The institutional and policy framework for regulatory quality at the federal level has remained relatively stable since the 2015 Regulatory Policy Outlook. RIA is mandatory for all primary and subordinate legislation submitted to the Cabinet of Ministers at the federal level and is usually shared with social partners as a basis for consultation. Periodic *ex post* review of legislation is mandatory for some legislation and sunset clauses are sometimes used. Within the executive, since 2013 the Agency for Administrative Simplification (ASA) within the Prime Minister's Office, which was responsible for assessing administrative burdens, is also responsible for the whole better regulation policy. The ASA is supported by an Impact Assessment Committee that provides advice on RIA.

Consultation and engagement could be further strengthened. For example, consultation with the general public is not systematic and there is currently no single central government website listing all ongoing consultations. While RIA can be shared with social partners during consultation, it is not released for consultation with the general public. In addition, to further enhance quality checks, the Impact Assessment Committee, which currently reviews RIA only at the request of the proposing ministry, could be also earlier and more systematically involved in the review of RIAs, e.g. by introducing a regulatory agenda listing regulations to be prepared in the following months that identifies which proposals will be reviewed by the Committee. At least high-impact proposals, for instance, could be submitted to the review of the Impact Assessment Committee.

Institutional setup for regulatory oversight

The **Agency for Administrative Simplification (ASA)** within the Prime Minister's Office co-ordinates RIA and steers the implementation of better regulation across the federal government. ASA is supported by an **Impact Assessment Committee (IAC)** that provides advice on RIAs at the request of the responsible ministry and reports annually on the quality of all RIA and the working of the RIA process. The IAC's members are designated by their respective administration and the composition of the board can change without a formal procedure. The **Council of State** also checks the legal quality of draft regulation.

Indicators of Regulatory Policy and Governance (iREG): Belgium, 2018



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 (79% of all primary laws in Belgium).

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

StatLink <https://doi.org/10.1787/888933815433>

Location of regulatory oversight functions: Belgium

Regulatory oversight functions		Centre of government	Ministry of Finance, Economy or Treasury	Ministry of Justice	Other ministries	Non-departmental body	Parliament	Office of the Attorney General	Supreme audit institution	Part of the judiciary
Quality control of...	RIA	●								
	Stakeholder engagement	●								
	Ex post evaluation									
Identifying policy areas where regulation can be made more effective		●					●			
Systematic improvement of regulatory policy		●								
Co-ordination of regulatory policy										
Guidance, advice and support		●								
Scrutiny of legal quality										●

Notes: ● indicates that a given regulatory oversight function is covered by at least one body in a particular location. Data present the situation as of 31 December 2017 and do not reflect changes that may have taken place in 2018.

Source: Survey questions on regulatory oversight bodies, Indicators of Regulatory Policy and Governance Survey 2017, <http://oe.cd/ireg>.