

European Union

Overview and recent developments

The European Commission (EC) is the executive of the European Union (EU). It proposes new initiatives and legislation, which are adopted by the European Parliament and the Council. With its 2015 Better Regulation Package, the EC has introduced significant changes to its Better Regulation policy, further refined in 2017.

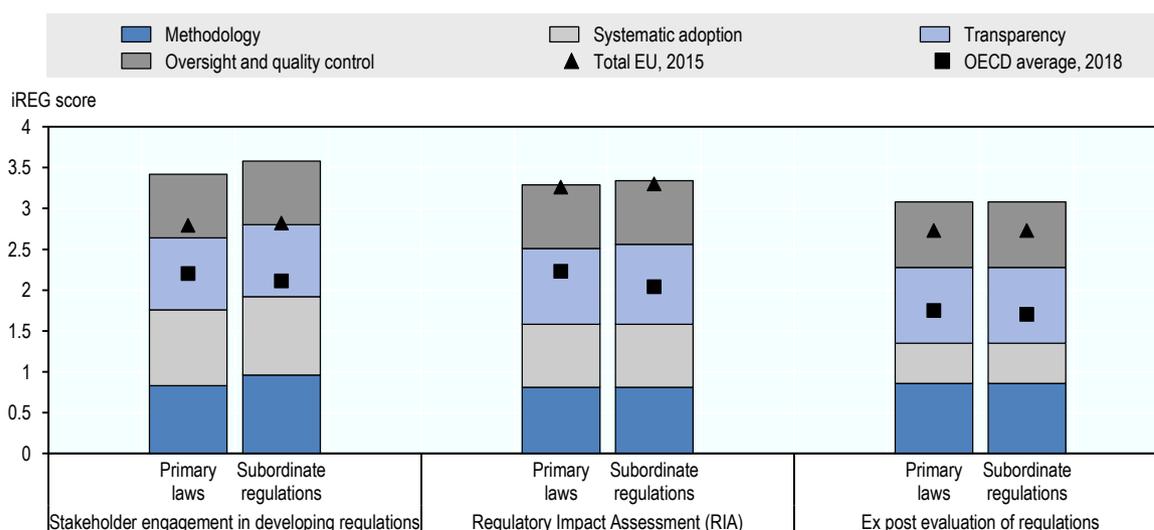
Ex ante impact assessments continue to be carried out for major primary laws and subordinate legislation. Since 2015, Inception Impact Assessments, including an initial assessment of possible impacts and options to be considered, are prepared and consulted on for 4 weeks, before a full RIA is conducted. Following this initial feedback period, the EC conducts public consultations of 12 weeks during the development of initiatives with an impact assessment. Legislative proposals and the accompanying full RIA are then published online for feedback for 8 weeks following approval of the proposal by the College of Commissioners. Draft subordinate legislation is consulted on publicly for 4 weeks. Transparency could be further improved by making RIAs on subordinate legislation available at this stage with the opportunity to comment on the analysis.

The *ex post* evaluation system, combining systematic evaluations of individual regulations with comprehensive “Fitness checks” of policy sectors, has been improved by providing the opportunity to comment on evaluation roadmaps for 4 weeks and on the main elements of all evaluations for 12 weeks. A REFIT Platform brings together representatives of the Commission, Member States and non-government stakeholders, to make suggestions for simplification and review of EU legislation.

Institutional setup for regulatory oversight

The Commission’s **Secretariat General (SG)**, the Centre of Government body in charge of the overall coherence of the Commission’s work, is responsible for overseeing Better Regulation. The SG reviews RIAs, stakeholder engagement processes and *ex post* evaluations, provides capacity support and makes recommendations for improvements of the system. The SG also serves as the secretariat to the **Regulatory Scrutiny Board (RSB)**, which checks the quality of all impact assessments and major evaluations and fitness checks informing EU legislation. The RSB is composed of three Commission officials and three outside experts and chaired by a Commission’s Director General. Outside the Commission, the **European Parliament (EP)’s Directorate for Impact Assessment** also reviews RIAs attached to draft legislation submitted by the Commission and can conduct more in-depth analysis and impact assessments of amendments at the request of EP committees. The **European Court of Auditors**, the EU Supreme Audit Institution, has also conducted performance audits of the regulatory management system.

Indicators of Regulatory Policy and Governance (iREG): European Union, 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. Results presented apply to all legislation (regulations, directives and implementing and delegated acts) initiated by the European Commission, who is the sole initiator of legislation in the EU system.

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

StatLink <https://doi.org/10.1787/888933815642>

Location of regulatory oversight functions: European Union

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>.