France

Overview and recent developments

Since 2013, France has engaged in important simplification efforts. Following waves of simplification measures, the 2017 programme "Action publique 2022" identifies administrative simplification as one of the five priority actions and ministers are tasked to develop simplification plans. France also introduced a "one-in, two-out" regulatory offsetting approach in 2017. When transposing EU legislation, the adoption of requirements going beyond those set by the EU measure is prohibited.
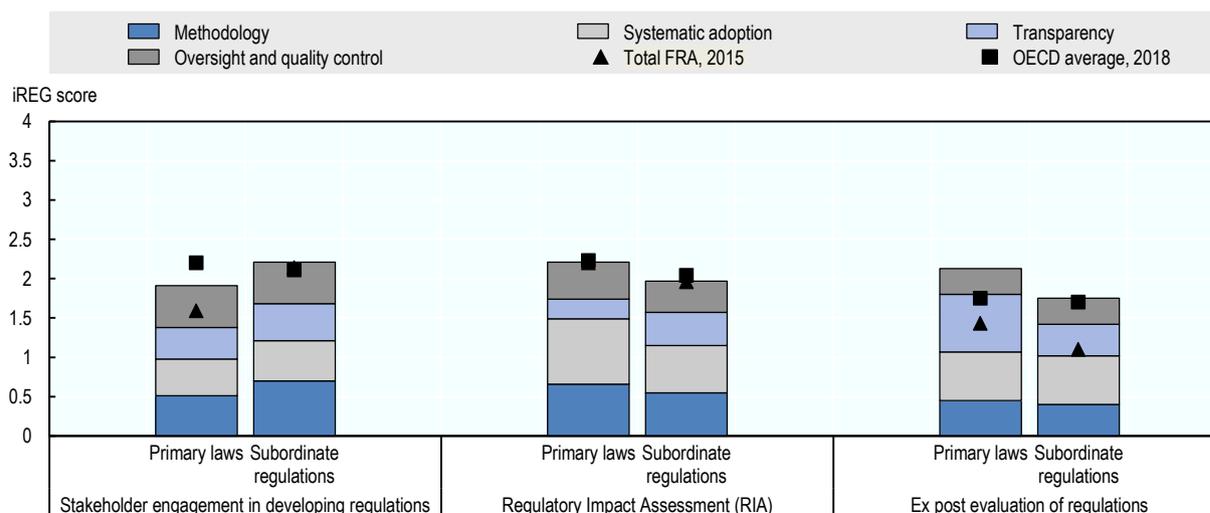
RIAs have to be prepared for all primary laws and major subordinate regulations and are available online. The range of impacts and costs assessed in RIA has been broadened in the past three years. The Sécrétariat Général du Gouvernement (SGG) at the Prime Minister's Office is responsible for reviewing the quality of RIAs and provides advice and expertise on drafting regulation to authorities. For primary laws, it can return RIAs if their quality is considered insufficient. Since mid-2017 the SGG no longer provides a formal opinion on RIAs for subordinate regulations. France's approach to *ex post* evaluation frequently integrates the evaluation of regulations and other policy tools. France Stratégie recently published new guidelines for policy evaluation that establishes standard evaluation techniques.

France does not require stakeholder engagement with the general public for the development of new laws, with the exception of environmental regulation. Informal consultations and consultation through consultative committees are however frequent. France could make public consultations a more cross-sectoral and systematic practice to fully reap the benefits of stakeholder engagement.

Institutional setup for regulatory oversight

The **SGG** ensures compliance with procedures (including with regulatory management tools such as RIA and stakeholder engagement), inter-ministerial coordination, liaison with the Conseil d'État and the Parliament. It provides guidance on how to conduct RIA, and ensures the appropriate publication of the legal text. The **Conseil d'État** also plays a critical role in regulatory policy, both upstream (through its consultative function for the government, including in the area of RIA, and its control of legal quality) and downstream (as the administrative judge of last resort). Contrary to the relative centralisation of the oversight of *ex ante* procedures, the *ex post* evaluation of regulations is fragmented across a range of institutions, including the **Cour des Comptes**, the **Parliament**, the **Conseil national d'évaluation des normes**, the **Direction interministérielle de la transformation publique** (formerly known as the Secrétariat général pour la modernisation de l'action publique) and **France Stratégie**.

Indicators of Regulatory Policy and Governance (iREG): France, 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 (77% of all primary laws in France).
Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, http://oe.cd/ireg.

StatLink ⌗⌗⌗⌗ https://doi.org/10.1787/888933815680

Location of regulatory oversight functions: France

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.