

Portugal

Overview and recent developments

In March 2017 through Resolution No. 44, the Council of Ministers took key steps in installing RIA in Portugal. Under its current implementation, the so-called Legislative Impact Analysis requires policy makers to qualitatively describe benefits and to quantify the impact of new regulations on businesses. It also includes an SME Test and a competition impact assessment. The Technical Unit for Legislative Impact Assessment (UTAIL), was established to provide oversight and support for the new RIA. In 2018, ministries will also be required to assess legislative impacts on citizens and as of 2019 impacts on public administration.

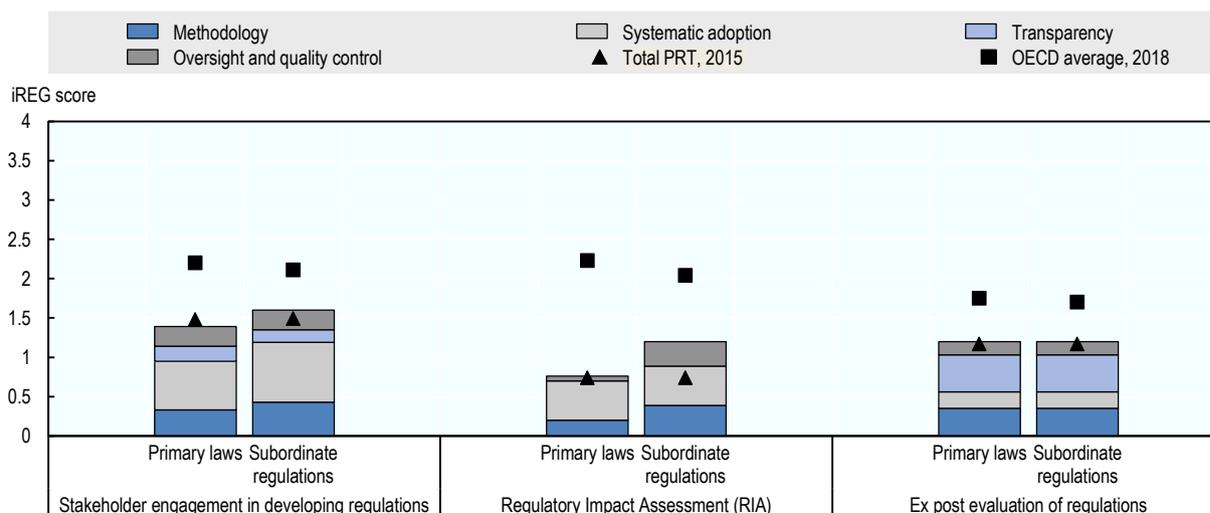
Although the role of RIA has expanded, it is not yet used in consultation with stakeholders. Stakeholders often only have a chance to comment when there is a draft regulation. Portugal could approach stakeholders earlier and before a preferred option is selected. A RIA could also be made available to stakeholders to support discussions.

In 2016, Portugal updated its administrative simplification programme from the Simplex to the Simplex+. The programme centres on the measures that the public service commits to implement within a year to simplify the life of citizens and companies. A team criss-crossed the country over four months to gather feedback, interviewing 2 000 citizens and business and holding special forums within the public sector. A key factor supporting the success of Simplex+ is the thorough follow-up and monitoring. Members of the public can submit suggestions at any time about administrative processes. Portugal could consider introducing “in-depth” reviews in particular sectors or policy areas.

Institutional setup for regulatory oversight

To support the implementation of RIA, the Council of Ministers created the **Technical Unit for Legislative Impact Assessment (UTAIL)** within the Legal Centre of the Presidency of the Council of Ministers (CEJUR). UTAIL acts as a supervising body that supports the implementation of RIA. It develops the impact assessment methodology, gives technical support, provides training to the ministries and other public administrative bodies and produces and reviews reports for each impact assessment analyses. The **Agency for Administrative Modernization (AMA)** is a public institute under indirect government administration. The AMA promotes public administration modernisation, through administrative simplification, namely through the evaluation of administrative burdens of Simplex+ projects; the research and the dissemination of good practices in administrative and regulatory simplification; and contributing to the simplification environment.

Indicators of Regulatory Policy and Governance (iREG): Portugal, 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 (80% of all primary laws in Portugal).

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

StatLink <https://doi.org/10.1787/888933816022>

Location of regulatory oversight functions: Portugal

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>.