



RIA Bulletin December 2008

Regulatory Impact Analysis (RIA) was introduced in June 2005. All Government Departments and Offices must conduct a RIA on all proposals for primary legislation involving changes to the regulatory framework, on significant Statutory Instruments and on proposals for EU Directives and significant EU regulations when they are published by the European Commission. A RIA must also be conducted by all Policy Review Groups where primary legislation or a significant regulatory change is being proposed. This Bulletin seeks to provide officials with information on RIAs carried out across Departments and on broader Better Regulation developments.

RIA Review

In line with the terms of *Towards 2016*, an independent Review of the Operation of RIA was published in July of this year and is available on the Better Regulation website. It indicates that, overall, good progress has been made in relation to the implementation of RIA across Departments, with some 74 produced in the period between June 2005 and February 2008.

The Report also finds that the supports which have been made available to officials conducting RIAs are well regarded. More than 800 officials have been trained in the use of RIA. This training has resulted in a significant increase in analytical skill sets across the Civil Service. These skills help to ensure that all impacts, including unintended ones, are assessed through the RIA process, resulting in better quality legislation.

RIA Review Recommendations

There were 27 recommendations made in the report across a number of different areas. The Government has agreed to implement the recommendations made in the Report.

One of the main recommendations was the removal of the distinction between full and screening RIAs. The need to strengthen high-level support for RIA was also highlighted together with a need for increased focus on Secondary and EU Legislation. A number of changes to the RIA Guidelines were also recommended.

A number of recommendations were also made on supports available to officials carrying out RIA. In this context, it was recommended that additional training be provided on EU aspects of RIA and the retention of the Economic Consultant. Publication and transparency on RIA were also noted as areas for improvement and it was suggested that draft RIAs should be used as the basis for consultation, where possible. The importance of having dedicated RIA pages on websites and links from annual reports to RIAs was also noted.

The management of the RIA process within Departments was another area identified for improvement in terms of encouraging RIA planning and reporting to be a normal part of the management system as well as maximising benefit from trained resources.

In order to manage the use of RIA across Government the report recommended a strengthened role for the RIA Network including more active assessment of RIAs on Secondary and EU legislation, active dissemination and ex-post reviews.

Implementation of Recommendations

The Better Regulation Unit (BRU) of the Department of the Taoiseach, in partnership with the RIA Network, is working on the implementation of the recommendations. In this context, work is currently underway to revise the RIA Guidelines. In line with the recommendations of the review, the revised guidelines will include more detail on how RIA should be integrated into the EU policy-making process and more discussion of methodologies as well as more practical examples. Other changes to the Guidelines will include the addition of advice on the standard approach to calculating administrative burdens in the context of the 25% reduction target set by Government and advice on calculating public service implementation costs. Revised Guidelines and related training are expected to be available early in the New Year.

RIAs due for publication

The BRU are aware of a number of legislative proposals which were accompanied by a RIA with the Memorandum to Government. Some of these RIAs are listed below:

- Environmental Liability Bill 2008
- Housing (Miscellaneous Provisions) Bill 2008
- Criminal Law (Insanity) Act 2006 (Amendment) Bill 2008

The following Regulation was also subject to RIA and is published on www.environ.ie:

- Waste Management (Batteries and Accumulators) Regulations 2008 (S.I. No. 268 of 2008)

Departments are reminded that RIAs must, at a minimum, be published on the relevant Departmental website along with the Bill or Regulation as soon as it is published.

To obtain further information on the preparation of these RIAs, please contact the RIA Network Officer of the relevant Department.

RIA Training and Presentations

The BRU, in conjunction with the Civil Service Training and Development Centre, carry out a two day training course on Regulatory Impact Analysis. This course is aimed at officials who will be involved in conducting RIAs. Following the revision of the guidelines, training courses for 2009 will be scheduled for early in the New Year. Please contact your Departmental Training Officer if you are interested in attending this training course. In the interim, the Better Regulation Unit is available to conduct tailored presentations on RIA to suit the specific needs of each Department and Office. For more information on the types of presentations available, please contact the Better Regulation Unit or log onto their website at www.betterregulation.ie

***To contact the Better Regulation Unit,
please call 01.6194593 or log on to www.betterregulation.ie.***