

## *Annex B*

### **The RIA process**

#### **Step 1 - Summary of RIA**

A summary sheet must be prepared for all RIAs in line with the following template. The sheet is designed to capture key information about the regulatory proposal being brought forward and the options considered. (More detail on this step can be found in Appendix A of the revised RIA Guidelines).

#### **Step 2 - Statement of policy problem and objective**

This part of the RIA consists of a brief description of the policy context and an explicit statement of the objectives that are being pursued. (More detail on this step can be found in Section 2, Page 16, of the revised RIA Guidelines).

#### **Step 3 - Identification and description of options**

This section of the RIA involves identifying and describing the various policy options for achieving the objectives. One of these options should be the “do nothing” or “no policy change” option even where doing nothing is not a viable option in practice, as it can serve as a useful benchmark against which other options can be compared. Officials are also advised to consider alternatives to regulation and alternative models of regulation as potential options. (More detail on this step can be found in Section 3, Page 18, of the revised RIA Guidelines).

#### **Step 4 - Analysis of costs, benefits and other impacts for each option**

Once the options have been outlined, the costs, benefits and impacts of all options should be identified and analysed. The impacts should be monetised or quantified where possible. Significant proposals should be accompanied by a robust and structured multi-criteria analysis and where appropriate, a formal cost-benefit analysis should be used. All impacts should be considered, at a minimum, the impacts of the proposal on national competitiveness, socially excluded and vulnerable groups, environment, whether there is a significant policy change in an economic market, including consumer and competition impacts, rights of citizens, compliance burdens including administrative burdens and, North-South and East-West Relations, should always be considered. The consideration of compliance burdens should include consideration of the impact of compliance on small business in particular including administrative burdens. (More detail on this step can be found in Section 4, Page 21, of the revised RIA Guidelines).

## Step 5 - Consultation

Consultation is an integral part of the RIA process. Consultation with key stakeholders should take place as early as possible in the RIA process so that it can feed into the analysis of costs, benefits and impacts and where possible, a draft RIA should be used as the basis for consultation. A summary of views conveyed through the consultation process should be set out as part of the RIA. In some cases, it may not be practical to deal with every concern, but the RIA should also contain a brief response to key issues expressed. Where the final regulatory proposals do not take on board points/issues raised during the consultation process, this should be explained where possible. (More detail on this step can be found in Section 5, Page 32, and Appendix G of the revised RIA Guidelines).

## Step 6 - Enforcement and Compliance

This section of the RIA should describe the enforcement arrangements for the proposed options including issues such as what agency/body is to be charged with enforcement and how the Better Regulation principles of consistency and accountability are to be achieved under the enforcement regime. This section is closely related to the consideration of public service implementation costs and officials are expected to consider the compliance burdens on small business in particular. This step should also take into consideration what targets need to be achieved to meet the objectives of the proposal and how best to achieve these targets.

Detailed guidance on issues of compliance and enforcement is provided in the revised RIA Guidelines. A RIA must assess how a proposed regulation would be enforced, what level of compliance is required and any costs related to any particular stakeholder involved. In the context of compliance costs officials are advised that compliance costs are not just merely the direct charges or fees imposed by a proposal but that they are also any costs which arise from the necessity of having to comply with the regulations in question *e.g.* facilitating inspection. (See page 23 of the revised RIA guidelines for more detail on what is covered) Material on administrative costs and how to calculate them are also included in the revised guidelines (see Appendix E of the revised RIA Guidelines). (More detail on this step can be found in Section 6, Page 32, of the revised RIA Guidelines).

## Step 7 – Review

This step in the RIA is to identify mechanisms for periodically reviewing the regulations to evaluate the extent to which they are achieving the objectives/intended benefits. Performance indicators need to be specified and mechanisms for measuring these should also be identified including the data which will be used to conduct the measurement. (More detail on this step can be found in Section 7, Page 34, of the revised RIA Guidelines).

## Step 8 - Publication

All RIAs relating to primary legislation should be published on Departmental websites as soon as the bill is published (more detail on this step can be found in Section 8, Page 34, of the revised RIA Guidelines).



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