

### 44. Regulatory institutional frameworks and oversight

Regulatory institutions play an important role in delivering regulatory policy and ensuring the quality of regulations. Regulatory oversight bodies located at the centre of government monitor the progress of regulatory policy from a whole-of-government perspective. These bodies advocate the consistent application of regulatory policy across government, often challenging the merits of regulatory proposals from line Ministries. External advisory bodies can give further impetus to the regulatory reform process. They receive reference from the government to review broad areas of regulation, collecting the views of citizens and businesses.

The number of countries that report having a body entrusted with authority for government-wide regulatory oversight has nearly doubled since 1998 to include almost all OECD member countries in 2008. The functions of these bodies vary. While in 2008 almost all countries reported that the body is consulted as part of the process of developing new regulations, only about half of regulatory oversight bodies had the authority to review and monitor impact assessments of regulatory proposals conducted in individual Ministries. Furthermore, the scope of regulatory policies that fall under the auspices of oversight bodies also varies across the OECD from narrow to broad. In some countries for example, oversight bodies may be limited to monitoring the progress of administrative simplification initiatives, and in others they may have a broad regulatory reform agenda.

Successful regulatory reform also needs strong high-level leadership. The majority (28) of OECD member countries have assigned a specific Minister with responsibility for promoting government-wide regulatory reform; 15 of these Ministers report on progress to Parliament. This political commitment highlights the government's determination for regulatory reform, helps to deal with potential reluctance among officials and builds confidence among stakeholders. Chile, Israel, Luxembourg, New Zealand, Switzerland and Turkey do not have a specific Minister responsible for regulatory reform.

Some OECD member countries have also made use of an advisory body to review broad areas of regulation, and to ensure that the views of public and private stakeholders are taken into account. Countries with an advisory body include: Australia, Belgium, Canada, Germany, Iceland, Ireland, Japan, Korea, Luxembourg, Mexico, the Netherlands, Switzerland and the United Kingdom. Such bodies, which report their findings to the government, bring an expert view to the review process and often act as a powerful institution to support the systematic process of regulatory reform. For instance, the Australian Productivity Commission is an

effective part of the Australian institutional framework. It is a notable example of an advisory body that is both independent from the government and has a permanent status.

#### Methodology and definitions

The indicators draw upon country responses to the OECD Regulatory Management Systems' Indicators Survey conducted in 2005 and 2008 for the (then) 30 OECD member countries. Responses were provided by OECD delegates and central government officials. Data were subsequently collected for the four countries that joined the OECD in 2010 (Chile, Estonia, Israel and Slovenia) as well as three other major economies (Brazil, the Russian Federation and South Africa). Data for these countries refer to 2009. Country-specific data are available on line at: <http://dx.doi.org/10.1787/888932392248>.

A regulatory oversight body is a dedicated body responsible for promoting as well as monitoring and reporting on regulatory reform and regulatory quality in the central administration from a whole-of-government perspective.

A regulatory advisory body is a dedicated body that receives references from government to review broad areas of regulation, collecting the views of citizens and business.

#### Further reading

Cordova-Novion, C. and S. Jacobzone (2011), "Strengthening the Institutional Setting for Regulatory Reform: The Experience from OECD Countries", *OECD Working Papers on Public Governance*, No. 19, OECD Publishing, Paris.

OECD (2009), *Indicators of Regulatory Management Systems*, OECD, Paris, [www.oecd.org/regreform/indicators](http://www.oecd.org/regreform/indicators).

OECD (2010), *Regulatory Policy and the Road to Sustainable Growth*, OECD Publishing, Paris, [www.oecd.org/regref/eu15](http://www.oecd.org/regref/eu15).

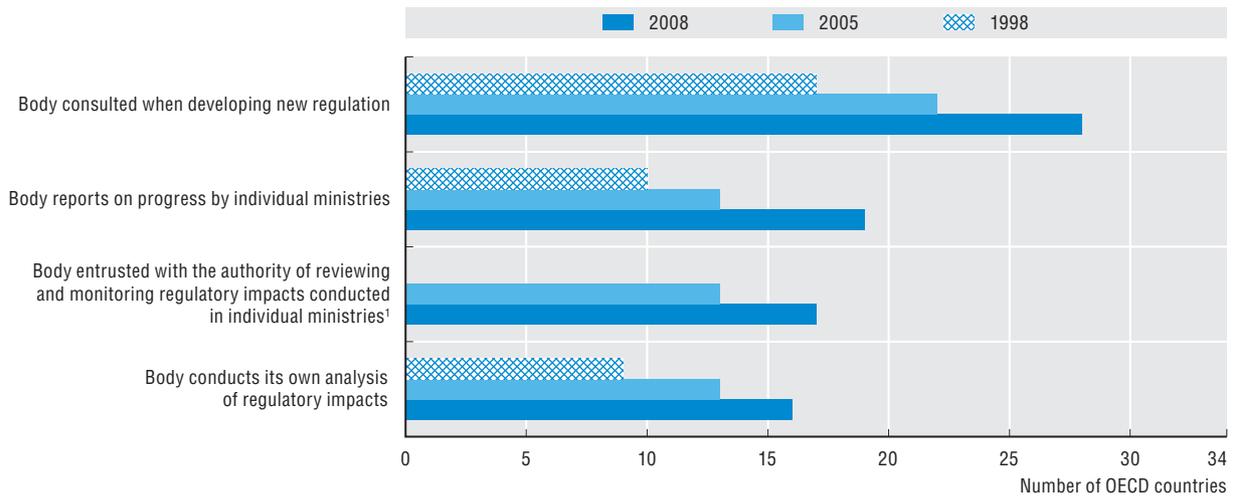
#### Figure notes

Data for 1998 are not available for Luxembourg, Poland and the Slovak Republic. Data for 1998 and 2005 are not available for Chile, Estonia, Israel and Slovenia. Therefore, the figure is based on data for 27 OECD countries for 1998, 30 countries for 2005, and 34 countries for 2008. Data for Chile, Estonia, Israel and Slovenia refer to 2009.

Information on data for Israel: <http://dx.doi.org/10.1787/888932315602>.

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44.1 Role of the regulatory oversight body at the central government level (1998, 2005 and 2008)

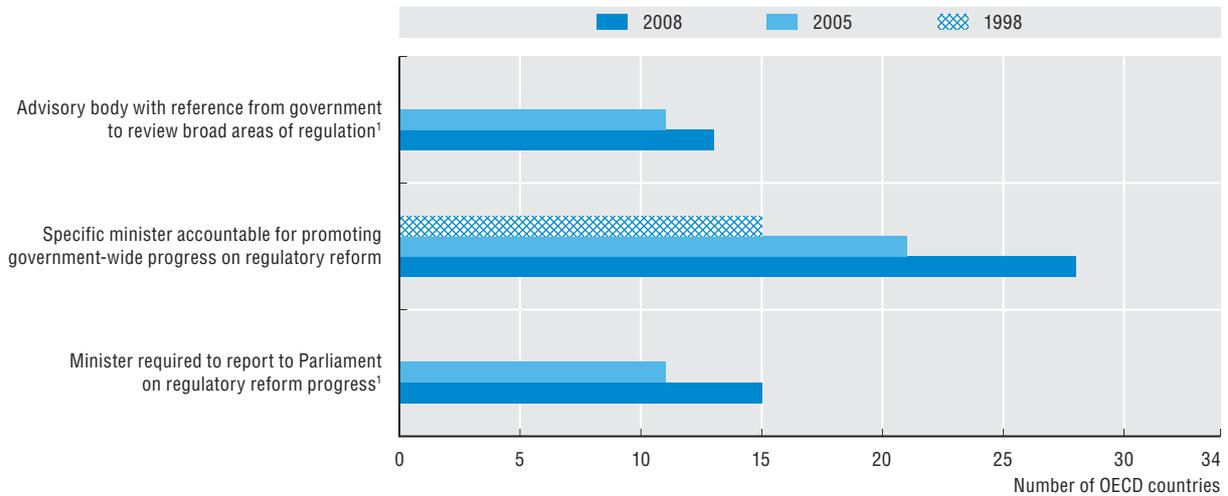


1. No data are available for 1998.

Source: OECD Regulatory Management Systems' Indicators Survey 1998, 2005, and 2008/09, [www.oecd.org/regreform/indicators](http://www.oecd.org/regreform/indicators). See StatLink for country-specific data.

StatLink <http://dx.doi.org/10.1787/888932391127>

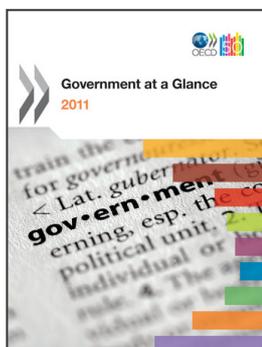
44.2 Regulatory advisory body and ministerial responsibility at the central government level (1998, 2005 and 2008)



1. No data are available for 1998.

Source: OECD Regulatory Management Systems' Indicators Survey 1998, 2005, and 2008/09, [www.oecd.org/regreform/indicators](http://www.oecd.org/regreform/indicators). See StatLink for country-specific data.

StatLink <http://dx.doi.org/10.1787/888932391146>



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