

 **Improved Governance and Regulatory Management:**

A Framework for Improved Governance and Economic Management

Edward Donelan
Senior Adviser, SIGMA
edward.donelan@oecd.org

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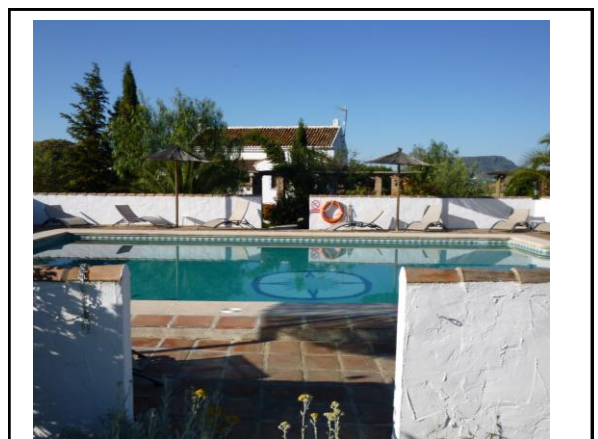
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OVERVIEW

This presentation will:

- ❑ Describe and give some random examples of laws or regulations that are questionable.
- ❑ Review developments that have led to the creation of the concept of regulatory management as a result of successive reforms in:
 - ❑ modernising government,
 - ❑ regulatory reforms and
 - ❑ better regulation reforms.
- ❑ Examine the principles, policies, institutions and tools that have developed to improve regulatory management
- ❑ Draw some conclusions for Euro-Med countries.

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Some U.S. State laws

- Horses are forbidden to eat fire hydrants in Marshalltown, Iowa.
- In Lexington, Kentucky, it's illegal to carry an ice cream cone in your pocket.
- In Tennessee, it is illegal to shoot any game - other than whales - from a moving automobile.
- In Tulsa, Oklahoma, it is against the law to open a soda bottle without the supervision of a licensed engineer.

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BRUSSELS BANS CURVY CUCUMBERS!

- ❑ Regulation (EEC) No 1677/88 permitted a bend of 10mm for every 10cm of length of cucumber.
- ❑ There is not, nor has there ever been, a law requiring bananas to be straight.
- ❑ In fairness, in November, 2008, EU Regulations laying down standards for 26 products, from peas to plums were revoked

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And from Ireland

- ❑ A statute law revision programme repealed a substantial number of laws in Ireland enacted between 1215 and 1922 (independence of most of Ireland from the U.K.)
- ❑ We did not find the laws that banned Catholics from owning horses.
- ❑ We found a law banning the cutting of trees around churches without permission of the King.

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Better Regulation

A trend over the last 20 years to improve regulatory management and bring about better regulation has slowly developed from:

- ❑ Re-inventing Government
- ❑ New Public Service Management
- ❑ Regulatory Reforms including:
 - OECD Recommendations on Regulatory Policy and Governance,
 - EU Better and SMART Regulation policies
 - Various examples from different EU Member States.

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Why regulate?

- Medieval regulations
- 19th Century
- 20th Century
- Environment Protection
- Health and Safety
- Consumer Protection
- State Monopolies
- Deregulation
- Reregulation

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What is the problem?

- Too many laws inhibit the functioning of the free market
- Not enough laws creates uncertainty and allows chaos
- Too much bureaucracy adds to expense and cost of doing business
- Not enough bureaucracy creates unfairness and permits unequal treatment

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What is the solution?

- No simple answer but some conclusions may be drawn from the convergence of 'regulatory management' principles, policies, institutions and tools in EU Member States and OECD countries.
- The Government of the United Kingdom estimates that further efforts to reduce administrative burdens could lead to direct savings for business and consumers of around GBP 4 billion (0.3% of GDP).

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Principles

Legislation (regulations) should be, among other principles:

- Coherent
- Consistent with one another
- Clear in the obligations they lay down
- Efficient
- Effective
- Enforced consistently

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Policies

The OECD Council recommends that OECD Countries should:

- Commit at the highest political level to an explicit whole-of-government policy for regulatory quality.
- The policy should have clear objectives and frameworks for implementation to ensure that, if regulation is used, the economic, social and environmental benefits justify the costs, the distributional effects are considered and the net benefits are maximised.

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Institutions

There are no 'hard and fast' rules but the Council of the OECD recommends that countries should:

- Establish mechanisms and institutions to actively provide oversight of regulatory policy procedures and goals, support and implement regulatory policy, and thereby foster regulatory quality.
- These mechanisms and institutions take various forms and may be seen from the operation of the Institutions of the European Union and different structures of the Governments of the European Union (Actal, Netherlands), (the National Regulatory Control Council, Germany) etc.,

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Tools

- Impact Assessment
- Consultation
- Administrative Simplification
- Standard Cost Model
- Electronic Availability of legislation and e.Government

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Conclusion

- There is a convergence in the development of regulatory management policies.
- Different aspects have developed at different times but there are implicit and explicit Better Regulation policies to be seen from Bhutan to Columbia.
- The challenge for Euro-Med countries is to reflect on the present regulatory management capacities and decide what can be done to bring about Better Regulation.

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