



Improved impact assessment and consultation of stakeholders: towards quality regulation in the EU

First Resolution of Orgalime Presidents' Committee approved at the meeting of Orgalime Presidents on 25 October 2002.

In Orgalime's view quality regulation can only be achieved through a close cooperation between regulators and affected stakeholders on any new area of policy or regulation. Regulators must define general policy objectives before proceeding to well structured and transparent consultations, proper impact assessments and a real dialogue with relevant stakeholders.

For too long the Commission's impact assessment procedures have not been credible, whether to stakeholders, such as industry or to international bodies such as the OECD. The time has come to introduce proper procedures, as a standard practice, before launching any major new policies or regulation.

We therefore welcome the Commission's four Communications of 5 June 2002, which we hope should trace a path towards achieving better regulation at the level of the EU and a better image for such regulation. If this goal is to be reached, however, we believe that the following key factors must not be forgotten and we therefore call on:

- The Commission always to consider the cost of regulation, whether regulation is cost effective, or whether other approaches such as self-regulation by manufacturers or co-regulation will not achieve the same objective. Regulators, in our opinion, should always, after discussion with stakeholders, select the least onerous and most flexible approach compatible with achieving a defined objective within a given time frame.
- The Commission to ensure that the new procedures described in the Communications on impact assessment and minimum standards for the consultation of stakeholders are introduced according to plan and applied to all major new European policy initiatives and regulatory proposals, whatever the area.
- The Commission to ensure that, as a matter of standard procedure, officials consult all parties affected by a policy or regulation. In particular, relevant stakeholders and their representative bodies must be at the centre of any consultation on proposals, which affect them. Mass consultations over the Internet or with publicly funded interest groups or in stakeholders' meetings are not an effective means to carry out consultations on complex issues. Face to face discussions with those primarily affected by new policies or legislative proposals are more constructive.
- All the EU institutions which play a leading role in the regulatory process, i.e. the Commission, the Council and the European Parliament to use proper impact assessment procedures and to co-operate throughout the regulatory process to assess the impact of proposed legislation, including amendments proposed.
- The Commission to set up a quality control system for impact assessments which is independent of the initiators of policies or regulation, along the lines of current best practices in government and in industry. We propose that the Secretariat General of the Commission should adopt this role and should have the power to reject assessments that are not up to standard.

Orgalime would be happy to further participate in the development of impact assessment methodology at the practical level.

Further details in Orgalime position paper : <http://www.orgalime.org/latpos.cfm>