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**UNIDEM Campus Trieste
Seminar**

“LEGISLATIVE EVALUATION”

Trieste, Italy

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REPORT

**“THE LEGAL APPROACH TO REGULATORY IMPACT ASSESSMENT:
LEGAL SOURCES, ORGANISATION, PROCEDURE”**

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Institutional Framework for an Efficient Regulatory Impact Assessment (RIA)

- I. Organizing RIA
 - prospective, concurrent, retrospective RIA
- II. Where to regulate on RIA in the legal system:
 - RIA in the hierarchy of norms
- III. Principles of organization of RIA
 - separation of powers, RIA in government, parliament, think tanks
- IV. Who are the right persons for RIA?
 - experts: rationality of facts
 - politicians: political rationality
 - The “Triangle Alliance of RIA”
- V. How do we organize RIA then?
 - legal legitimation, mandatory and flexible, adapt institutions to RIA
- VI. RIA-standards in European countries:
 - progress, forms of RIA, costs, legitimation
- VII. RIA in governments:
 - rules of procedure, RIA units, expertise (Germany, NL, UK, USA)
- VIII. RIA in parliaments:
 - committees, technology-assessment-unit
- IX. Independent RIA-institutions:
 - Academic Institutions, Expert Associations
- X. Finally
 - Teaching and learning RIA, how far do we get with “reason”, implementing the law, monitoring

Annex 1

Level of regulation	Advantages	Disadvantages
Constitution	Most visible indication that RIA is important (and mandatory?)	Can not be detailed. To adapt RIA to new needs, requires an amendment of the constitution
Statutory Law ("Act on RIA")	Should be binding on the legislature, which in general is not the case for an Act of Parliament	Changes of RIA need an Act of Parliament
Rules of Procedure of Parliament, of Cabinet and Government	Could be detailed and differentiated, flexibility	Limited scope of application, valid only for the legislature, the executive branch
Administrative guidelines (lowest level of regulation in the hierarchy of norms)	Even more detailed regulation, greater flexibility	Applicable only for one ministry or administrative body

Annex 2

Politics
Parliament / Government

Inside innovators in
government/parliament

External experts with
evaluation skills