



Impact Assessments in the EU institutions: do they support decision making?

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Impact assessment in the EU institutions

- Better Regulation
 - aims to improve and simplify new and existing legislation
 - is a responsibility of ***all*** EU institutions involved in the legislative process

- impact assessments contribute to Better Regulation by
 - systematically analysing information about planned European Union legislation and programmes and estimating their likely impact
 - providing a basis for deciding how to address policy challenges



Does impact assessment support decision making?

- the Commission has put in place a comprehensive impact assessment system which has been
 - widely used within the EU institutions
 - effective in supporting decision-making

but

- there are areas for improvement regarding the main procedures and also the content and presentation of reports



Findings and recommendations



The use of impact assessment in the EU institutions

- ❑ the Commission has made impact assessment an integral part of policy development and has used it to design its initiatives better
- ❑ the European Parliament and the Council found the Commission's impact assessment reports helpful when considering the Commission's proposals

but as the legislative procedure progressed:

- ❑ the Commission's impact assessments were not updated to take account of amendments
- ❑ the European Parliament and Council rarely carried out impact assessments on their amendments



Procedures for impact assessment

- transparency in the Commission's procedures was achieved
but
 - advance notice was not provided for all initiatives planned to undergo an impact assessment
 - the basis for selecting the initiatives to be analysed was not always made public

- consultation with stakeholders was widely used for initial input
but
 - not on draft impact assessment reports

- review by the Impact Assessment Board contributed to the quality of impact assessments
but
 - in some cases this took place too late in the process



Recommendations regarding procedures

The Commission should:

- ❑ provide an overview of all legislative initiatives for which it intends to undertake an impact assessment
- ❑ justify why an impact assessment is not performed on a legislative initiative
- ❑ publish interim documents for information and comment
- ❑ ensure that the Impact Assessment Board's quality review takes place on a timely basis



Content and presentation of impact assessment reports

- ❑ the Commission has complied with its own guidelines
- ❑ the Commission's comprehensive approach compares favourably to that of other bodies

but

- implementation aspects are not always sufficiently analysed
- potential enforcement costs and administrative burden are not always sufficiently quantified and the Standard Cost Model is rarely used
- difficulties in quantifying and monetising impacts can be traced back to the availability of data
- the main results and messages of impact assessment reports are not always easy to gather



Recommendations regarding content and presentation

The Commission should:

- ❑ put more emphasis on implementation aspects and make more use of *ex-post* evaluations of EU legislation
- ❑ fully analyse the enforcement costs and administrative burden of legislative proposals and use the 'Standard Cost Model' in a consistent way
- ❑ improve the quantification and monetisation of impacts by developing a strategy to improve the quality of data
- ❑ improve the presentation of qualitative analysis and prepare reports that facilitate the comparison of policy alternatives



In a nutshell.....

- ❑ the Commission has put in place a comprehensive impact assessment system
- ❑ it has been widely used and effective in supporting decision-making within the EU institutions
- ❑ ***but*** there are areas for improvement regarding the main procedures and also the content and presentation of reports

The European Parliament, the Council and the Commission are urged to consider these recommendations when revising their Inter-institutional agreements on "Better law-making" and the "Common approach to impact assessment"



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Thank you for your attention



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Audit work done

- ❑ Analysis of a sample of Commission impact assessment reports
- ❑ Interviews with officials involved in performing and reviewing impact assessments in the Commission
- ❑ Interviews and surveys with people in Parliament, Council and Member States using the Commission's impact assessments
- ❑ International comparison of impact assessment systems
- ❑ Advice and support through expert groups
- ❑ Assessment against inter-institutional agreements, the Commission's guidelines and a set of good practices observed in policy documents and established by the OECD
- ❑ Examined period: 2003-2008



Audit questions

- ❑ Did impact assessments support decision-making in the EU institutions?

In particular:

- Were impact assessments prepared by the Commission when formulating its proposals and did the European Parliament and the Council consult them during the legislative process?
- Did the Commission's procedures for impact assessment appropriately support the Commission's development of its initiatives?
- Was the content of the Commission's impact assessment reports was appropriate and the presentation of findings conducive to being taken into account for decision-making?