

GOVERNMENT OFFICES

13 June 2008

Ministry of Enterprise, Energy and Communications

To the Prime Minister's Office and
All Ministries

Guidelines for work on regulatory impact assessments in the Government Offices

The undersigned State Secretaries in the Ministries of Justice, of Health and Social Affairs, of Agriculture, of Finance, of Environment, of Enterprise, Energy and Communications, of Integration and Gender Equality and of Labour establish the following guidelines to be applied from 15 June 2008.

1. When proposals for new or amended regulations are drafted in the Government Offices, an impact assessment shall be carried out as soon as possible and shall be documented. The cost and other impacts shall be studied to the extent necessary in the individual case.

When an impact assessment is produced, Sections 6 and 7 of the Ordinance on Regulatory Impact Assessment (2007:1244), see annex 1, should serve as guidance.

The requirement to produce an impact assessment does not apply to regulations that exclusively concern activities in the Government Offices and government-appointed inquiries or to regulations for the Foreign Service.

2. If there is no reason to carry out an impact assessment, the assessment may be omitted. The following can be reasons for omitting the conduct of an impact assessment. An impact assessment need not be drawn up for a minor proposal if the material available nevertheless makes it possible to satisfactorily foresee the effects of the proposal. If an impact assessment would delay consideration of the matter in a way that would result in considerable inconvenience in view of the importance of introducing regulations, no impact assessment need be conducted before adopting new or amended regulations.
3. If an impact assessment has not been drawn up, this shall be stated in the consultation letter, along with the reasons for not drawing up an assessment. However, this is not necessary if the information is stated in the consultation anyway.
4. The Directors-General for Administrative and Legal Affairs shall take particular steps to monitor that impact assessments are conducted to the extent necessary.
5. Every Ministry shall
 - set up the organisation and routines needed to conduct impact assessments in the legislative matters handled by the Ministry; and
 - follow up the consequences of new laws and ordinances that the Ministry is responsible for (Cf the Guidelines of the Prime Minister's office in Memorandum 1995:2 "Governing through regulations. A checklist for regulators" pages 13 and 17 H).

An evaluation of compliance with these guidelines will be carried out in 2009.

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