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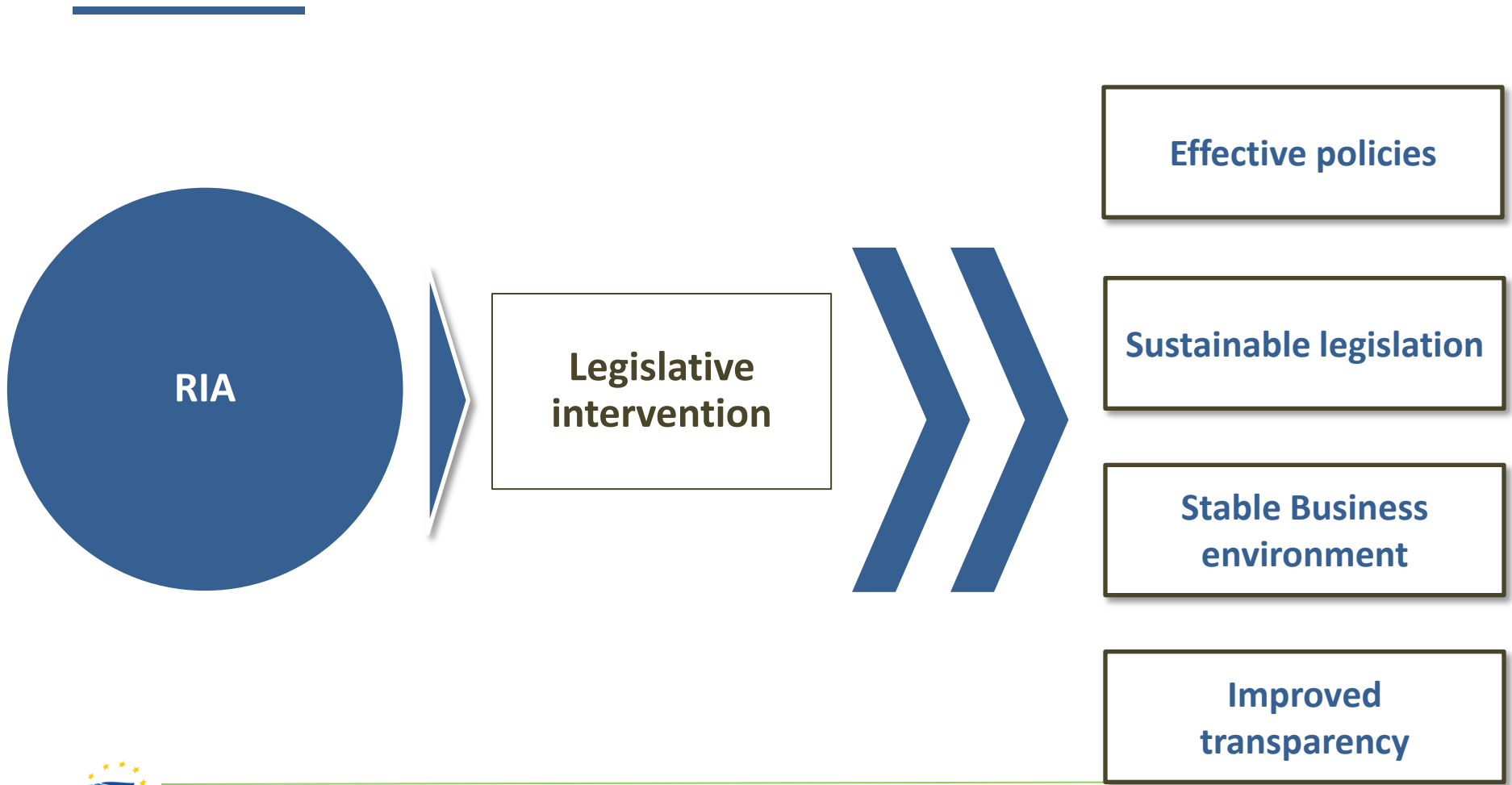
OPERATIONAL PROGRAMME
GOOD GOVERNANCE

Krassimir Bojanov
“Modernization of the Administration” Directorate



Project “We work for the people” strengthening the capacity of institutions to meet the challenges of modern public policies” funded under Operational Programme “Good Governance”, co-financed by the European Union through the European Social Fund.

Main goals of the RIA reform in Bulgaria



RIA legislation in Bulgaria

- Amendments to the Law on Normative Acts (in force - 4 November 2016)
- Regulation on the scope and the methodology for the RIA (adopted by the Council of Ministers in 2016)
- Procedural rules set in the Statutory Act of the Council of Ministers and its administration



Law on the Normative Acts

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- Partial ex ante impact assessment – a precondition for the adoption of any normative act or draft law by the Council of Ministers.
 - Full ex ante impact assessment – in the following cases:
 - new law or code
 - when the partial RIA has shown that the preferred intervention option will have significant consequences
 - by decision of the initiating institution



Law on the Normative Acts

Public consultations

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- 30 days (or minimum 14, when exceptional circumstances require a shorter period)
 - The draft normative act is to be published on the website of the institution and on the Public Consultations Portal
 - Upon expiry of the consultation process the initiating institution publishes a table with all comments/proposals and the arguments for adopting or rejecting them on the website and the Public Consultations Portal



Partial ex ante RIA

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- Based on expert analysis and on data
 - Standardized content – unified form
 - Main purpose – to show whether a full RIA is necessary



Full ex ante RIA

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- Consists of summary and report
 - Summary – unified form
 - Report – standardized structure
 - Main requirement – the public consultations with stakeholders are part of the full RIA, not subsequent to it
 - Public consultations are preformed by consultation document published on the institutional website and the Public Consultations Portal



RIA planning

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- RIA are planned by the adoption of 6-month Legislative Programme and Operative Programme of the Government
 - The procedures are set in the Statutory Act of the Council of Ministers and its Administration
 - Occasional RIA are not excluded



Control over RIA

- All ex ante RIA are subject to preliminary control by the Council of Ministers' Administration
- Scope of the control – quality of content, data, consultations
- The RIA Unit provides a written opinion
- Full RIA – 2 rounds of control
- The initiating institution publishes the draft normative act for public consultations together with the RIA and the RIA Unit opinion



2017 Statistics

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- 410 ex ante RIA in total
 - 143 – draft new Laws or Law amendments
 - 10 full ex ante RIA
 - 40 RIA included in the Legislative Programme and the Operative Programme
 - 571 public consultations



Main setbacks

1. Insufficient use of data
2. Difficulties with formulating the problem to be solved and the identification of the stakeholders
3. Formal approach – lawyers, not policymakers
4. Non-normative intervention option is excluded
5. RIA Unit's opinions are disregarded – judicial control in the future?
6. Occasionally – draft normative act different from the ex ante RIA



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Thank you for the attention!



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