

# Executive summary

This *OECD Regulatory Policy Review of the Slovak Republic* assesses the country's regulatory management capacity by taking stock of regulatory policies, institutions and tools, describing trends and recent developments, and identifying gaps in relation to good practices. Improving the entire regulatory policy cycle will ensure that regulations are built on a foundation of solid evidence and public participation and are designed to improve the security, health and well-being of citizens at a reasonable cost.

The Government of the Slovak Republic has introduced important reforms to improve regulatory policy. Line ministries are required to use tools such as regulatory impact assessment and stakeholder engagement when developing laws and regulations. However, challenges remain in ensuring that they implement these tools effectively. The Slovak Republic should support good law making by strengthening analytical capacities and oversight of the regulatory process.

## Key findings

- The Slovak Republic has introduced a broad set of useful and important reforms that strengthen regulatory policy. The RIA 2020 Strategy follows international best practice, committing at the highest political level to an explicit whole-of-government policy for regulatory quality.
- As is the case in many OECD countries, the competencies for supporting regulatory quality are distributed among several key ministries and institutions. There is scope for improvement in the regulatory oversight system's methods and performance, as the overall quality of the RIA is currently not reviewed and co-operation with line ministries could take place more systematically.
- The analytical units in key ministries present an advantage for the Slovak Republic compared to other countries in the region and reflect international good practice, but are not systematically involved in the RIA process.
- Stakeholder engagement in the Slovak Republic, despite the lack of formalisation of its certain aspects, compares very well with other OECD countries, especially regarding consultations with businesses.
- All of the elements of RIA are in place in the Slovak Republic, but a lack of analytical capacity and training opportunities hamper effective implementation. Currently, the same RIA process and form are used for all laws and regulations.
- The Slovak Government recently introduced a methodology for the *ex post* evaluation of regulations as part of the RIA 2020 Strategy. Pilot testing is foreseen for 2020.
- As is the case in many other OECD countries, the Slovak Republic does not have a whole-of-government strategy for improving regulatory compliance and reforming inspections.
- Regulatory policy and regulatory management tools are not currently present at the local and regional level, though the national government does plan to support open government and consultation at the local level.

- The Slovak Republic has successfully put in place a government structure for co-ordinating the interface between the national and EU level. The recently introduced requirement to assess gold-plating follows EU best practice, but is not yet conducted systematically.
- The Ministry of the Economy is taking positive steps to develop strategies for future-proofing regulations and applying behavioural insights.

## Key recommendations

- Choosing priority areas for the Slovak better regulation agenda will be crucial for the Ministry of Economy as the national co-ordinating body in order to effectively employ the resources available.
- The Slovak Government could strengthen analytical capacities and promote the use of existing capacities in key ministries, for example through continuous training on regulatory management tools as foreseen in the RIA 2020 Strategy.
- Methods and performance of the regulatory oversight set-up could be strengthened, for example by centralising regulatory oversight functions into one body and giving this oversight body greater powers.
- The preparation of the new guidance for stakeholder engagement should be accelerated. The Slovak Republic should undertake efforts to more systematically include stakeholders other than businesses in early-stage consultations.
- A simplified RIA process for regulations with minor impacts would help target scarce resources more effectively towards most burdensome pieces of legislation. Ministries could be encouraged to better integrate the analytical units in the process of developing legislation.
- Conducting pilot studies for *ex post* evaluation in a critical sector (e.g. health care) will be a crucial step to test the effectiveness of the newly developed methodology. Comprehensive and clear guides and methodologies for different types of *ex post* evaluations would provide civil servants with the analytical support needed for conducting the evaluations.
- The Slovak Republic would benefit from adopting a government-wide strategy on reforming inspections and a more robust risk-based approach to enforcement.
- The national government could offer to support a pilot project on RIA and/or public consultations with a region or city in the Slovak Republic to improve capacity at different levels of government.
- Carrying out a proportionate analysis of impacts and involving relevant stakeholders in the process of preparing national positions to draft EU legislation would strengthen the Slovak Republic's capacity to influence the legislative process on EU level.
- High-level support from senior levels in government for the strategies on future proofing regulation and behavioural insights would help ensure their success. The Ministry of Economy could carefully consider how to institutionalise and embed them in the work of the ministry.



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