

4 Stakeholder engagement and public consultations

This chapter sheds light on the processes in place in the Slovak Republic for consultation and dialogue with affected stakeholders and the general public and to what extent the outcomes can influence policy makers. It describes and evaluates the regulatory and institutional framework for stakeholder engagement, the practices in place for e-consultations, and the role of stakeholder engagement in *ex ante* and *ex post* regulatory impact assessment.

The central objective of regulatory policy – ensuring that regulations are designed and implemented in the public interest – can only be achieved with help from those interested in and affected by regulations – the “stakeholders”. Stakeholders should not only be consulted when new regulation is being proposed and developed, they should also have an opportunity to participate in subsequent phases of the “regulatory governance cycle”, such as regulatory delivery or reviewing the regulatory stock.

According to the 2012 *OECD Recommendation on Regulatory Policy and Governance*, “governments should establish a clear policy identifying how open and balanced public consultation on the development of rules will take place”. Governments should be actively engaging all relevant stakeholders during the regulation-making process and designing consultation processes to maximise the quality of the information received and its effectiveness (see Box 4.1).

Box 4.1. The second recommendation of the 2012 Council on Regulatory Policy and Governance

2. Adhere to **principles of open government**, including transparency and participation in the regulatory process to ensure that regulation serves the public interest and is informed by the legitimate needs of those interested in and affected by regulation. This includes providing meaningful opportunities (including online) for the public to contribute to the process of preparing draft regulatory proposals and to the quality of the supporting analysis. Governments should ensure that regulations are comprehensible and clear and that parties can easily understand their rights and obligations.

2.1. Governments should establish a clear policy identifying how open and balanced public consultation on the development of rules will take place.

2.2. Governments should **co-operate with stakeholders** on reviewing existing and developing new regulations by:

- Actively engaging all relevant stakeholders during the regulation-making process and designing consultation processes to maximise the quality of the information received and its effectiveness.
- Consulting on all aspects of impact assessment analysis and using, for example, impact assessments as part of the consultation process;
- Making available to the public, as far as possible, all relevant material from regulatory dossiers including the supporting analyses, and the reasons for regulatory decisions as well as all relevant data;
- Structuring reviews of regulations around the needs of those affected by regulation, co-operating with them through the design and conduct of reviews including prioritisation, assessment of regulations and drafting simplification proposals;
- Evaluating the competitive effects of regulation on various economic players in the market.

2.3. Introduce **regular performance assessments** of regulations and regulatory systems, taking into account, among other things, the impacts on affected parties and how they are perceived. Communicate the results of these assessments to the public.

2.4. Make sure that policies and practices for inspections and enforcement respect the legitimate rights of those subject to the enforcement, are designed to maximise the net public benefits through compliance and enforcement and avoid unnecessary burdens on those subject to inspections.

2.5. All regulations should be **easily accessible** by the public. A complete and up-to-date legislative and regulatory database should be freely available to the public in a searchable format through a user-friendly interface over the Internet.

2.6. Governments should have a policy that requires regulatory texts to be drafted **using plain language**. They should also provide clear guidance on compliance with regulations, making sure that affected parties understand their rights and obligations.

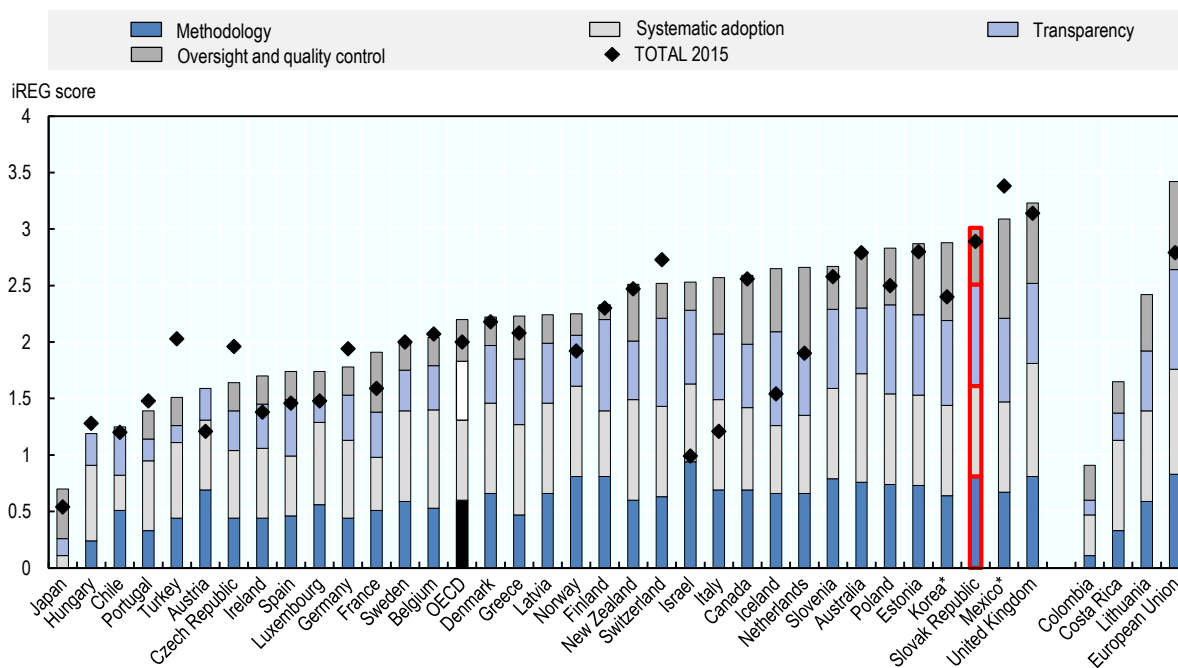
Source: (OECD, 2012^[1]), Recommendation of the Council on Regulatory Policy and Governance, Paris, <https://dx.doi.org/10.1787/9789264209022-en>.

Stakeholder engagement and public consultations

Governments should consult with all significantly affected and potentially interested parties, where appropriate, at the earliest possible stage while developing regulations (OECD, 2020^[2]).

Slovak administration uses both early-stage and late-stage consultations to engage with stakeholders. The systematic use of electronic public consultations through the government portal accessible to all members of the public as well as focus on early engagement with stakeholders, especially businesses, earned Slovakia a comparably high score regarding requirement for stakeholder engagement in developing both primary and secondary regulations in the OECD Indicators of Regulatory Quality, as illustrated by Figure 4.1 and Figure 4.2.

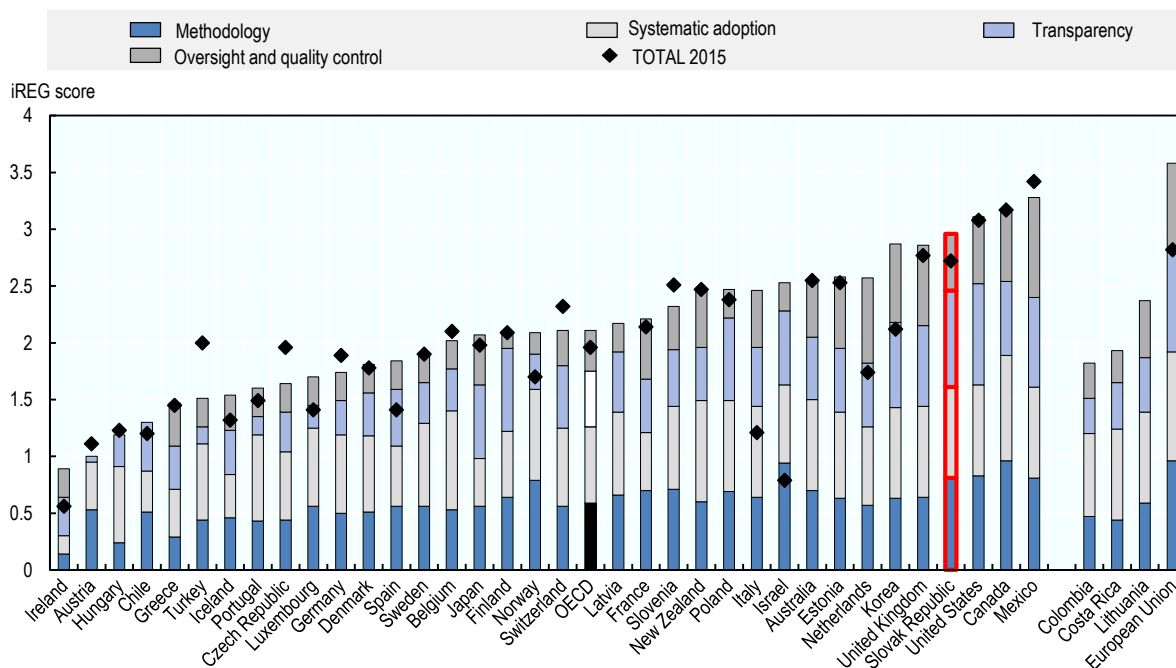
Figure 4.1. Composite indicators: Stakeholder engagement in developing primary laws, 2018



Notes: Data for OECD countries is based on the 34 countries that were OECD members in 2014 and the European Union. Data on new OECD member and accession countries in 2017 includes Colombia, Costa Rica, Latvia and Lithuania. The more regulatory practices as advocated in the 2012 Recommendation a country has implemented, the higher its iREG score. The indicator only covers practices in the executive. This figure therefore excludes the United States where all primary laws are initiated by Congress. *In the majority of OECD countries, most primary laws are initiated by the executive, except for Mexico and Korea, where a higher share of primary laws are initiated by the legislature.

Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, <http://oe.cd/ireg>.

Figure 4.2. Composite indicators: Stakeholder engagement in developing subordinate regulations, 2018



Notes: Data for OECD countries is based on the 34 countries that were OECD members in 2014 and the European Union. Data on new OECD member and accession countries in 2017 includes Colombia, Costa Rica, Latvia and Lithuania. The more regulatory practices as advocated in the 2012 Recommendation a country has implemented, the higher its iREG score.

Source: Indicators of Regulatory Policy and Governance Surveys 2014 and 2017, <http://oe.cd/ireg>.

Slovakia explicitly differentiates between consultations with the general public and engagement with businesses. Consultations with businesses mostly take place as part of the regulatory impact assessment process. Businesses and their associations might therefore have a privileged position of sorts when it comes to influencing government regulations.

Regarding public consultations, the *Rules of Public Involvement in Public Policy Making*¹ were adopted in March 2014 as a non-binding recommendation of the Government. This document provides a good overview of various approaches to public consultations in different stages of the policy- or legislation-making process. However, its implementation in practice, due to its non-binding character and a lack of enforcement, is, even according to the government representatives, insufficient and ministries and other government agencies often do not comply with this guidance.

Provisions and guidance regarding consultations with businesses are included in the *Unified Methodology on Assessment of Selected Impacts* as well as in the *SME Test* and in guidance published by the Secretariat of the RIA Commission on its website.²

Provisions on (mostly late-stage) public consultations are included in the *Legislative Rules of the Government*. There are other materials as well that regulate participation in public policy-making, e. g. the *Methodology and institutional framework for the preparation, creation and implementation of central government bodies strategic documents*.

According to the update of the RIA 2020 strategy, a methodology for stakeholder consultations should be developed by mid-2020 and several pilot projects should be carried out to test the new methodology. The methodology should provide more detailed guidance for early stage consultations as well as to strengthen the principle of proportionality, so that more significant draft regulations are consulted more thoroughly.

Early-stage consultations

When involving stakeholders early in the policy cycle – at the stage before the preferred solution has been identified and the paragraph wording drafted, and at the stage when the administration is still able and willing to significantly change the regulatory draft – governments can achieve much better effects and improve regulatory outcomes. Slovakia, unlike many OECD countries, has a formalised process for the so-called early-stage consultations. While guidance for early-stage consultations is also included in the *Rules of Public Involvement in Public Policy Making*, in practice, formalised early-stage consultations mostly follow the procedures set by the *Unified Methodology* and are, therefore, focusing almost exclusively on business stakeholders.

According to the Act No. 400/2015 on the development of legal documents, every ministry or a regulation-drafting agency is obliged to publish a notification (“preliminary information”) on the SloV-Lex portal (see below) on all prepared legislative drafts. In the preliminary information, the responsible ministry/authority usually describes the main goals and basic ideas of the proposal. It should also assess the existing status of the regulated area and inform users on the likely start of the consultation process on the legislative draft. The preliminary information are also published on the website of the Ministry of Economy.³

The Ministry of Economy decides whether consultations with businesses should take place. The MoE decides either automatically, based on the Legislative Plan of the Government, or, if the draft is not included in the Plan and is likely to have impacts on businesses, the responsible ministry should notify the Ministry of Economy which then takes the decision on the need of consulting with businesses.

If this is the case, MoE then, in co-operation with the Better Regulation Centre of the Slovak Business Agency, forwards the information on the legislative draft to a list of businesses and associations which expressed interest in being informed on ongoing consultations. The list is open for any business/association willing to be engaged and is published on the Internet.⁴ Businesses/associations can then engage with the responsible ministry in the process of drafting the regulation. Ministries are not asked to proactively look for potential consultees which are not included in the list, either due to the lack of interest or capacities to be part of consultations. This presents a risk that the whole spectrum of interests will not be represented in those consultations, as larger companies or business associations might be better resourced and motivated to actively engage in discussions with the administration.

Box 4.2. Better Regulation Centre of the Slovak Business Agency

The Better Regulation Centre is a specialised analytical unit established within the Slovak Business Agency. The analytical unit was created following the Initiative of the European Union on the promotion of small and medium enterprise, also known as the Small Business Act, with the aim to accomplish the objectives stipulated by this Initiative. The Better Regulation Centre comprises a team of specialists in the fields of legislation and regulatory impact assessment on the business sector (the so-called Business Impact Assessment), whose mission is the reduction of the disproportionate regulatory burden of businesses and an improvement in the business environment in Slovakia.

Main activities

The primary mission of the Better Regulation Centre (BRC) is a reduction of the disproportionate regulatory burden on SMEs and an improvement of the business environment in Slovakia. Amongst the main activities of the BRC belong:

- Identification of legislative and non-legislative measures with an impact on the SMEs,
- Assessment and quantification of impacts of the newly proposed legal norms and non-legislative materials,
- Carrying out business impact assessments (BIA) of legislative and non-legislative materials on SMEs *ex ante* and *ex post* through SME Test,
- Creating space for SMEs for consultations of newly proposed, as well as already existing legal norms, materials of non-legislative nature and EU regulations,
- Ensuring feedback in relation to public sector bodies and bodies of the EU,
- Presentation of measures aimed at reducing the regulatory burden on SMEs in order to boost the economic growth and the competitiveness of the business sector,
- Implementation of the “Think Small First” Principle in the Slovak legal system in accordance with the Small Business Act, i.e. taking into account the specific needs of the SMEs,
- Assessment of excessive transposition of EU Directives in the Slovak legal system (so-called gold-plating).

Source: <http://lepsiezakony.sk/en/about-us/>.

The scope of these consultations usually varies. In many cases, ministries consult only based on a brief reasoning, less frequently a more detailed plan for action is presented. At this stage, businesses are often asked to provide data for future impact assessments. The early-stage business stakeholder consultations should, according to the *Unified methodology*, take four weeks; however, a shorter period might be agreed on between the drafting institution and stakeholders.

In addition to these procedures, anybody can register through the Slov-Lex portal and submit comments to the preliminary information. The length of the period for submitting such comments is not specified.

The results of consultations with businesses should be described in the *Analysis of the impact on the business environment*. Usually, ministries/agencies responsible for the draft do not provide much information on the results of consultations and mostly only mention when and which subjects were consulted. In these cases, the RIA Commission usually asks for additional information as part of its review.

It is not unusual for ministries and other central government bodies that draft regulations to create working groups when preparing legislation/regulations. Working groups usually contain experts from relevant ministries and/or relevant stakeholders, depending on the nature, scope and estimated impacts of regulation. However, creating such groups is not mandatory and it depends largely on the responsible ministry whether such group will be created and who will participate in the group. According to the interviews, it is quite often the case that only businesses are invited among external stakeholders, while CSOs, consumer groups, etc. are not so often part of the discussion.

While creating working groups with participation of stakeholders is certainly a good practice, what might be missing in Slovakia is some guidance on how these working groups should be created, how to make sure that various interests are balanced, how to conduct meetings of such groups, how to provide feedback to the consulted subjects, etc.

The process of drafting a new renewable energies law prepared by the Ministry of Economy might be mentioned as one of the examples of successful early-stage consultations. Workshops, conferences and numerous meetings with various stakeholders have been organised and the initial draft changed substantively before it was submitted to and approved by the Parliament. Another good example of early stage consultations is a draft law on subsidising electro mobility. The legislation has been changed completely compared to the initial draft based on the suggestions provided mostly by car and battery producers. The RIA 2020 strategy was also developed in co-operation with business associations, Office of the Plenipotentiary of the Government for the Development of the Civil Society and government bodies.

While businesses clearly welcome the opportunity to get engaged early in the process, they also often complain about the lack of time, especially thanks to the fact that business associations need to communicate with their members to obtain their views on the subject matter and 4 weeks is often not sufficient. According to representatives of businesses interviewed, the consultations often are carried out just to comply with the obligation, without clearly communicating the goals of the consultation process. It is therefore impossible to determine later if the goals of consultations have been achieved.

On the other hand, despite the fact that the Ministry of Economy is providing over 300 possibilities to join consultations during the early stages of drafting regulation, the number of businesses joining the consultation is still relatively low. It became obvious during the fact-finding mission that some civil servants do not perceive engaging with businesses as useful and look at it rather as additional administrative burden. At the same time, during interviews, businesses often complained about their input not being taken into account and that ministries often do not explain the reasons for not implementing them.

Late-stage public consultations

As discussed in Chapter 2, the main document setting the rules for drafting government regulations are the *Legislative Rules of the Government*. According to the *Legislative Rules*, all legislative drafts (whether primary or secondary legislation) must be published on the government electronic portal Slov-Lex⁵ at the same time as they enter the inter-ministerial comment procedure. The electronic dossier must include all accompanying documents, including the cover page, draft Government Resolution, Submission Report, Explanatory Report, Assessment of Selected Impacts, Report on Public Participation, Annex on compatibility with EU law and the Compliance Table.

The portal provides a single access point to comments on legislative proposals and non-legislative drafts (e.g. concept notes, green or white papers). It seeks to ensure easier orientation and search in legislative materials to facilitate the evaluation of the inter-ministerial commenting process, and to support compliance with legislative rules and time limits.

Both public authorities as well as members of the general public can provide comments on the legislative drafts and the accompanying material. All comments submitted are published on the portal. The deadline for submitting comments is usually 15 working days, in exceptional cases, this period can be shortened to seven days. According to the *Legislative Rules*, this should happen only in exceptional cases such as when human rights are endangered, states of emergency, when the deadline for implementing EU legislation would not be complied with or when it is necessary to submit the legislative draft to the Government without any delay due to its urgency. Especially the last exemption seems to be overused. According to the information provided during the fact-finding mission, the time for submitting comments is shortened in 20% of all consultations.

Written comments can be submitted by members of the general public either as individual comments or as “collective comments”, to which individuals or organisations can signal their support. Whenever a comment receives support from 500 individuals or organisations (the so-called “collective public comment”), ministries are obliged to provide written feedback on the comment, either taking the comment into consideration for the legislative proposal or explaining why the comment has not been taken into

account. The feedback provided then becomes part of the dossier submitted to the government for discussion. In case of non-acceptance of the “collective public comment”, a “dispute meeting” should be organised by the responsible ministry with the aim to find a compromise with representatives of those who submitted the comment.

To be able to submit a comment through the portal, a user has to be registered. The registration is simple and free of charge. The registration also enables signing up for receiving alerts whenever a document from a selected area(s) is published on the portal for consultation.

Virtually all legislative proposals are adjusted following the consultation process. The number of comments received varies significantly for different legislative proposals. Accompanying impact assessments to the legislative proposal are also updated on the basis of comments received. Following the consultation process, a summary of comments received together with the reasoning for their consideration or non-consideration is published on the portal.

(OECD, 2015^[3]) found that the number of comments received through the portal varies significantly depending on the actual draft and that the portal is not used to the optimal extent by external stakeholders due to low user-friendliness and a lack of awareness of the possibility to comment through the portal. The latest version of the portal launched in April 2016 comprises a range of new features to increase user-friendliness, including the possibility to access and search through the portal all existing legislation that is part of the Official Gazette. Nevertheless, some of the critical remarks made in the 2015 review are still valid today, including the relatively low take up among external stakeholders, especially individuals, due to the limited knowledge of the possibility to take part in the legislative process through the portal and its suboptimal user-friendliness.

According to the RIA 2020 strategy, a specific better regulation web platform should be created, contributing to, among other, improved stakeholder engagement. It will enable communication of draft legislation in the early stages of the legislative process by providing tools to organise public consultation (working groups, roundtables etc.) and allow for the RIA Commission to communicate with law drafters throughout the process. MoE has already started working on the content of the platform, e.g. semantic decomposition of laws and decrees which will form the Register of Regulations.

In addition to the initiatives related to with regulatory policy, the Action Plan 2017-2019 on Initiative for Open Government⁶ was adopted in March 2017 which includes the call for public participation on policy making. The responsible oversight body is Office of the Plenipotentiary of the Government for the Development of the Civil Society. As part of the current OGP National Action Plan 2020-2021 adopted in November 2019, the Office of the Plenipotentiary of the Government for the Development of the Civil Society co-operates with four ministries (Ministry of Agriculture and Rural Development, Ministry of Education, Science, Research and Sport, Ministry of Environment and Ministry of Interior) on four selected public policies, and assists the ministries with the stakeholder engagement process as part of their development.

Another platform that can be used to engage outside stakeholders in the decision-making process in the government is the Government Council for Non-Governmental Non-Profit Organisations (NGOs). This council consists of representatives of ministries and more than 30 NGOs. It is chaired by the Plenipotentiary of the Slovak Government for the Development of Civil Society. One of the aims of the council is “to contribute to the development of participative democracy in Slovakia” to make sure that government policies and regulations are “not only efficient, fair and democratic, but also adopted based on a wide consensus of the government and non-governmental sector and its implementation was controlled by the civil society”. This platform is, however, more used to discuss general policies, strategies or projects on co-operation with NGOs than to find NGOs’ views on particular specific policies or regulations.

Institutional set up for overseeing the quality of stakeholder engagement

Control and oversight of the quality of engagement activities and compliance with policy guidelines should exist within all administrations. Clear competences should be assigned for co-ordinating and promoting stakeholder engagement in regulatory policy across the administration.

In general, there is a limited scrutiny of the quality of stakeholder engagement when developing new or reviewing the existing regulations in Slovakia. The Ministry of Economy only decides upon the need to consult businesses as part of the early-stage consultation processes but does not play any oversight role. The RIA Commission should, in theory, oversee compliance of the legislation-making process with the *Unified Methodology*. However, according to the interviews with the OECD team, it rarely pays attention to the quality of the engagement process, whether in the early or its late stages. In most cases, the Commission only checks, whether consultations have been carried out and sometimes also whether the comments have been taken into account but not the completeness of consultations or representativeness of the consulted subjects.

The Office of the Plenipotentiary of the Government for the Development of the Civil Society is the institution behind the *Rules of Public Involvement in Public Policy Making* and owner of the idea of preliminary information (a mandatory part of the legislative procedure to inform public about new regulation) but it has no power or ambition to enforce a proper compliance with the *Rules* or the obligation of early-stage consultations. The enforcement of the obligation to publish preliminary information is fully in the competence of the Ministry of Justice and the Office of the Government of the Slovak Republic. However, the Plenipotentiary's Office analyses compliance with this obligation as part of the fulfilment of the OGP Action Plan 2017-2019.

Stakeholder engagement in reviewing regulations

The so-called anti-bureaucratic packages (see Chapter 6) are prepared mostly on input gathered from stakeholders. As part of the process, the general public is usually invited to submit proposals for potential simplification. Many of these proposals are submitted by businesses. The packages are then discussed by the inter-ministerial Group on Doing Business with participation of business associations.

During interviews, the OECD heard several reports of ministries and government bodies directly consulting with stakeholders (particularly businesses) to identify potential issues with the stock of regulations. This seems to be a practice that is becoming more and more common, however, is not formalised.

In addition, the Better Regulation Centre also identifies regulations that might have negative impacts on the business environment in Slovakia, especially on SMEs. The Better Regulation Centre is also co-organising, together with the Association of Young Entrepreneurs of Slovakia, an annual “Bureaucratic non-sense” (*byrokratický nezmysel*) award.⁷ The Centre collects inputs from stakeholders to identify top ten most “absurd” regulations out of which every year one is selected. The award is published in the media. In the last 8 years, the Government successfully dealt with one third of all “top ten qualifiers”.

Access to regulations

All regulations should be easily accessible by the public. A complete and up-to-date legislative and regulatory database should be freely available to the public in a searchable format through a user-friendly interface over the Internet.

In Slovakia, all legislative documents, except generally applicable regulations of regions or municipalities and internal regulations of the central government bodies,⁸ are published electronically, free of charge on the Slov-Lex portal. Some of the legislative materials are also accessible in languages of national minorities, e.g. Hungarian, German, Ukrainian or Roma. Citizens and businesses can use also the Central Government Portal⁹ which provides information on regulations and administrative procedures grouped by life events, such as starting up a business.

Assessment and recommendations

Stakeholder engagement in Slovakia, despite the lack of formalisation of its certain aspects, is comparing very well with other OECD countries, especially regarding consultations with businesses. The fact that the methodology for stakeholder engagement is generally not enforced and therefore rarely complied with stands in the way of using the engagement procedure to their full potential.

Slovakia has, unlike most OECD countries, formalised procedures for early-stage consultations and engagement, especially with businesses. Generally all regulations impacting businesses are consulted with businesses or their associations early in the process. The depth of these consultations however varies. The obligation to notify general public on newly drafted regulations through the government portal improves awareness among stakeholders of what is in the pipeline in the regulatory sphere. It also enables better identification of potential stakeholders to be engaged early in the legislation-making process.

Early-stage stakeholder consultations often take the form of ad hoc working groups and/or informal meetings and workshops. As guidance on forming such working groups and conducting meetings with stakeholders, or, alternatively, organising surveys or collecting information from stakeholders, is missing, the working groups mostly consist of representatives of businesses or their other associations while other stakeholders, such as CSOs, are often neglected.

The late-stage public consultations are on par with the OECD best practice. Any member of the general public can provide comments to virtually all regulations developed at the level of the executive. What remains a problem are laws enacted either through the shortened procedure or directly by the Parliament, sometimes in a very short period of time, without sufficient time to consult all stakeholders. The heterogeneous numbers of comments received through the Slov-Lex portal on individual regulations might mean that the portal is still insufficiently user-friendly and that the wider public might not be sufficiently informed on the possibility to use the portal to get engaged in the legislation-making process.

The institute of the “collective public comment” is a rather unique element of the consultation process, making legislators more accountable to deal with comments which obtain support from a significant portion of the public.

Businesses and their association have, to a certain extent, a privileged status regarding stakeholder engagement. As the process of consulting with businesses is quite rigorously set by the *Unified Methodology*, businesses seem to be given more opportunities for consultations than other stakeholders, such as individual citizens, CSOs, etc. Despite this fact, the level of satisfaction with their engagement among business is still not very high. At the same time, ministries are complaining about the low level of input received from the side of businesses. One of the reasons might be the low level of trust on both sides.

Ex post reviews of regulations, though focusing mostly on reducing administrative burdens so far, are very much based on feedback collected from stakeholders, especially businesses. The Ministry of Economy uses input from business associations in identifying potentially burdensome regulations through the so-called “anti-bureaucratic packages”. More systemic co-operation and ongoing co-operation through establishing a permanent discussion forum between administration and businesses might be advisable.

The access to regulation is in line with the OECD best practice, all regulations in force are available both in the printed form and electronically through the government portal Slov-Lex with free access.

The OECD Secretariat makes the following policy recommendations:

- **The preparation of the new guidance for stakeholder engagement** as envisaged in the RIA 2020 strategy **should be accelerated**. The guidance should specifically focus on guiding civil servants through the early stages of the legislation-making process, forming working group, ensuring representativeness of consulted subjects, etc. **More systemic training to public**

officials on stakeholder engagement techniques should be provided following the issuance of the new guidance.

- Following the guidance, **Slovakia should undertake efforts to more systematically include stakeholders other than businesses** (general public, civil society organisations, etc.) **in early-stage consultations**. It is necessary to let all potentially impacted stakeholders express their views and to balance various interests as part of the consultation process.
- **When consulting with stakeholders** and namely businesses, **it is important to create an environment of mutual trust**. It is crucial that goals of individual consultations process are clearly communicated upfront and that the input obtained from stakeholders is seriously analysed. In case the received comments cannot be taken into account, the reasons for doing so must be explained. Creating an informal discussion forum similar to the one existing in Denmark (see Box 4.3) could help strengthen mutual trust.
- **Slovakia should consider opportunities to make the Slov-Lex portal more user-friendly** and inform the general public better on the functionalities of the portal as well as on the possibilities to become engaged in the government's decision-making process.
- **The Slovak Government should, voluntarily and to the extent possible, avoid presenting legislative proposals through the shortened procedure or directly in the Parliament through MPs initiatives**. Thus, all governmental legislative proposals would go through the systematic procedures describe in the Legislative Rules and the Unified Methodology, including thorough engagement with stakeholders. This, of course, does not mean limiting legislative initiative of the MPs.

Box 4.3. Denmark's Business Forum for Better Regulation

The Business Forum for Better Regulation was launched by the Danish Minister for Business and Growth in 2012. It aims to ensure the renewal of business regulation in close dialogue with the business community by identifying those areas that businesses perceive as the most burdensome, and propose simplification measures. These could include changing rules, introducing new processes or shortening processing times. Besides administrative burdens, the Forum's definition of burdens also includes compliance costs in a broader sense as well as adaptation costs ("one-off" costs related to adapting to new and changed regulation).

Members of the Business Forum include industry and labour organisations, businesses, as well as experts with expertise in simplification. Members are invited by the Ministry for Business and Growth either in their personal capacity or as a representative of an organisation. The Business Forum meets three times a year to decide which proposals to send to the government. So far, the proposals covered 13 themes, ranging from "The employment of foreign workers" to "Barriers for growth". Interested parties can furthermore submit proposals for potential simplifications through the Business Forum's website. Information on meetings and the resulting initiatives is published online.

Proposals from the Business Forum are subject to a "comply or explain" principle. This means that the government is committed to either implement the proposed initiatives or to justify why initiatives are not implemented. As of October 2016, 603 proposals were sent to Government, of which so far 191 were fully and 189 partially implemented. The cumulated annual burden reduction of some initiatives has been estimated at DKK 790 million. Information on the progress of the implementation of all proposals is available through a dedicated website. The results are updated three times a year on www.enklereregler.dk. The Business Forum publishes annual reports on its activities. The Danish Minister for Business and Growth also sends annual reports on the activities of the Business Forum to the Danish parliament.

Source: (OECD, 2016^[41]), "Pilot database on stakeholder engagement practices in regulatory policy", <http://www.oecd.org/gov/regulatory-policy/pilot-database-on-stakeholder-engagement-practices.htm>; www.enklereregler.dk.

Notes

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⁴ Available at <https://www.economy.gov.sk/uploads/files/lscLx69Z.xlsx>

⁵ Available at www.slov-lex.sk.

⁶ https://www.minv.sk/?ros_vsetky-spravy&sprava=schvaleny-akcny-plan-iniciativy-pre-otvorene-vladnutie-na-roky-2017-2019.

⁷ Available at <http://lepsiezakony.sk/byrokraticky-nezmysel/>.

⁸ The publication of generally binding regulations and internal regulations of the central government bodies on Slov-Lex is being prepared; it is part of the task of the OGP Action Plan for 2020-2021.

⁹ Available at <https://www.slovensko.sk/en/title>.

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