

Main challenges for evidence-base regulation going forward

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The roles – main challenges



Picture: Colourbox.no

- Political situation: minority coalition government with shifting support in parliament. Leads to:
 - Formulating a detailed platform for the government with solutions rather than “challenges”
 - Parliamentary requests doing the same
 - Lobby groups concentrating on parliament rather than the ministries
- In the Ministries and Agencies - regulatory work is not given enough priority and resources.
- Regulatory work lacks interdisciplinary and collaboration.

The quality of Regulatory Impact Assessments (RIA) – main challenges

- The framework is not being used adequately.
- The consultation is not sufficient.
- RIA lacks quantification of impacts on business.
- Lack of transparency when adopting regulations (secondary).
- Lack of ex post-evaluations.
- Alternatives to regulation is not considered, ex. Behavioral Economics.
- Do we think uniformly enough or do we just fix rules that don't work?



Picture: Colourbox.no

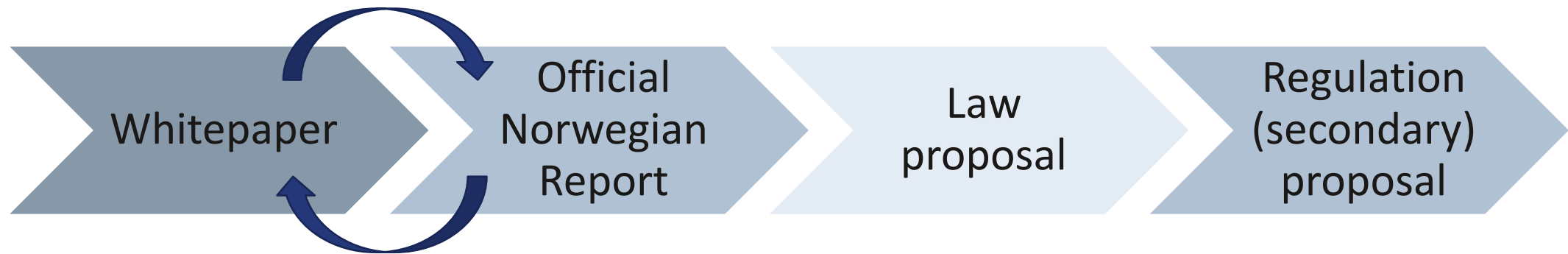


International challenges

- Complicated language in EU/EEA-acts. Difficult to understand and to orient. May put guarantee of due process of law at risk.
- Impact of EEA-regulations are not investigated. “Must adopt the regulations anyway”.
- The Agencies don’t know who is affected by the regulation.

Are some political decisions too big to be grasped by impact assessments?

- Big decisions are often made in several stages, and it takes time.



- Possible key elements:
 - Early involvement – industry, professionals, academia.
 - Transparent process.

Technology and Artificial Intelligence – risks and opportunities



Regulations are a reflection of what it once was. The world is moving on, the regulations are sticking..

Problems that were not solvable a few years back are suddenly solvable now..

Technology and Artificial Intelligence – risks and opportunities (1)

- Digital data collection - can provide a better basis for impact assessments.
- Data sharing should be a national concern - guarantee of due process of law vs. availability.
- If we want regulations that can be digitalized:
 - Must take this into account throughout the regulatory process.
 - Requires conscious and consistent use of words and terminology.
 - The legislator must be clear on whether discretion is necessary or whether, for example statistical analyses or machine learning can be used.
 - Automatic decisions - automatic assessments vs. more comprehensive and complicated regulations.
- Digitization - interaction between people and computers. Who does what?
- Combine digital and manual case management - must not be either or.
- Digitization for control purposes – safeguarding citizens' rights.

Technology and Artificial Intelligence – risks and opportunities (2)

- Automatic process and make summary of input from consultation.
- Automatic source retrieval and summary of findings when interpreting regulations.
- Take into account new technology and facilitate new industries.
- Challenge for the education sector: both the private and the public sector need employees who combine computer science and sector know how.
- Possible risks if the regulations only exist digitally:
 - Can the regulations be hacked?
 - “Fake rules”?
 - If many platforms, who codes the regulations correctly?

*Thank you for
your attention!*



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