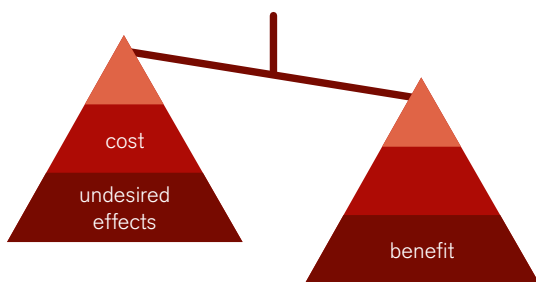


# Regulatory Impact Assessment and the Impact Dimension of Gender Equality



## What is regulatory impact assessment?

As of 2013, Austria's Federal Constitution provides for outcome orientation as a principle of budgetary management, with particular regard to the objective of achieving de facto equality between women and men. This means that the actions of public administration are no longer exclusively based on the available resources (i.e. input), but rather that the desired outcomes and the outputs required of public administration in order to achieve these play a central role.



Regulatory impact assessment is the implementation of the principle of outcome orientation into the policy-making and evaluation process. All new laws, regulations and bigger projects, will be discussed on basis of their desired outcomes and outputs and their success will be measurable by the use of indicators.

In defined policy areas (impact dimensions) such as

- Financial impacts
  - Impacts on the overall economy
  - Impacts on small and medium-sized enterprises
- Environmental impacts
- Impacts in the field of consumer protection policy
- Impacts on administrative costs for citizens and enterprises
- Social impacts
  - Impacts on children
  - Impacts regarding equality of women and men

The substantial impacts are identified, as it is only those impacts that are subject to in-depth assessment. On the basis of precise questions, the most relevant impacts in these impact dimensions are examined. This allows for a 360 degree analysis of the expected impacts.

The impact assessments accompany the draft legislation from preparation to the parliamentary procedure to evaluation. The quality assurance by the Federal Performance Management Office at the Federal Chancellery ensures a uniform, high quality of the impact assessments.

After five years at the latest, the projected indicators and milestones for the defined objectives and expected impacts are compared to the actual situation; additionally, the existence of any further impacts is ascertained. Based on these findings any existing potential for better achieving the defined objectives, cutting costs or reducing unintended effects is shown.

### **The systematic approach towards impact assessment**

**Problem analysis:** It is carried out to explain why government action is required and why the proposed solution was chosen.

#### **Example: Transport Policy: Amendment of the Road Traffic Code**

##### **Problem Analysis:**

- 1.:** There is a high occurrence of accidents with personal injuries and deaths due to speed limit violations on highways
- 2.:** The increased usage of bicycles has lead to a steep incline in injured cyclists, especially among children. Studies have shown that in a majority of these cases no helmet was worn. Regular use of helmets could significantly lower the rate of head injuries of cyclists.

**Outcome statement:** The purpose is to set out the outcome to be achieved by means of the respective regulatory or other project. For each outcome, 1 to 5 indicators are set. These facilitate the subsequent evaluation of outcomes in the course of internal evaluation.

**Outcome 1: Increase of objective road safety**

**Activities:** Fully automated velocity measurement at certain high-risk highway segments; Introduction of a compulsory use of bicycle helmets for children

**Indicators:**

**Initial status:** Mean deviation of measured velocity from the speed limit +7 km/h; Share of transgression of speed limit by more than 20km/h: 10%, Share of head injuries among all injured cyclists (children) 48%

**Target status:** Mean deviation of measured velocity from the speed limit max. 3,5 km/h; Share of transgression of speed limit by more than 20 km/h: < 5%, Share of head injuries among all injured cyclists (children) < 30%

**Output statement:** In the output statement, the measures, activities, etc. through which the defined objectives are to be achieved are stated. For these outputs, just as for the desired outcomes, indicators are defined to allow for the objectified evaluation of the implemented project.

**Output 2:** Introduction of an obligatory use of bike helmets for children

**Contribution to outcome No: 1**

**Indicators:**

**Target status:** Less than 10% of all inspections show an infringement of the obligation to wear a bike helmet. The obligatory use of a bike helmet is implemented into the materials for road safety training in public schools.

**Impact Assessment:** The impact assessments are carried out by the steps described above. Officials conducting regulatory impact assessments are guided through a questionnaire

by means of an IT tool, receiving guidance and support by way of explanatory texts and contact persons in the responsible ministry. Whenever possible, the users are asked to quantify the expected impacts.

### **The impact dimension of gender equality**

Gender equality is one of the impact dimensions mentioned above. Its focus is on any effects on the equality of women and men that projects initiated by line ministries might have and that might otherwise easily be overlooked.

The dimension of equality comprises several areas:

**Payments to natural or legal persons:** Men and women can profit to different degrees from payments to natural or legal persons. The uptake and those who benefit indirectly are thus estimated by gender.

**Employment, income, and education:** This part analyses the distribution of new jobs between men and women, the development of the Gender Pay Gap and the participation of men and women in educational offerings

**Unpaid work:** The distribution of unpaid work between men and women concerning childcare, housework, care for the sick and elderly and formal and informal voluntary work is still very uneven. Especially when public services are cut or extended, the impact on unpaid work for men and women has to be considered.

**Public revenue:** Even seemingly gender-neutral changes on public revenues can have very different impacts on men and women. As a consequence, the distribution of tax burdens and reliefs as well as exemption causes between men and women have to be assessed.

**Decision-making processes** and decision-making bodies: Women and men are still not evenly represented in decision-making processes and decision-making bodies. Whenever a new decision-making body is appointed or an existing one is changed by law, the expected participation of men and women has to be assessed.

**Health:** In such areas as prevention, medical products, physical and psychological stress factors, and life-habits, the needs and situations of women and men can greatly differ. In this part of the impact dimension, it has to be stated, if and how these differences have been accommodated.

### **Regulatory impact assessment**

- **increases efficiency and effectiveness** in employing resources in the context of regulatory projects and budget management;
- **enhances the transparency of policy objectives:** regulatory impact assessment is included in the materials accompanying draft laws and regulations and is thus also available to the interested public, making more transparent which objectives are to be achieved, as well as to what extent and by what time;
- **raises public administration's awareness** of external effects: as external effects, e.g. regarding economic or environmental policy, consumer protection, administrative costs for citizens and enterprises, social issues or equality of women and men, are taken into account, awareness of these external effects on the part of public administration is heightened;
- facilitates taking into account the **impact on the equality of women and men:** the objective of achieving equality between women and men, an issue of a cross-cutting nature, is evaluated in the course of impact assessment under various aspects and in the context of different areas of life;
- provides the basis for a **holistic approach:** the new budgeting law combines management via input, output and outcome in a pragmatic manner. Regulatory impact assessment, along with the associated assessment of the different impact dimensions, forms an important part of this holistic management approach and of medium-term budget planning;
- **promotes coherence between public administration activities and the legislative process:** taking into account effects in areas other than those directly targeted provides a better basis for decision-making in Parliament and better framework conditions for public

administration, as well as highlighting the complex causal relationships behind specific outcomes.

### **The Federal Performance Management Office**

The Federal Performance Management Office, together with the Federal Chancellery's Legal and Constitutional Service, the Federal Ministry of Finance and the Ministries responsible for issuing special regulations on different impact dimensions, provides different kinds of support in introducing and carrying out regulatory impact assessments.

- training: carrying out regulatory impact assessment and internal evaluations;
- consultation: advice regarding project content and questions of methodology in connection with the implementation process;
- checklists and working tools: recommendations and standards supporting the development and the implementation of regulatory impact assessment;
- quality assurance: feedback to government entities regarding the formulation of regulatory impact assessments and complying with quality criteria.
- report on internal evaluation for National Council, based on the standardised reports to be submitted by the various government entities

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