



GOVERNO DE
PORTUGAL

SECRETÁRIO DE ESTADO
PARA A MODERNIZAÇÃO
ADMINISTRATIVA

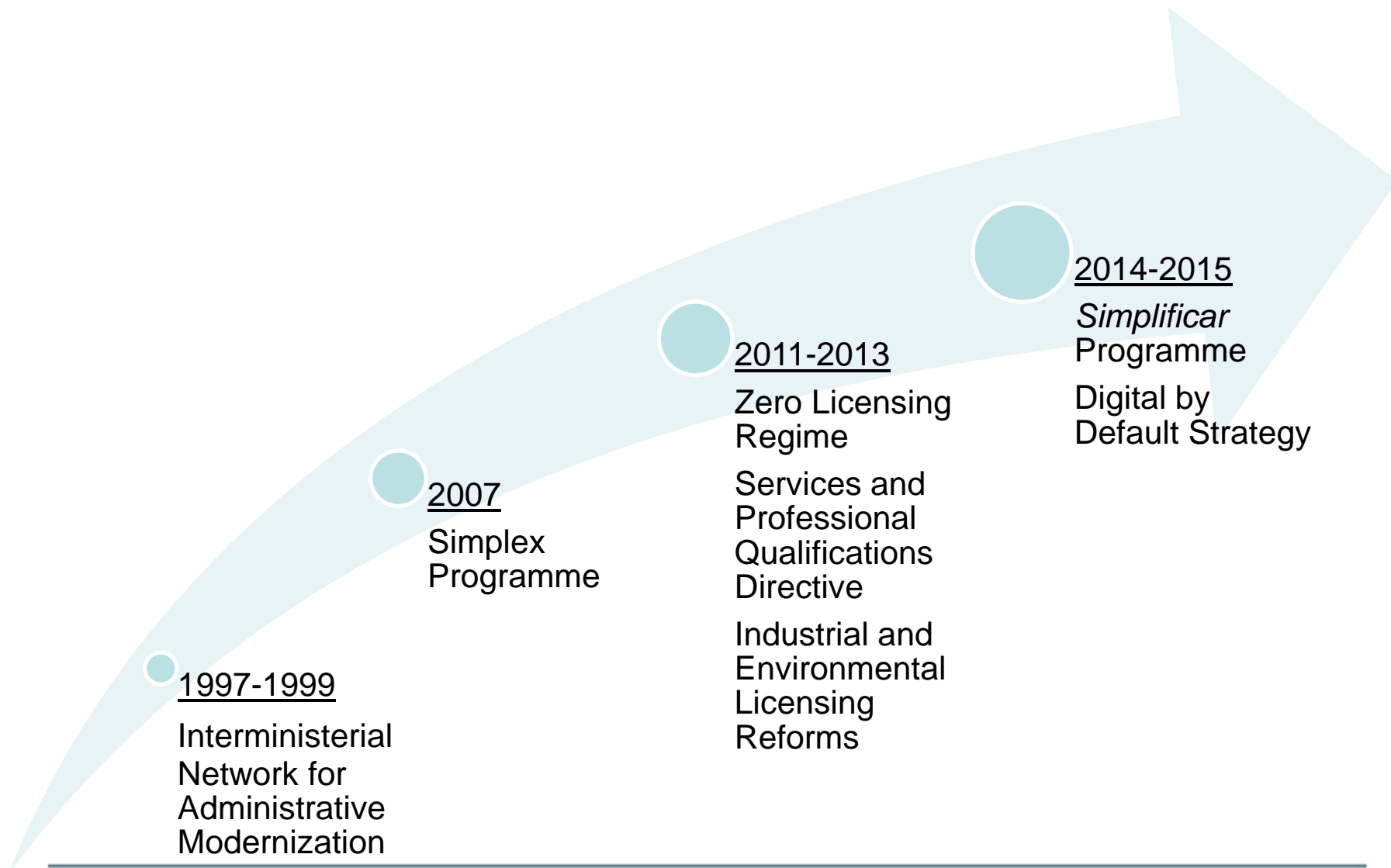
Regulatory Burden Reduction in Portugal

Directors and Experts of Better Regulation Meeting
The reduction of regulatory burden and the proportionality
principle

Rome, 18-19 September 2014

Regulatory Burden Reduction in Portugal

The regulatory burden reduction in context – milestones



Regulatory Burden Reduction in Portugal

The regulatory burden reduction in context – the Simplificar Programme



Regulatory Impact Assessment

- Mandatory RIA (Decree-Law 72/2014)
- RIA coordinated by the Interministerial Network for Administrative Modernization



One-in, one-out rule

- To be implemented until the end of 2014
- Coordinated by the Interministerial Network for Administrative Modernization



Participation model in cutting red-tape

- Focus groups with stakeholders
- “Red-tape challenge” website (available soon)
- Regulatory “acid test” of existing regulation

Regulatory Burden Reduction in Portugal

Main tools of regulatory burden reduction

Reengineering licensing regimes

- To conduct a certain activity the paradigm is that only a declaration is necessary (comunicação prévia);
- Using co-regulation whenever adequate (e.g. health facilities regime);
- Streamlining administrative procedures – joint administrative procedures (e.g. Industrial Licensing) and joint administrative decision bodies (*conferências decisórias*);

Shortening administrative decision periods

- By default, the absence of a decision by the Administration in due time is equivalent to acceptance;
- Intermediate deadlines for the immediate dismissal of the request and for asking for further information/explanations (which can only happen once);

Only-once principle

- Decree-Law 73/2014: by May 2015 whenever citizens or businesses have to deliver information the Public Administration already has, they can ask instead the Public Administration to get it directly
- In some information given to public entity A is directly given to public entity B, so that no further communication is needed.

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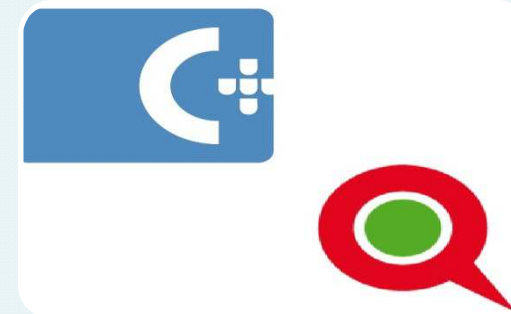
Digitizing the Public Administration and regulatory burden reduction



Digital *one-stop-shop* for licensing economic activities



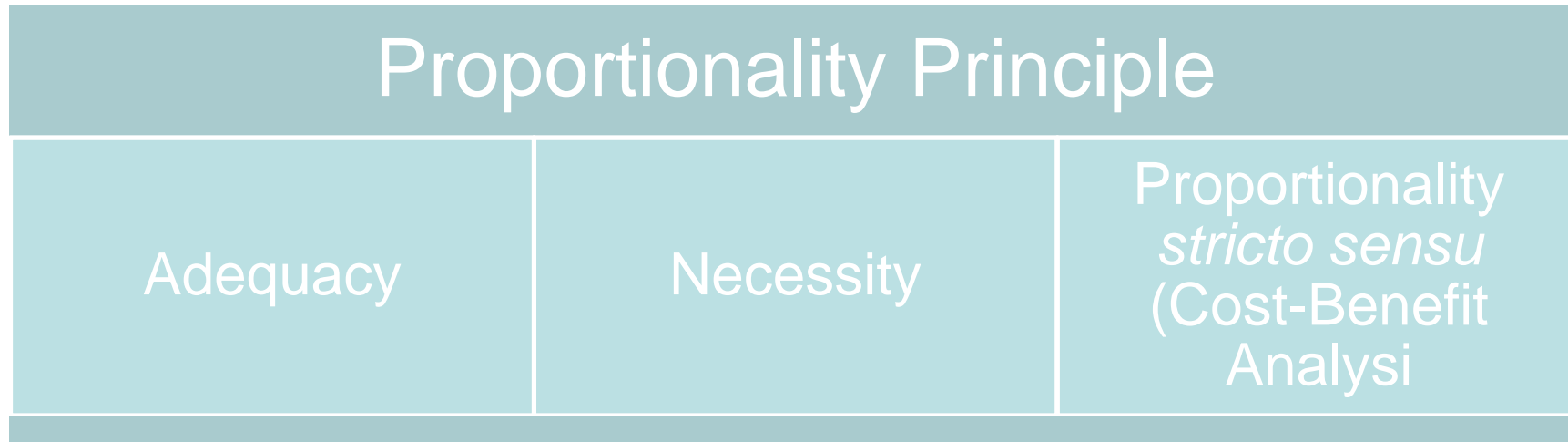
Public Administration Interoperability Platform



Digital by default and the assisted digital network

Regulatory Burden Reduction in Portugal

Concluding remarks: the proportionality principle in regulatory design



- Regulatory burdens must be apt to respond to a particular public policy question;
- Regulatory burdens must be kept to the minimum indispensable level:
 - E.g. unless demonstrated otherwise, a declaration (*mera comunicação prévia*) is sufficient to launch an economic activity;
 - E.g. Public Administration should only ask for information it doesn't already have;
- Impacts on the life of citizens and businesses should be quantified and weighed against the perceived benefits of regulation;
- The *one-in, one-out* rule guarantees that even when regulatory burdens are justified, there is a commitment not to increase the overall administrative burdens.



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Thank you

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