



Regulatory agencies performance assessment

Tuesday November 24th 2020 | 12pm-2.30pm
Online



The “raison d’être” of regulators is to articulate public policies with economic efficiency, while dealing with markets failures. Because they have to balance various stakeholders’ interests and to manage the long-term collective welfare, they have to be immune from undue influence by policy makers, large operators, or interest groups. Their independence should however be balanced by accountability. Regulatory agencies operations have to be assessed both to make sure that policies are actually implemented (effectiveness), and that their action results into desirable outcomes for the society and the economy.

Then the issue is to develop adequate organizational arrangements and to rely on relevant methodologies to assess the performances of the regulatory agencies. Indeed, the observed outcomes in terms of investment, level of activity, distribution of costs and benefits, is due to the intertwined effect of the design of the regulation (by the legislator) and of its implementation (by the regulator).

The objective of this conference will be to compare and discuss how the performances of regulatory agencies are performed in different countries.

[In a first roundtable we will focus on the institutional organization of performance assessment.](#) What is the role of the parliament and of specialized “higher authorities”? Is a Regulatory Impact Assessment (RIA) policy implemented at the national level? Do the infra-national political authorities check the regulators actions? Does the industry, the users or civic and political organization exercise some oversight? Are the regulators themselves involved in self-evaluation effort? Do the regulators involved in networks operate benchmark analyses of their performance? etc. Among other things, it will be useful to understand if the analysis of regulators performances is a regular activity and the level of requested means to manage such efforts.

[In a second roundtable, we will discuss the methodological aspects of impact assessment.](#) What are the dimensions considered as relevant? What are the difficulties in disentangling the respective effects of the design of the regulation, of the action of the regulator, and of the action of other policy actors/actions? Are derived benefits of the policy – on growth, trade, employment, environment, etc. – systematically assessed and how? If they do exist, how regulatory scoreboard were built? What is their goal and actual role? Are ex ante and ex post impact assessment performed, and combined? Are behavioral impacts considered in addition to direct impact on economic outcomes? etc. This second roundtable will inevitably link the methodological issues with the aim of the regulatory impact assessment effort: providing incentives to the regulators, allowing a more informed discussion among the stakeholders of the regulation and public policies, or improving the effectiveness and the efficiency of the regulatory framework.

Introduction : *Eric Brousseau | Scientific Director, Governance and Regulation Chair & Club of Regulators*

1st roundtable - Institutional organization of performance assessment - 12pm-1pm

Facilitator: *Dominique Jamme | Managing Director, Commission de Régulation de l'Energie (CRE, France).*

UE - European perspective as a "regional" one on sector performance and assessment

Anne Vadasz Nilsson | Vice President of the Council of European Energy Regulators (CEER) (also Swedish Energy Markets Inspectorate Director)

PORTUGAL - The Portuguese experience with RIA and the challenges for regulatory agencies

Manuel Cabugueira | Co-ordinator of the Technical Unit for Legislative Impact Assessment (UTAIL), Government Centre for law skills, JurisApp

RUSSIA - Competition authority performance assessment – Russian experience

Andrey Tsyganov | Deputy Head, Federal Antimonopoly Service (FAS Russia)

UK - Regulatory performance and evaluation in the UK

Charles Nancarrow | Head of Financial Analysis (Regulation and private sector delivery) & Rich Sullivan-Jones | Audit Manager (Regulation, Consumers & Competition), National Audit Office (NAO)

2nd roundtable - Methodological aspects of impact assessment - 1.10pm-2.10pm

Facilitator: *Anne Yvrande-Billon | Director Economy, Markets and Digital, Autorité de Régulation des Communications Electroniques et des Postes (ARCEP, France)*

AUSTRALIA - Reporting on the Australian Energy Market.

Warwick Anderson | General Manager, Network Finance and Reporting, Australia Energy Regulator (AER)

BRAZIL - Methods, data and evidence for RIA from a Brazilian agency perspective and practice

Carmen Silvia Sanches | Regulation Specialist, Agencia Nacional de Energia Eletrica (ANEEL)

FRANCE - Impact assessment in the context of bank regulation

Laurent Clerc | Director for research and risk analysis, Autorité de Contrôle Prudentiel et de Résolution (ACPR - Banque de France)

GERMANY - Regulatory assessment: tools in place

Nadia Horstmann | Head of section, Bundesnetzagentur

OCDE - Assessing the performance of regulators: Evidence from reviews and indicators

Alex Durand | Regulatory policy division Analyst, Directorate for Public Governance

Conclusion : *Anna Pietikainen | Senior Policy Advisor, Public Governance and Regulatory Policy, Public Governance Directorate, OECD* **2.15pm-2.30pm**

Regulatory agencies performance assessment

*Organisé par le Club des Régulateurs
et l'OCDE-NER
24 novembre 2020*

*Université Paris Dauphine-PSL
Place du Maréchal de Lattre de Tassigny
75016 Paris*

<http://chairgovreg.fondation-dauphine.fr>