

EVALUATION AND REGULATORY IMPACT ANALYSIS IN SWITZERLAND

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Introduction

EVALUATION AND REGULATORY IMPACT ANALYSIS IN SWITZERLAND

1. Sources
2. Terminology and Methods
3. Functions
4. Responsibility
5. Timing
6. Practical Use – The-More-The-Better?
7. Legal and Political Consequences
8. Alternatives, namely Public Consultations
9. Conclusion



1. Sources

101

English is not an official language of the Swiss Confederation. This translation is provided for information purposes only and has no legal force.

Federal Constitution of the Swiss Confederation

of 18 April 1999 (Status as of 14 June 2015)

Art. 170 Evaluation of effectiveness

The Federal Assembly shall ensure that federal measures are evaluated with regard to their effectiveness.



1. Sources

Federal Act on the Federal Assembly (Parliament Act, ParlA)

of 13 December 2002 (Status as of 1 March 2016)

Art. 141 Dispatches on bills

¹ The Federal Council shall submit its bills to the Federal Assembly together with a dispatch.

² In the dispatch, the Federal Council shall provide justification for the bill and if necessary comment on the individual provisions. In addition, it shall explain the following points in particular, on condition that it is possible to provide a substantial amount of information thereon:



1. Sources

- a. the legal background, the consequences for constitutional rights, compatibility with superior law and the relationship with European law;
- b. the delegation of powers provided for in a draft act;
- c. the points of view debated in the preliminary stages of the legislative process and their alternatives and the related position of the Federal Council;
- d. the planned implementation of the enactment, the planned evaluation of its implementation and the assessment of the planned implementation that took place in the preliminary stages of the legislative process;
- e. the coordination of tasks and funding;
- f. the consequences for staffing and finances of the legislative enactment and its implementation on the federal government, cantons and communes, as well as the methods for meeting the costs, the influence on financial planning and the cost-benefit ratio;
- g.¹⁰⁰ the consequences for the economy, society, the environment and future generations;
- h. the position of the bill in relation to the planning of legislation;
- i. the consequences for gender equality.

1. Sources



2. Terminology and Methods



**Evaluation –
Regulatory Impact Assessment –
Standard Cost Model**

3. Functions



4. Responsibility



Parliament



4. Responsibility

Federal Act on the Federal Assembly (Parliament Act, ParlA)

of 13 December 2002 (Status as of 1 March 2016)

Art. 27 Evaluation of effectiveness

The organs of the Federal Assembly designated by law shall ensure that the measures taken by the Confederation are evaluated as to their effectiveness. To this end, they may:

- a. request the Federal Council to have impact assessments carried out;
- b. examine the impact assessments carried out on the instructions of the Federal Council;
- c. instruct impact assessments to be carried out themselves.



4. Responsibility



Parliament
Government
Administration
Independent Agency



5./6. Timing / Practical Use



**ex ante-evaluation, ex post-evaluation,
accompanying evaluation**

7. Consequences



8. Alternatives

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Art. 147 Consultation procedure

The Cantons, the political parties and interested groups shall be invited to express their views when preparing important legislation or other projects of substantial impact as well as in relation to significant international treaties.

