

Annual Report

2024

Regel|rådet





Regel|rådet

Annual Report **2024**

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Foreword

It is time to sum up the Swedish Better Regulation Council's (SBRC) operating year 2024. It has been a year of change, with a new ordinance for impact assessment has come into effect. In the new Impact Assessment Ordinance, the SBRC is designated as a partner to the Swedish National Financial Management Authority (ESV) regarding impact assessments for regulations that have an impact on businesses. The SBRC has a positive view of this assignment and looks forward to guiding regulators through the impact assessment work through review, support and training. In order to perform the tasks incumbent on the SBRC in the best possible way, the Council has strengthened its collaboration with the ESV during the year, and has also launched an internal development programme.

There was a large influx of submissions during the year. To meet this, the SBRC held a total of 30 meetings, including a number of extra meetings. All submissions that have been deemed to have effects of significance for businesses have been responded to with an opinion, which is the Council's remit and the objective of the review. Given the varying results of the regulators, this is an entirely necessary objective, as 4 out of 10 impact assessments were judged as failing to fulfil the requirements. For committees of inquiry, the figure is 7 out of 10, which is a remarkably low result. I believe in early referral to the SBRC and a strengthening of support and guidance to regulators, coupled with the possibility for the Council to ask for supplementation of the impact assessments to improve their quality. This would strengthen the entire review and support process. During the year, we have seen good examples from government agencies that involved the Council early in the process and produced impact assessments of high quality, which is why we hope that more agencies will do the same.

During the year, the Swedish Better Regulation Council participated in several important seminars, where I spoke about the Council's overall mission and presented our proposals regarding the quality of impact assessments for specific regulations.

A Simplification Council and an Implementation Council were also established during the year, which is very positive, and the SBRC initiated a dialogue with both councils. The SBRC's international cooperation within RegWatchEurope (RWE) also continued during the year. Exchanging experiences of how the review bodies of other countries work with reviews and related issues is valuable for the Council's continued work.

I would like to extend a special thank you to our secretariat at the Swedish Agency for Economic and Regional Growth and the people we have the pleasure of working with. They contribute important expertise, analytical ability and a willingness to collaborate, which creates the best conditions for the members of the Council to discuss and review the impact assessments.

Finally, I would like to extend my warm thanks to Lennart Renbjer, who, after many years of work for the Swedish Better Regulation Council, stepped down as Vice Chair of the Council on 31 December 2024.

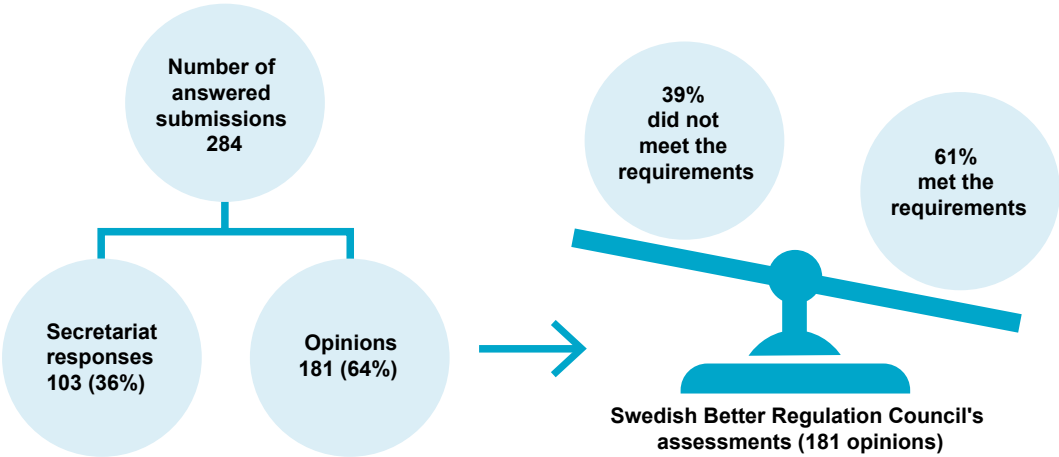


A handwritten signature in black ink, appearing to read 'Anna-Lena Bohm' followed by a stylized flourish.

Anna-Lena Bohm
Chair

Results for the year

Answered submissions



Distribution of opinions 2024

Government Offices of Sweden
59 submissions

- 👍 59% met the requirements
- 👎 41% did not meet the requirements

Official government reports (SOU)
38 submissions

- 👍 32% met the requirements
- 👎 68% did not meet the requirements

Government agency reports
9 submissions

- 👍 89% met the requirements
- 👎 11% did not meet the requirements

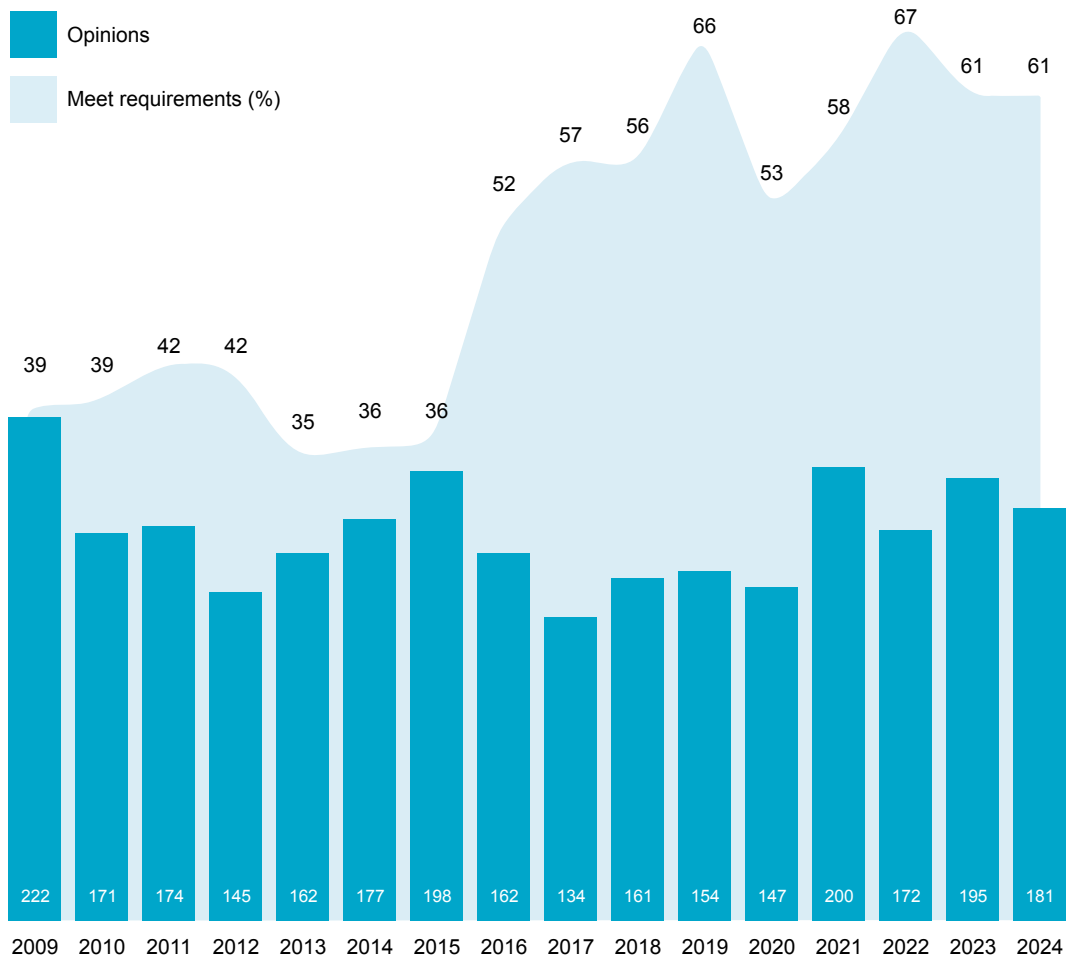
Government agency regulations
75 submissions

- 👍 75% met the requirements
- 👎 25% did not meet the requirements

Results over time

The trend over time shows that the proportion of acceptable impact assessments has increased, although no significant progress has been noted in recent years. The proportion of acceptable impact assessments for all groups of regulators has varied in recent years between just over 50 per cent and up to 67 per cent. It can also be noted that the SBRC has issued opinions in more cases in recent years.

Opinions acceptable 2009–2024



Introduction

The Swedish Better Regulation Council's mandate

The Swedish Better Regulation Council (SBRC) is a designated decision-making body tasked with reviewing impact assessments for new and amended regulations that have effects of significance for businesses. If the regulator determines that a proposed statute may have such effects, the proposal and the associated impact assessment is referred to the SBRC. The Council examines the referred impact assessments and assesses whether they meet the requirements set out in the Ordinance (2024:183) on Impact Assessments. The Council also reviews impact assessments created at the EU level, at the request of the relevant Swedish government ministry or agency. The Council does not comment on the substance of the proposal.

The Council is required to submit an annual report every year. The annual report summarises the statistics on cases referred to the Council as well as the Council's activities for the year. This annual report is the sixteenth in the series.

The mandate and composition of the SBRC is set out in Sections 17–19 of the Ordinance (2009:145) with Instructions for the Swedish Agency for Economic and Regional Growth.

Composition and organisation of the Swedish Better Regulation Council

The SBRC was established in 2008 as part of the Government's work on regulatory simplification for businesses.

During the period 2009–2014, the Council was organised as a committee. In 2015, the activities of the Council became permanent and it has since been organised as a designated decision-making body within the activities of the Swedish Agency for Economic and Regional Growth.

The SBRC consists of a chair, a deputy chair and three ordinary members. Anna-Lena Bohm serves as chair of the Council. Lennart Renbjer is deputy chair, and Helena Fond, Hans Peter Larsson and Lars Silver are ordinary members. The alternate members are Hanifeh Khayyeri, Peter Nilsson and Roland Sigbladh.

The SBRC is assisted in its tasks by the Swedish Agency for Economic and Regional Growth's staff at the Better Rules unit. The work is coordinated by a director at the Swedish Agency for Economic and Regional Growth with special powers delegated by the SBRC. At year-end, the following staff worked for the SBRC: director Christian Pousette; rapporteurs Josefina Brzezinska, Anna-Sara Falk, Katarina Garinder Eklöv, Per Högström, Katarina Kjellström, Anna Nilsson, Stig-Dennis Nyström, Erik Palm, Anna Stattin, Steven Wall, Ulrika Wienecke; webmaster Anne Krona; and administrators Gunilla Ahl, Björn Sjösvärd and Rigmor Söderberg.

Swedish Better Regulation Council



Lennart Renbjer
deputy chair

Helena Fond
member

Hans Peter Larsson
member

Anna-Lena Bohm
chair

Lars Silver
member

Since 2007, the Ordinance on Regulatory Impact Assessment (2007:1244), abbreviated below as KUF, has been the governing framework for the impact assessment work of government agencies, and for the SBRC's review. The Swedish Agency for Economic and Regional Growth and the Swedish National Financial Management Authority (ESV) have been responsible for method development, advice and training. The Swedish Agency for Economic and Regional Growth has had a coordinating responsibility.

For the ministries, there were previously two state secretary letters from 2008 concerning the ministries' work with impact assessments and referrals to the SBRC. The Government Committees of Inquiry Ordinance (1998:1474) contained a special provision concerning the impact assessment that a committee of inquiry was expected to carry out.

New regulations and governing documents

On 6 May 2024, the Ordinance (2024:183) on Impact Assessments entered into force. According to the new KUF, the ESV is responsible for method development, guidance and training in connection with the ordinance. The ESV is to collaborate with the SBRC on impact assessments in connection with proposals for regulations and general advice that may have effects of significance for businesses. The Ordinance contains a provision concerning the content of the impact assessment that focuses on descriptions of the problem in question, what change is sought, and what alternative solutions exist. In addition, the impact assessment is to contain an analysis of the proposal made or the decision intended to be taken, and it must consist of a description and calculation of the costs and revenue arising for businesses and others from the proposal or decision. It is also to include a description and, where possible, an estimate of other relevant impacts. In addition, certain aspects must be described that are virtually identical to the descriptions that would have been included under the previous KUF.

Additions compared to the previous KUF include a description of the measures taken to ensure that the proposal or decision does not entail more far-reaching costs or restrictions than are deemed necessary to achieve its purpose, a description of how and when the impacts of the proposal can be evaluated, and the requirement to state the reasons if a proposal for the transposition of an EU directive into national law goes beyond the minimum level of the directive. According to the current KUF, the impact of the proposal on revenue must also be described.

On 19 April 2024, two Prime Ministerial decisions were made regarding impact assessments in the Government Offices of Sweden¹ and the Government Offices of Sweden's submission of data to the SBRC.² As a result, the above-mentioned state secretary letters ceased to apply. The Government Committees of Inquiry Ordinance (1998:1474) contains a reference to the current KUF regarding the impact assessments that a committee of inquiry is expected to prepare.

¹ Impact assessments in the Government Offices of Sweden, reg. no. FA2024/00416.

² Submission of data by the Government Offices of Sweden to the Swedish Better Regulation Council, reg. no. FA2024/00417.

New councils

The Government's work to establish a Simplification Council and an Implementation Council was announced in 2023, but was adopted in 2024. The work of the two councils also began in 2024.

The Simplification Council is a special decision-making body within the Swedish Agency for Economic and Regional Growth that is tasked with working to reduce the regulatory burden on businesses and the administrative and other compliance costs that businesses incur as a result of applicable regulations. The aim of this work is to promote Swedish competitiveness, innovation and new business models. The Simplification Council has been established for an indefinite period. The staff assisting the Simplification Council are employed by the Swedish Agency for Economic and Regional Growth.³

The Implementation Council is a committee established to assist the Government in its work to strengthen the competitiveness of Swedish businesses by avoiding implementation above the minimum level, preventing unjustified regulatory burdens and reducing administrative and other compliance costs when implementing EU regulations in Swedish law. The Implementation Council shall also produce material analysing issues in future EU legal acts of particular interest to businesses in Sweden that the Government should be made aware of before or during EU negotiations.⁴ An interim report on the work of the Implementation Council shall be reported on 28 February each year until the final report is submitted to the Government Offices of Sweden on 31 December 2027.

³ Sections 19 a–c of the Ordinance (2009:145) with Instructions for the Swedish Agency for Economic and Regional Growth.

⁴ Dir. 2024:51, Terms of reference, An Implementation Council for the implementation of EU legal acts with consequences for businesses in Sweden. Decision at the government meeting on 23 May 2024.



2 Communication and activities

The SBRC has a website⁵ where it regularly publishes news and reports, information about the Council's opinions and secretariat responses, and about its activities in general. It also has a statistics page, where you can compare the SBRC's assessments of impact assessments broken down by different regulators, sub-aspects and years. The number of visitors to the Council's website totalled just over 13,000 in 2024. A new website with a new layout and technical design was further developed and completed in 2024.

The Council's newsletter, Regelrätt, is published six times a year and has about 800 subscribers. The subscribers include people working in government agencies or ministries, organisations and others interested in the Council's activities.

During the year, the SBRC Chair, Anna-Lena Bohm, participated in a number of different seminars and meetings with decision-makers in the Riksdag and Government, as well as representatives of business organisations and other government agencies and bodies, at both the national and the international level.

Anna-Lena has visited Företagarrådet Stockholm [Swedish Business Council Stockholm] to talk about the Council's work. She has participated in meetings with the Confederation of Swedish Enterprise's SME Committee. Anna-Lena also participated in the Confederation of Swedish Enterprise's Wage Formation Day and spoke about the SBRC's review of the impact assessment for the implementation of the Pay Transparency Directive. She also participated in the Board of Swedish Industry and Commerce for Better Regulation's (NNR) regulatory podcast.

As a result of the SBRC's changed remit under the Ordinance (2024:183) on Impact Assessments, Anna-Lena organised a kick-off meeting with the Swedish National Financial Management Authority (ESV). She has also engaged in dialogue with the chairs of the Implementation and Simplification Councils on cooperation between the three councils.

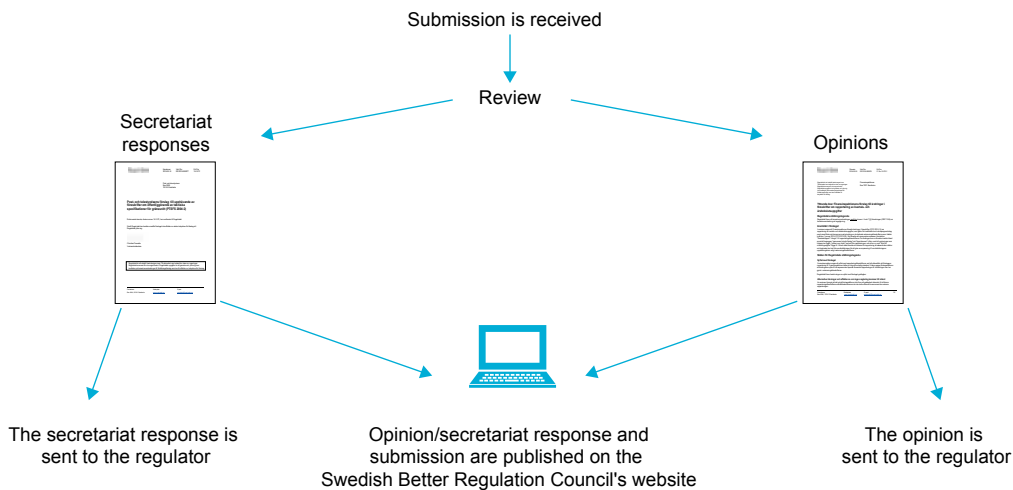
⁵ www.regelradet.se



3

Reviews in practice

When the Council receives a submission, the first assessment is whether the submission should be answered with an opinion or a secretariat response. A secretariat response means that the Council does not give an opinion on the submitted proposal. The deciding factor for the assessment is whether the proposal could have effects of such significance for businesses that the Council should issue an opinion. Effects of significance for businesses include both economic and other effects. If the proposal is deemed to have effects of significance for businesses, or if the effects cannot be assessed, the Council always aims to respond to the submission with an opinion. Draft opinions are prepared by a rapporteur for the submission, and are decided at the Council's meetings, which are usually held every other week.



The Council's opinion first states its position on the impact assessment as a whole – whether the Council finds that the impact assessment meets or does not meet the requirements set out in the KUF. This is followed by the reasons for the Council's position, clarifying why the Council finds that the impact assessment meets, or does not meet, the requirements. The content of the proposal is then described. Finally, the aspects by which the Council scrutinises the impact assessment are described under separate headings. For each such heading, one or more sub-assessments are made of a particular section of the impact assessment. The sub-assessment indicates whether the point can be considered acceptable or deficient.

Secretariat responses

Section 17 of the Ordinance (2009:145) with Instructions for the Swedish Agency for Economic and Regional Growth states that the SBRC is to issue an opinion on impact assessments that are prepared in accordance with the Ordinance (2024:183) on Impact Assessments and have served as the basis for a proposal for regulations that may have effects of significance for businesses.

It is not uncommon for regulations that are not deemed to have effects of significance for businesses to also be referred. When this happens, the Council does not issue an opinion on the matter, but instead responds to the referral with what is known as a secretariat response. In addition to the proposal's effects on businesses, there are a number of other reasons why a submission is answered with a secretariat response, and the reason is always stated in the submission response.

Reasons for a secretariat response

Limited effects for businesses: The proposal is deemed to not have effects of such significance for businesses that the Council should issue an opinion. This is the most common reason for a secretariat response.

Resource constraints: It may be that the number of cases exceeds the amount that can be handled by the human resources that are available. The Council therefore needs to prioritise commenting on the submissions with the greatest significance for businesses.

Time constraints: Ordinance (2024:183) Impact Assessments and the regulation concerning the Government Offices of Sweden's submission of data to the SBRC state that the SBRC is to be allowed a response time of at least two weeks to answer a submission. If the proposer gives a shorter time, the Council will request an extended response time. If this is not possible for the proposer, the submission is answered with a secretariat response.⁶

Other reasons: One example is that no statute text was submitted to the Council. This category also includes submissions covered by Section 7 of the Fee Regulation (1992:191), which means that the Ordinance (2024:183) on Impact Assessments is not applicable, as well as submissions for which decisions on regulations have been taken before the submission to the Council.

Impact assessments drawn up at the EU level

At the request of regulators, the SBRC is tasked with issuing opinions on impact assessments concerning proposals for regulations drawn up at the EU level that are deemed to have a major impact on businesses in Sweden. The Council's mandate in such cases differs from the mandate regarding the review of impact assessments prepared by a Swedish proposer. Opinions on EU impact assessments do not give judgments on whether or not the impact assessment meets the requirements set out in the KUF. Instead, overall assessments are made of the descriptions that exist concerning the proposal's impact on businesses. An assessment is also made of whether there is a need to draw up a supplementary, national impact assessment for future negotiations in the Council to highlight the proposal's effects for businesses in Sweden and which aspects in particular need to be investigated in this.

In this context, the explanatory memorandum submitted to the Riksdag is often also examined, even if it has not been sent to the Council as part of the submission.

A number of years ago, the SBRC conducted a follow-up of its remit to review impact assessments prepared at the EU level.⁷ This resulted in a request that was developed jointly with the Swedish Agency for Economic and Regional Growth.⁸

⁶ There are certain exceptions to this.

⁷ See the Swedish Better Regulation Council's annual report for 2018, chapter 4 Follow-up, p. 28 for more information on the follow-up.

⁸ The request was submitted to the Ministry of Enterprise and Innovation in November 2019. The request contains proposals for what each body should do or assist with and when in the process this should take place. The SBRC's registration number RR 2019-283, Impact of EU legislation: Request after completion the follow-up and evaluation of the Swedish Better Regulation Council's assignment regarding impact assessments at the EU level.

4

Reviews in figures

During the year, the SBRC reviewed cases based on both the Ordinance on Regulatory Impact Assessment (2007:1244) (KUF previously in force) and Ordinance (2024:183) on Impact Assessments (KUF currently in force).

The SBRC dealt with 284 submissions in 2024. Of these, 181⁹ resulted in an opinion (representing 64 per cent) and 103 resulted in a secretariat response (representing 36 per cent).

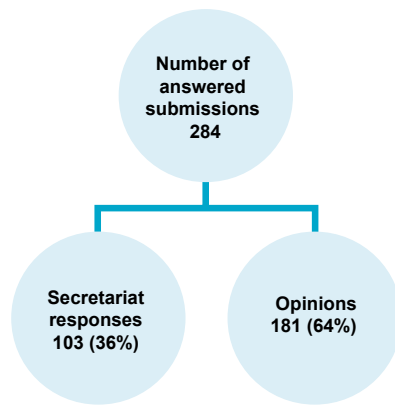


Figure 1:
Answered submissions 2024.

Opinions

Of the 181 cases on which the Council issued an opinion, 111 contained an impact assessment that was deemed overall to meet the requirements of the KUF, representing 61 per cent. This result is identical to that of 2023. See the appendix on the SBRC’s website for detailed information on the results.

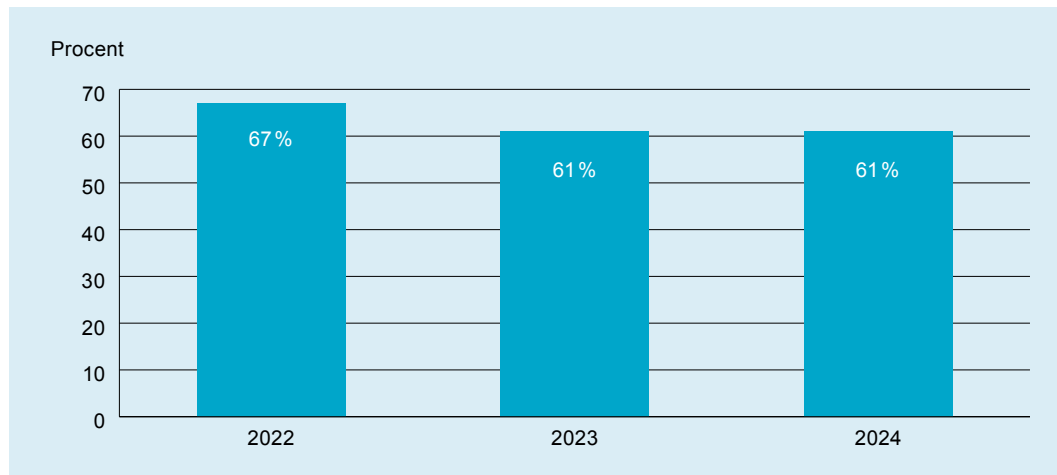


Figure 2: The Council’s evaluation of impact assessments in 2022, 2023 and 2024, proportion that met the requirements.

⁹ In addition to these, 12 submissions were answered with what is known as a simplified opinion in 2024. These cases are excluded here.

Results by aspect

Aspect	2024		
	Number		Proportion acceptable (%)
	Acceptable	Deficient	
Purpose	121	2	98%
Particular attention to the date of entry into force	112	11	91%
Consistency with EU law	111	12	90%
Effects if no regulation is issued	110	13	89%
Businesses affected by industry	108	15	88%
Effect in other respects	108	15	88%
Alternative solutions	100	23	81%
Provision of special information	99	24	80%
Number of businesses affected	81	42	66%
Impact on business activities	80	43	65%
Other costs	73	50	59%
Special attention for small businesses	72	51	59%
Impact on competitive conditions	69	54	56%
Size of businesses affected	69	54	56%
Administrative costs	68	55	55%

Figure 3: The Council's evaluation by aspect 2024, ranked by the highest proportion of acceptable (reviewed based on the KUF previously in effect).

Figure 3 shows the results based on the KUF previously in effect. When the current KUF entered into force on 6 May 2024, more aspects were added that must be included in an impact assessment and which the SBRC uses as a basis for its review. The new aspects are a description of the measures taken to ensure that the proposal or decision does not entail more far-reaching costs or restrictions than are deemed necessary to achieve its purpose, a description of how and when the impacts of the proposal can be evaluated, and a statement of the reasons if a proposal for the transposition of an EU directive into national law goes beyond the minimum level of the directive. There must also be a description of the proposal's impact on business revenue. This aspect is written together with costs in the current KUF, a description and calculation of the costs and revenue arising for the state, municipalities, regions, businesses and other individuals from the proposal or decision. Figure 4 shows the results based on the KUF currently in effect.

The Council performs a proportionality assessment of each individual sub-aspect and the overall assessment. What is sufficient to reach an acceptable assessment may therefore differ between cases, based on the nature of the cases. The existence of descriptions of aspects of major importance to businesses may therefore be directly decisive for whether an impact assessment is deemed to meet, or not meet, the requirements.

Aspect	2024 new KUF sub-aspects		
	Number		Proportion acceptable (%)
	Acceptable	Deficient	
Particular attention to the date of entry into force	54	4	93%
Purpose	54	4	93%
Effects if no regulation is issued	53	5	91%
Consistency with EU law	53	5	91%
Provision of special information	48	10	83%
Number of businesses affected	46	12	79%
Businesses affected by industry	46	12	79%
Minimum requirements	46	12	79%
Alternative solutions	44	14	76%
Size of businesses affected	40	18	69%
Impact on business costs	40	18	69%
Impact on competitive conditions	37	21	64%
Measures to limit costs and other effects	36	22	62%
Impact on small businesses	35	23	60%
Evaluation of the proposal	28	30	48%
Impact on business revenue	23	35	40%

Figure 4: The Council's evaluation by aspect 2024, ranked by the highest proportion of acceptable (reviewed based on the KUF currently in effect).

Distribution of opinions – sender

The Council receives submissions from government agencies and the various ministries of the Government Offices of Sweden. The results are presented as follows:

1. Memoranda and other internally prepared submissions, referred by the Government Offices of Sweden.
2. Official government reports (SOU) produced by committees of inquiry and referred by the Government Offices of Sweden.
3. Government agency reports produced by agencies. These may be referred by the Government Offices of Sweden or by agencies. Government agency reports contain proposals for new or amended legislation that have been drawn up by agencies. The report is most often the result of a government commission, but can also be created by the agency on its own initiative, through what is known as a request to the responsible government ministry.
4. Submissions prepared and referred by agencies, containing proposals for government agency regulations.

The 181 submissions resulting in opinions in 2024 can be broken down as follows:

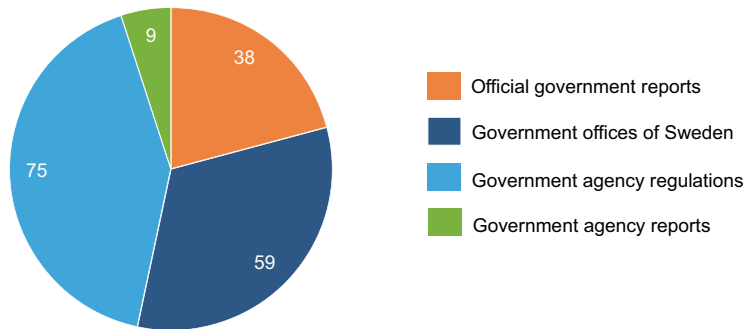


Figure 5: Number of opinions by category 2024.

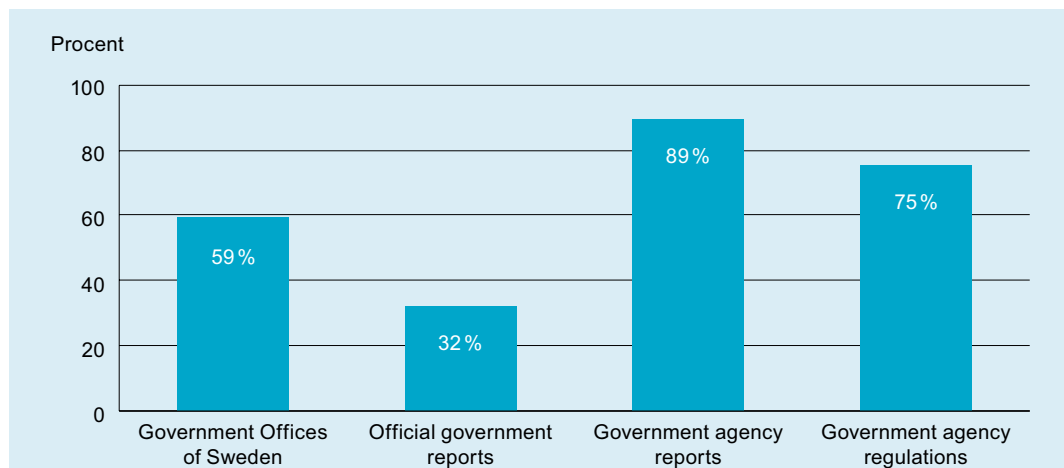


Figure 6: Proportion of opinions and proportion that met the requirements 2024.

Government Offices of Sweden

The Council gave its opinion on the impact assessments in 59 submissions prepared internally at the Government Offices of Sweden. Of these, 35 (representing 59 per cent) were deemed to meet the KUF requirements. By comparison, 32 out of 61 (52 per cent) were deemed to meet the requirements in 2023 and 33 out of 52 (63 per cent) did so in 2022.

GOVERNMENT OFFICES OF SWEDEN Ministry	Number		
	Meets requirements	Does not meet requirements	Total
Ministry of Finance	19	10	29
Ministry of Justice	1	4	5
Ministry of Climate and Enterprise	6	3	9
Ministry of Culture	0	1	1
Ministry of Rural Affairs and Infrastructure	7	2	9
Ministry of Health and Social Affairs	2	2	4
Ministry of Education and Research	0	2	2
Total	35	24	59

Figure 7: The SBRC’s opinions on submissions produced internally at the Government Offices of Sweden, 2024.



Official government reports (SOU)

The Council gave its opinion on the impact assessments in 38 official government reports. Of these, 12 (representing 32 per cent) were deemed to meet the KUF requirements. By comparison, 14 out of 25 (56 per cent) were deemed to meet the requirements in 2023 and 11 out of 22 (50 per cent) did so in 2022.

OFFICIAL GOVERNMENT REPORTS	Number		
	Meets requirements	Does not meet requirements	Total
Ministry of Employment	1	1	2
Ministry of Finance	8	1	9
Ministry of Defence	0	2	2
Ministry of Justice	2	4	6
Ministry of Climate and Enterprise	1	2	3
Ministry of Culture	0	2	2
Ministry of Rural Affairs and Infrastructure	0	6	6
Ministry of Health and Social Affairs	0	6	6
Ministry of Education and Research	0	2	2
Total	12	26	38

Figure 8: The SBRC's opinions on official government reports, by referring ministry, 2024.

No official government reports were reviewed under the new KUF. Under the transitional provisions of the new KUF, the Ordinance does not apply to committees of inquiry and special investigators appointed before the new KUF entered into force.

Government agency reports

The Council gave its opinion on the impact assessments in 9 government agency reports. Of these, 8 (representing 89 per cent) were deemed to meet the KUF requirements. By comparison, 4 out of 8 (50 per cent) were deemed to meet the requirements in 2023 and 4 out of 10 (40 per cent) did so in 2022.

GOVERNMENT AGENCY REPORTS Referring ministry and responsible administrative agency	Number		
	Meets requirements	Does not meet requirements	Total
Ministry of Finance/Swedish Tax Agency	2	0	2
Ministry of Climate and Enterprise/Swedish Energy Markets Inspectorate	3	0	3
Ministry of Rural Affairs and Infrastructure/Swedish Transport Agency	1	1	2
Ministry of Rural Affairs and Infrastructure/National Board of Housing, Building and Planning	1	0	1
Ministry of Culture/Swedish Press and Broadcasting Authority	1	0	1
Total	8	1	9

Figure 9: The SBRC's opinions on government agency reports, by referring ministry and responsible agency, 2024.

Government agency regulations

The Council gave its opinion on the impact assessments in 75 submissions from government agencies. Of these, 56 (representing 75 per cent) were deemed to meet the KUF requirements. By comparison, 68 out of 101 (67 per cent) were deemed to meet the requirements in 2023 and 68 out of 88 (77 per cent) did so in 2022.

GOVERNMENT AGENCIES	Number		
	Meets requirements	Does not meet requirements	Total
Swedish Work Environment Authority	0	1	1
National Board of Housing, Building and Planning	2	0	2
Swedish Energy Markets Inspectorate	2	0	2
Swedish Energy Agency	2	1	3
Swedish Financial Supervisory Authority	5	0	5
Swedish Agency for Marine and Water Management	3	2	5
Swedish Board of Agriculture	16	0	16
Swedish Competition Authority	0	1	1
Medical Products Agency	1	2	3
Swedish Agency for the Media	1	0	1
Swedish Civil Contingencies Agency	2	1	3
Swedish Environmental Protection Agency	1	1	2
Swedish Post and Telecom Authority	4	0	4
Swedish Inspectorate of Auditors	0	2	2
Swedish National Debt Office	0	1	1
Swedish Maritime Administration	1	0	1
National Agency for Education	0	1	1
Statistics Sweden (SCB)	6	1	7
Swedish Forest Agency	3	0	3
National Agency for Education	0	1	1
National Board of Health and Welfare	1	1	2
Geological Survey of Sweden	0	1	1
Swedish Radiation Safety Authority	1	0	1
Swedish Board for Accreditation and Conformity Assessment	2	0	2
Swedish Agency for Economic and Regional Growth	1	0	1
Swedish Customs	0	1	1
Swedish Transport Agency	2	0	2
Swedish Council for Higher Education	0	1	1
Total	56	19	75

Figure 10: The SBRC's opinions on government agency regulations, 2024.

Secretariat responses

In 2024, the Council answered 103 submissions with secretariat responses.

- In 96 of the secretariat responses, corresponding to 93 per cent, the reason was limited effects for businesses.
- 7 of the secretariat responses, corresponding to 7 per cent, fell under the category Other.

SECRETARIAT RESPONSES	2024	
	Number	Proportion (%)
Limited effects	96	93%
Other	7	7%
Total	103	100%

Figure 11: Reason for secretariat response, 2024.

Review of impact assessments drawn up at the EU level

The SBRC issued opinions on 2 impact assessments prepared at the EU level during the year. By comparison, the Council issued opinions on 34 impact assessments of this type in 2023.



5

International collaboration

The SBRC is a member of RegWatchEurope (RWE), an informal network of independent advisory and oversight bodies from eight countries. The overall objective of the network is to promote better regulation at the national and global level through exchange of experience and advocacy work. The focus is on impact assessment and evaluation of regulations, and includes both support and review.

In the spring, the SBRC and the other members of RWE participated in the sixth Scrutiny Conference organised by the European Commission's Regulatory Scrutiny Board (RSB) in Brussels. The focal point of the conference was examination of the impact of legislative proposals on competitiveness and consumers. It was noted, among other things, that different definitions and aspects of competitiveness are a challenge for both regulators and scrutinisers. Additional challenges include difficulties in data collection, valuation of costs and benefits, and calculation of the overall regulatory burden. One of the conclusions drawn is that the need for analyses and reviews throughout the policy cycle is greater than ever, both for EU institutions and for Member States. Suggestions were also made to provide incentives to promote both evaluation and review of evaluations.

In 2024, there was a strong focus on external communication, not least in view of the election of a new European Commission and a new European Parliament during the year. This included the development of recommendations to the EU institutions. The recommendations emphasise the importance of performing impact assessments for all major legislative proposals, including amendments by the Parliament and the Council and relevant delegated and implementing acts. The recommendations stress the importance of coherent and cost-effective implementation of EU legislation and suggest increased use of implementation dialogues, the introduction of standardised evaluation clauses and systematic evaluation of EU legislation.

RWE initiated and continued working on projects in specific areas. Among other things, seminars were organised on the GDPR, regulations linked to corporate sustainability reporting, methodology for calculating aggregate costs and behavioural science in impact assessment.

In the autumn, RWE conducted a study trip to the OECD in Paris. In meetings with staff from the OECD's Regulatory Policy Division, experiences were exchanged on the role of independent review bodies in the regulatory process and opportunities for future cooperation were discussed.

RWE also participated in the OECD Regulatory Policy Committee's annual autumn session, which focused on thematic agendas on green and digital transitions and international cooperation in global crises.

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6

Reflections on operating year 2024

Statistics for the year

In 2024, 64 per cent of the total number of submissions were answered with opinions.¹⁰ The statistics show that the proportion of acceptable impact assessments amounts to 61 per cent, which is identical to 2023.¹¹ As usual, the result varies between the referring regulators. For the Government Offices of Sweden, the proportion of acceptable impact assessments prepared internally was 59 per cent, which is an improvement compared to 2023.¹² Official government reports have a result of 32 per cent acceptable impact assessments, which is a poorer result than in 2023.¹³ For government agencies, the result is 75 per cent acceptable impact assessments¹⁴, compared to 67 per cent in 2023. The category government agency reports¹⁵ has an acceptable impact assessment rate of 89 per cent. However, this category is difficult to assess, as the number of submissions is usually low (9 opinions in 2024), making it difficult to draw any far-reaching conclusions from the results.

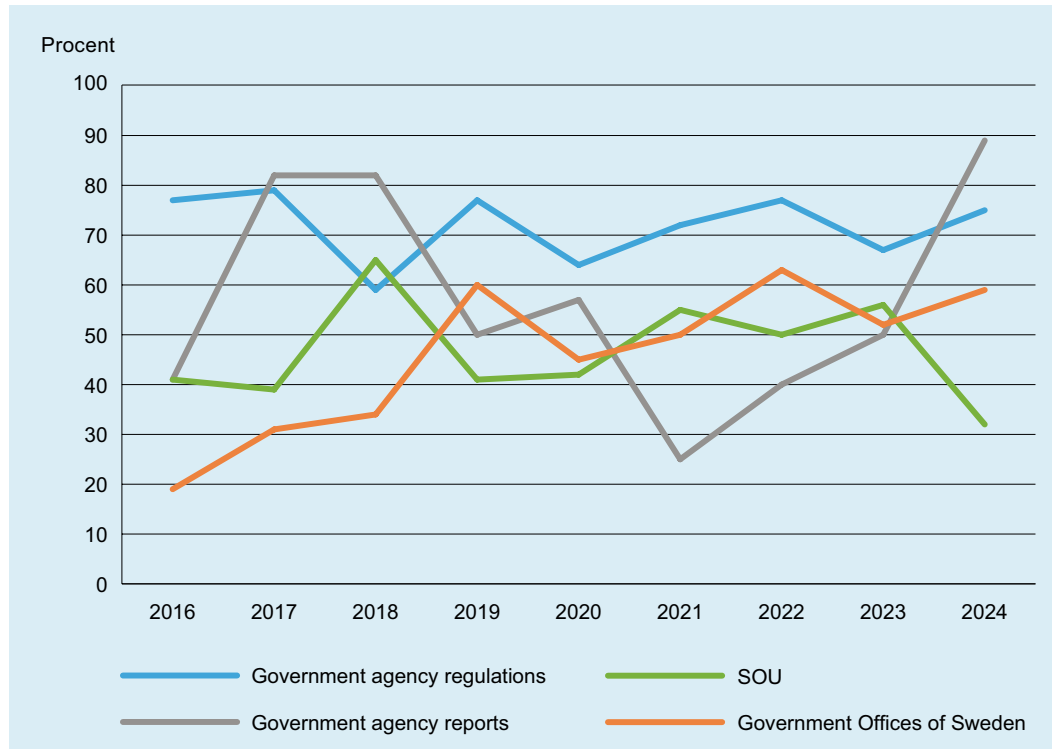


Figure 12: Distribution of opinions and proportion that met the requirements, by category, 2016–2024.

10 In 2024, 284 submissions were answered, of which 181 (corresponding to 64%) were with an opinion. In 2023, 265 submissions were answered, of which 195 (corresponding to 74%) were with an opinion. In 2022, 285 submissions were answered, of which 164 (corresponding to 58%) were with an opinion. In 2021, 343 submissions were answered, of which 183 (corresponding to 53%) were with an opinion. In 2020, 390 submissions were answered, of which 147 (corresponding to 38%) were with an opinion.

11 Proportion of acceptable impact assessments 2024: 61%. 2023: 61%. 2022: 67%. 2021: 58%. 2020: 53%.

12 Government Offices of Sweden, proportion of acceptable impact assessments prepared internally 2024: 59%. 2023: 52%. 2022: 63%. 2021: 50%. 2020: 45%.

13 Official government reports, proportion of acceptable impact assessments 2024: 32%. 2023: 56%. 2022: 50%. 2021: 55%. 2020: 42%.

14 Government agency regulations, proportion of acceptable impact assessments 2024: 75%. 2023: 67%. 2022: 77%. 2021: 72%. 2020: 64%.

15 Government agency reports, proportion of acceptable impact assessments 2024: 89%. 2023: 50%. 2022: 40%. 2021: 25%. 2020: 57%.

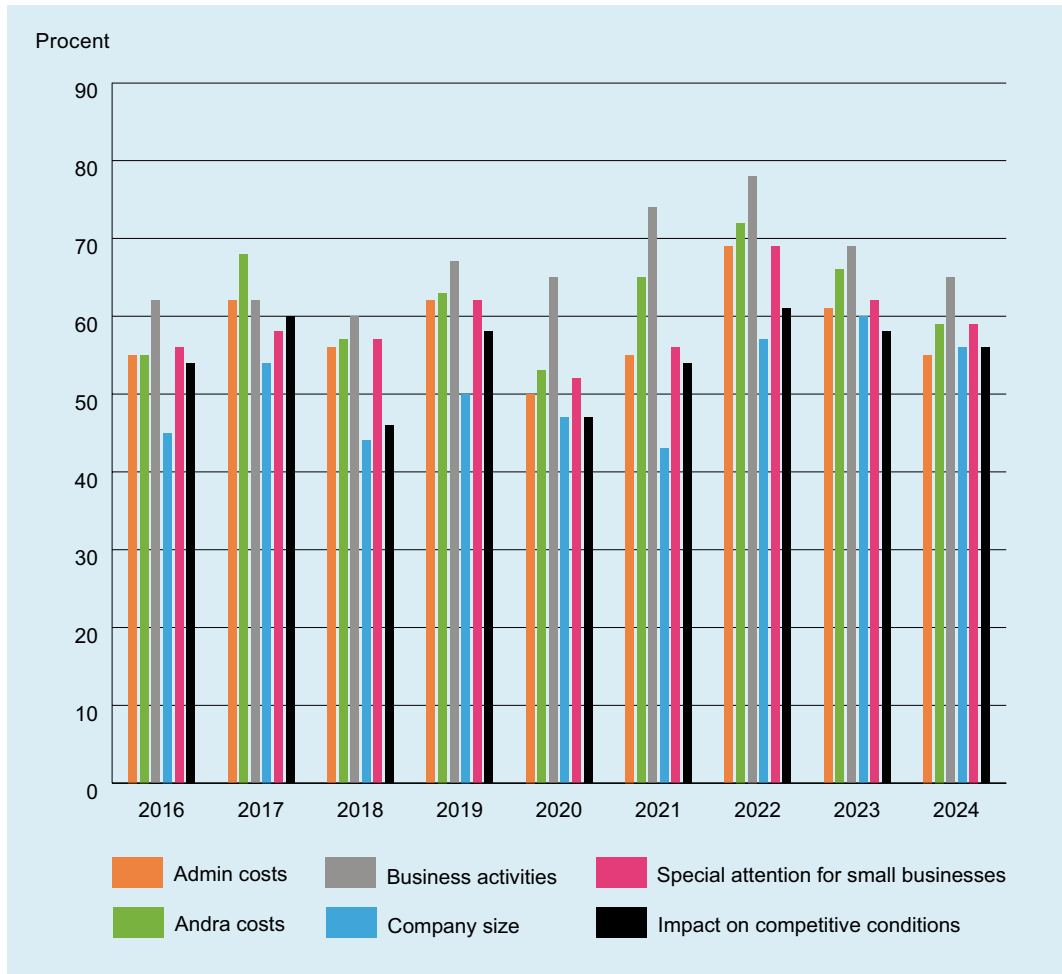


Figure 13: Proportion that met the requirements, by aspect, 2016–2024.

The SBRC’s reflections on changes and its own development work

The SBRC’s review of impact assessments for proposals that have effects of significance for businesses has continued during the year, with the application of either the previously applicable KUF or the currently applicable KUF. There has been a high influx of submissions, and the Council has regularly scheduled extra meetings to be able to consider all cases that are deemed to have effects of significance for businesses. The Council held 30 meetings during the year.

The Council notes that more aspects are assessed under the current KUF. According to the Council, the business aspects identified in the previous KUF remain relevant when it comes to proposals that have effects of significance for businesses. This applies, for example, to the impact of a proposal on the competitive conditions for the businesses concerned and whether particular consideration needs to be given to small businesses when formulating the rules. To be able to describe these aspects, it is essential that regulators have knowledge of the business population concerned, in terms of number, size and sector. The Council has also communicated this in its opinions during the year. The Council notes that, as in previous years, the quality of the descriptions in these parts is often too low. Over time, the Council can see that there are more deficiencies in relevant parts such as businesses affected, the impact on costs and competitive conditions, and whether special consideration needs to be given to small businesses when formulating the rules.

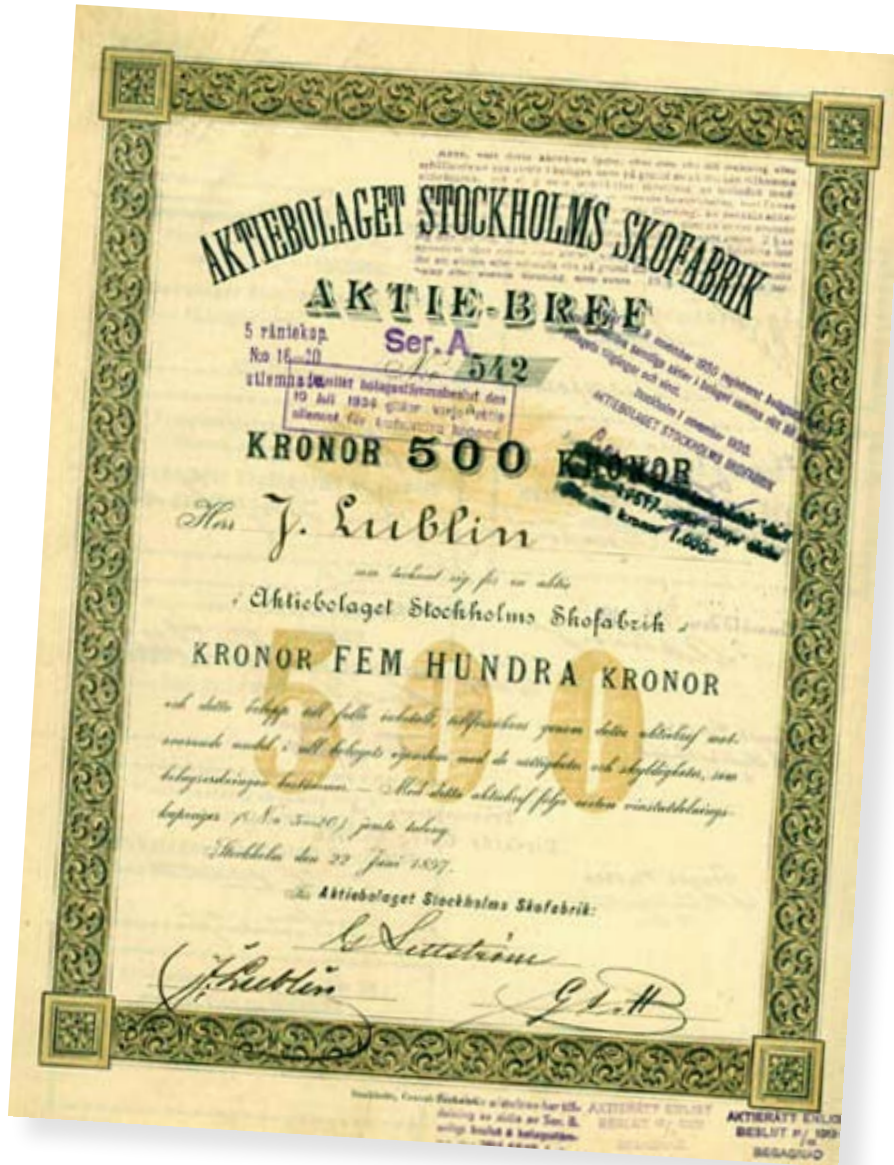
It is also a challenge for regulators to describe the aspects that have not previously been a requirement under the KUF. It is clear that regulators need guidance on this. In the coming years, work will continue to interpret and learn from the new KUF, and clear guidance is a very important element of this work. The Council looks forward to continuing to assist in and develop the impact assessment work, both through the review and through the collaboration that has been initiated with the ESV. The Council's work on revised guidelines has begun and will continue during 2025.

The SBRC welcomes the establishment of the Simplification Council and the Implementation Council, and has begun a dialogue with both of these councils during the year. The SBRC considers it important that the various councils work together towards the same goals, based on each individual council's remit. The SBRC looks forward to continuing its dialogue and cooperation with these two councils next year.

The SBRC has noted an increased focus on impact assessment issues, as well as regulatory improvement and simplification issues in recent years, which is positive. In 2023, the Council received increased funding, which made it possible to increase its human resources. This eliminated the need to issue secretariat responses due to resource constraints in 2023, a trend that also continued in 2024. The SBRC has had the opportunity to respond to all referrals that have been deemed to have effects of significance for businesses with an opinion, which is also the SBRC's overall objective for the review, coupled with the objective of improving the quality of impact assessments.

The Council has been working for a number of years to draw up opinions with assessments that are as clear as possible. The parts of the impact assessment that have potential for improvement must be clearly indicated. The aim of this is to improve the quality of future impact assessments, which will hopefully result in the effects of the regulations that come into force being better analysed than they would have been with an impact assessment of poorer quality. As new regulations have come into force during the year, the Council's own development work has intensified in terms of both interpretation issues and how the Council's opinions should be formulated. This work will continue in 2025 and beyond.

The Council also conducts an annual qualitative follow-up of the reflections submitted in previous years. Although some progress can be noted in parts, several relevant parts still present the same challenges as before.



Follow-up of previous years' reflections

The quality of official government reports needs to be improved

Official government reports come early in the regulatory chain and often propose rules that have significant effects for businesses.

This year's statistics show too low a result, with only 1 in 3 impact assessments in official government reports assessed as meeting the requirements. There is thus a risk of rules with unexamined, but significant, effects for businesses coming into force.

The terms of reference should be formulated more openly

The Council has noted that the terms of reference for government inquiries are often narrow. This affects the description of alternative solutions – as it is not infrequently explicitly stated that the investigator should not look at certain alternatives – alternatives that could have resulted in a more appropriate and effective solution for what is to be achieved by the regulation.

Resources and expertise are necessary for thorough impact assessments

In order to conduct high-quality impact assessment work, sufficient time and resources with the right skill sets are required. This applies to all proposers, but is particularly important for ministries and committees of inquiry. The SBRC previously suggested a secretariat with experts who can assist committees of inquiry in their work and better coordination between ministries as two important factors that would enable committees of inquiry to produce better results.

Impact assessments must be carried out early for good impact in the regulatory process

Early in the regulatory process is key – and refers both to the regulator's work on impact assessments and the Council's ability to scrutinise impact assessments at an early stage of the regulatory process. The Council has put forward a proposal for early referral to the SBRC for many years. Although no such formal arrangement for referral has been established, the Council notes that the new KUF states that the impact assessment should be started as early as possible (Section 5 of the new KUF).

The Council also notes that some government agencies refer matters to the Council for an early review, before the regular consultation round. This enables the regulator to take the Council's views on board and revise the impact assessment if necessary.

The EU impact assessment process needs to be revamped

The Council's remit regarding the review of impact assessments prepared at the EU level should be reviewed, as the Council has emphasised in the aforementioned request. The establishment of the Implementation Council can hopefully contribute to a better process.

Digital tools for standardised information need to be developed

The Council has previously stated that digital tools to support regulators need to be developed, which would streamline impact assessment work. The SBRC notes that the ESV has launched the tool "Hitta remissvar" [Find submission responses], which supports regulators in finding previous submissions in a particular area. The ESV is also working to develop AI tools to support impact assessment work. The Council thus sees some progress in relation to this recommendation.

The impact assessment process needs to be reviewed


The SBRC previously called for an objective review of impact assessment work in Sweden by the OECD. No such review has been carried out. In addition, the Council notes that a new KUF came into force during the year, making the ESV responsible for method development, guidance and training. The ESV is to collaborate with the SBRC on impact assessments for proposals that have effects of significance for businesses. The SBRC therefore began such collaboration with the ESV in 2024.

Review of the description of regulatory costs for companies in impact assessments

The SBRC has previously argued that there needs to be a necessary review of how the regulatory costs of businesses should be described and calculated in impact assessments. The Council has also emphasised the importance of how cost changes are described – the challenges and risks of false precision and overly static descriptions that do not reflect the reality of businesses. The Council is looking at this issue in the context of the responsibilities that the Council now has under the new KUF. As mentioned above, the SBRC cooperates with the ESV.

ACTION NOT PERFORMED UNDER REMEDIAL ACTION ACTION PERFORMED





The Swedish Better Regulation Council (SBRC) is a designated decision-making body within the Swedish Agency for Economic and Regional Growth whose members are appointed by the Government. The SBRC is responsible for its own decisions. The role of the SBRC is to review and express an opinion on the quality of impact assessments for proposed statutes that may have effects of significance for businesses.

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