

# Assessing the Regulatory Process in a Rapidly Changing World

by Tom Ferris



Tom Ferris was the Department of Transport's Senior Economist. His work in recent years has embraced the World Bank, the OECD, and several Government Departments. He has chaired six Value for Money Reviews for the Irish Government over the past decade and is an active member of the IIEA's Economists Group and UK Group.



## Prelude to Article

In a rapidly changing world, the role of regulation is changing. There is less emphasis on introducing new regulations, and much more emphasis on deregulation, on cutting red tape and reducing administrative spending. The most recent evidence of the anti-red-tape revolution is seen in the USA. For example, on 31 January 2025, President Donald Trump signed an Executive Order which requires that whenever an agency promulgates a new rule, regulation, or guidance, it must identify at least ten existing rules, regulations, or guidance documents to be repealed. The European Union has also entered the fray. On 14 May 2025, it adopted new Directives designed to cut red tape.

The Economist magazine suggested on 1st February 2025 that – “Governments everywhere are discovering a zeal for cutting red tape”. It went on to argue that “Done right, the anti-red-tape revolution could usher in greater freedom, faster economic growth, lower prices and new technology”.<sup>1</sup> Ireland cannot avoid the revolution. As the NESC pointed out fifty years ago, Ireland cannot escape the economic effects of international developments – “...it is not possible to stop the world and let Ireland off”.<sup>2</sup> In Ireland today, the ramifications of a new era in regulation are evident. This article looks at recent evidence. It highlights the commitment in the Programme for Government to publish a new whole of Government Action Plan for Competitiveness and Productivity within twelve months. The plan is to have a key focus on reform and will cover industrial policy, reducing the cost and regulatory burden on business, investing in infrastructure, digital regulation and reform, energy reform, international trade and research and development, and innovation.<sup>3</sup>

This article examines regulatory change by addressing a series of questions: -

1. **Why have regulations?**
2. **Why reduce red tape?**
3. **What are President Trump’s Initiatives on red tape?**
4. **What about the European Commission’s Proposals on red tape?**
5. **Is Ireland immune from cuts in red tape?**
6. **Does Ireland have scope to improve regulatory structures?**
7. **Will the pace of cutting red tape continue?**

### 1. Why have regulations?

It is important to highlight the importance of regulations, before exploring the merits of deregulation, cutting red tape, or reducing administrative spending. Regulations are indispensable for the smooth functioning of any society. They ensure fairness and equity, protect public health and safety, promote economic stability, safeguard the environment, maintain ethical standards, enhance consumer protection, and promote social welfare. While regulations may sometimes be perceived as burdensome, their benefits may far outweigh the inconveniences, provided they have been well designed, and efficiently and effectively implemented. They are the foundation upon which an efficient, level playing field in the market is created and maintained while at the same time continuing to a just, safe, and prosperous society. While regulations are indispensable for the smooth functioning of markets and societies, it is important to recognize that they are not a panacea. Poorly designed regulations can create administrative burdens, hinder economic growth, generate inefficiencies and, most damagingly, create barriers to entry for new firms to the benefit of incumbents, thus reducing competition and innovation. Regulations need to be reviewed periodically. Ireland’s Guidelines for Regulatory Impact Assessment<sup>4</sup> list mechanisms for periodically reviewing regulations in Ireland, to evaluate the extent to which they are achieving their objectives and intended benefits.

---

1 The Economist, ‘The revolt against regulation,’ 1 February 2025

2 NESC, ‘The Economy in 1964 and Outlook for 1975’ Report Number 3, Page 13, November 1974 <https://www.nesc.ie/publications/economy-1974-outlook-75/>

3 Programme for Government, ‘Securing Ireland’s Future’, Department of the Taoiseach, January 2025, <https://www.gov.ie/en/publication/078a1-programme-for-government-2025-securing-irelands-future/>

4 Government Accounting, Section on Value for Money Framework, Department of Public Expenditure, NDP Delivery and Reform, December 2024. <https://www.gov.ie/en/collection/c72a9-value-for-money-framework/>

## 2. Why reduce red tape?

Red tape is the term used to describe excessive regulation or the existence of unduly formal rules that are considered redundant or bureaucratic and hinder or prevent action or decision-making. The concept of red tape has become synonymous with inefficiency, obstruction, and frustration for many who encounter it, in both the public and the private sectors. Accordingly, it has become extremely popular for governments to engage in “cutting red tape” and to undertake deregulation. For facility, **Box A** lists terms that are used in debates that are currently taking place about red-tape and deregulation.

### **Box A: Six Terms used about Red-tape, Deregulation and Regulation**

- 1. Deregulation:** Refers to the removal of legislative controls or restrictions from an economic sector, an industry, or a commodity. It must be recognised that many regulations are necessary to allow society to achieve its objectives, such as ensuring that competition is achieved and areas such as workers’ rights, the environment, and financial markets are protected.
- 2. Impact assessment:** Regulatory impact assessment (RIA) is a tool for evidence-based policy making, providing a structured framework for handling policy problems. Impact assessments are an integral part of the policy making process at EU and national levels and not a bureaucratic add-on. It does not replace the political decision process.
- 3. Red tape:** This is the term used for excessive regulation or rigid implementation of formal rules that may be considered redundant or bureaucratic. The term “cutting red tape” is used to refer to initiatives to reduce unnecessary regulation and to policies that reduce overall regulatory burdens.
- 4. Regulation:** At government level in Ireland, “regulation” refers to primary legislation enacted by the Houses of the Oireachtas and secondary legislation enacted by Government Ministers empowered under primary legislation. Regulation also manifests itself in economic and social sectors. For example, Coimisiún na Meán, has regulatory responsibilities, as Ireland’s agency for developing and regulating a thriving, diverse, creative, safe, and trusted media landscape.
- 5. Regulatory capture:** This is an economic term to describe a situation where operators in a market use their influence (or resources) to extract a regulatory decision, or lack of decision, for their own benefit rather than for the benefit of society.
- 6. Sunsetting:** Sunsetting is when, at the time a regulation is made, a specific date is set on which that regulation will expire unless it is re-made. This ensures that a regulation is formally reviewed at an agreed date in the future, to establish whether it is still valid, or if it could be improved, reduced, or even revoked.

There are many forms of red tape. It is evident in situations where there are lengthy approval processes, unnecessary paperwork, and unduly rigid compliance requirements. These manifestations often lead to frustration, delays, and inefficiencies, affecting both individuals and organisations. While the intention behind many regulations is to ensure accountability and standardization, they can often be counterproductive, delaying innovation and progress.

Red tape has come to symbolise the challenges and frustrations encountered by governments, organisations and individuals when navigating administrative systems. Reducing or eliminating unnecessary red tape is often a goal for those seeking to streamline operations and improve efficiency. The Ministry for Regulation in New Zealand launched a

website last November, where people can now submit their red tape experiences. The New Zealand Ministry have given a commitment to follow-up on experiences submitted but will not pass on contact details to any other government agency unless those submitting views give consent to the sharing of their information.<sup>5</sup>

Mario Draghi, in his report on ‘The Future of European Competitiveness’<sup>6</sup>, made some interesting observations on red tape. In his view, regulation in the EU is complex compared to other regions. Specifically, he argued that – “Red tape and permitting rules in the EU impact...competitiveness by raising compliance costs, delaying investment and projects, as well as increasing administrative burden.”

In the Competitiveness Compass<sup>7</sup>, published last January, the European Commission set out its vision to make the EU’s economy more prosperous and competitive, building on the recommendations of the Draghi report. It is argued, in the Compass, that to regain competitiveness and unleash growth, the EU needs to foster a favourable business environment and to ensure that companies can thrive. **Section 4** discusses the follow-up action by the European Union.

### 3. What are President Trump’s Initiatives on red tape?

Since taking office, President Donald Trump has issued a considerable number of Executive Orders. At least four of those orders relate to regulation. The first was issued on 31 January 2025, entitled ‘Unleashing Prosperity through Deregulation’. It has been designed to reduce the overall number of regulations. This is to be achieved by eliminating ten regulations for each new regulation issued. That Order specifies that – “Unless prohibited by law, whenever an executive department or agency (agency) publicly proposes for notice and comment or otherwise promulgates a new regulation, it shall identify at least 10 existing regulations to be repealed”.<sup>8</sup> This Executive Order gives considerable power to the Director of the Office of Management and Budget. The Director is given power to address, among other things – “... processes for standardizing the measurement and estimation of regulatory costs; standards for determining what qualifies as new and offsetting regulations; standards for determining the costs of existing regulations that are considered for elimination; processes for accounting for costs in different fiscal years; methods to oversee the issuance of rules with costs offset by savings at different times or different agencies; and emergencies and other circumstances that might justify individual waivers of the requirements of this section”.<sup>9</sup>

The Executive Order aims to reduce the overall number of regulations. However, the application of the policy across the board, might result in individual areas of regulation experiencing negative impacts. Each area of regulation should be judged on its merits. If a new regulation is justified, it should be introduced. If an existing regulation is outdated or no longer relevant, it should be amended or revoked. In short, the overall concern should not be a count of the number of regulations in place, but the quality of individual regulations. The second Executive Order relating to regulation was issued on 18 February 2025. It is entitled ‘Ensuring Accountability for All Agencies’.<sup>10</sup> Close examination shows that the order will reduce the independence of the regulatory agencies.<sup>11</sup> It maintains that agencies currently exercise substantial executive authority without sufficient accountability to the President of the USA. Moreover, it is suggested that these regulatory agencies have been permitted to promulgate significant regulations without review by the President. **Box B** reproduces the section of the Order which specifies how the independent regulatory agencies will be controlled in the future.

---

5 Ministry for Regulation (New Zealand, ‘Have you got a red tape issue you want to tell us about?’ <https://consultation.regulation.govt.nz/regulatory-issues/tell-us-about-a-regulatory-issue/>)

6 European Commission, ‘The Draghi Report on European Competitiveness,’ September 2024. [https://commission.europa.eu/topics/eu-competitiveness/draghi-report\\_en](https://commission.europa.eu/topics/eu-competitiveness/draghi-report_en)

7 European Commission, ‘Competitiveness Compass,’ 29 January 2025. [https://commission.europa.eu/document/download/10017eb1-4722-4333-add2-e0ed18105a34\\_en](https://commission.europa.eu/document/download/10017eb1-4722-4333-add2-e0ed18105a34_en)

8 White House, ‘Unleashing Prosperity through Deregulation,’ 31 January 2025. <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-prosperity-through-deregulation/>

9 Ibid.

10 The White House, ‘Ensuring Accountability for All Agencies,’ 18 February 2025. <https://www.whitehouse.gov/presidential-actions/2025/02/ensuring-accountability-for-all-agencies/>

11 This order will not apply to the Board of Governors of the Federal Reserve System or to the Federal Open Market Committee in its conduct of monetary policy.

**Box B: Extract from President Donald Trump’s Executive Order of 18 February 2025**

**Section 1, Para. 5:** *“Therefore, in order to improve the administration of the executive branch and to increase regulatory officials’ accountability to the American people, it shall be the policy of the executive branch to ensure Presidential supervision and control of the entire executive branch. Moreover, all executive departments and agencies, including so-called independent agencies, shall submit for review all proposed and final significant regulatory actions to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President before publication in the Federal Register”.*

The *third* Executive Order was issued on 19 February 2025. It is entitled – ‘*Ensuring lawful governance and implementing the President’s “Department of Government Efficiency” Deregulatory Initiative.*’ It requires agencies to – “...*determine whether ongoing enforcement of any regulations identified in their regulatory review is compliant with law and Administration policy. To preserve resources and ensure lawful enforcement, agency heads, in consultation with the Director of the Office of Management and Budget, shall, on a case-by-case basis and as appropriate and consistent with applicable law, then direct the termination of all such enforcement proceedings that do not comply with the Constitution, laws, or Administration policy*”<sup>12</sup>. The *fourth* Executive Order was issued on 26 February 2025. It is entitled ‘*Implementing the President’s “Department of Government Efficiency Initiative*’.<sup>13</sup> It has been designed to centralise control of Federal spending on contracts, grants, and loans to ensure Government spending is transparent and Government employees are accountable to the American public.

These four Executive Orders taken together will reduce the powers and independence of what were independent regulatory agencies. There have been many criticisms of the orders. For instance, Lauren McFarren, Senior Fellow of the Century Foundation, a USA independent think tank, argues that – “*Instead of exercising independent, expert judgment (as Congress intended), these agencies would now make policy on behalf of the White House and serve their statutory missions only when expressly given White House permission*”.<sup>14</sup> In another criticism, Jules Barbati-Dajches, an analyst for the Center for Science and Democracy at the Union of Concerned Scientists stated that the Executive Orders – “*...are an attack on independent science: they place the Office of the President as the final authority over independent regulatory agency decisions, which are historically made by experts in the issues they cover, and subject every current regulation, contract, or grant to political interference. Therefore, they can have very negative implications for science-based policy and decision making*”.<sup>15</sup>

---

12 The White House, ‘Ensuring lawful governance and implementing the President’s Department of Government Efficiency Deregulatory Initiative’, 19 February 2025, <https://www.whitehouse.gov/presidential-actions/2025/02/ensuring-lawful-governance-and-implementing-the-presidents-department-of-government-efficiency-regulatory-initiative/>

13 The White House, ‘Implementing the President’s “Department of Government Efficiency Initiative”, 26 February 2025, <https://www.whitehouse.gov/presidential-actions/2025/02/implementing-the-presidents-department-of-government-efficiency-cost-efficiency-initiative/>

14 Lauren McFarren, Senior Fellow of the Century Foundation, Economic Commentary of 21 February 2025, ‘Trump Executive Order Could Prevent Independent Agencies from Protecting Workers’ Rights’ 21 February 2025, <https://tcf.org/content/commentary/trump-executive-order-could-prevent-independent-agencies-from-protecting-workers-rights/>

15 Jules Barbati-Dajches, Center for Science and Democracy at the Union of Concerned Scientists, ‘Trump Administration extends its attempted power grab with Executive Orders’, 6 March 2025, <https://blog.ucs.org/jules-barbati-dajches/trump-administration-extends-its-attempted-power-grab-with-executive-orders/>

## 4. What about the European Commission's Proposals on red tape?

As pointed out in **Section 3** above, the European Commission published its Competitiveness Compass on 29 January 2025.<sup>16</sup> This sets out the Commission's vision for strengthening the EU's competitiveness and making the EU's economy more prosperous, building on the recommendations of the Draghi report. In a follow-up on 26 February 2025, the Commission announced new proposals that will cut red tape and simplify EU rules for citizens and businesses. They were presented in what are called two Omnibus packages of simplification measures. The measures focus on the sustainability reporting obligations placed on the largest companies, which are more likely to have the biggest impacts on people and the environment, while making sure they do not burden smaller companies. **Box C** provides a summary of the proposals.

### Box C: Summary of European Commission's Omnibus Proposals

26 February 2025

- A proposal for a Directive amending the Corporate Sustainability Reporting Directive (CSRD) and the Corporate Sustainability Due Diligence Directive (CSDDD).
- A proposal which postpones the application of all reporting requirements in the CSRD for companies that are due to report in 2026 and 2027 (so-called wave 2 and 3 companies), and which postpones the transposition deadline and the first wave of application of the CSDDD by one year to 2028.
- A draft Delegated act amending the Taxonomy Disclosures and the Taxonomy Climate and Environmental Delegated Acts subject to public consultation.
- A proposal for a Regulation amending the Carbon Border Adjustment Mechanism Regulation.
- A proposal for a Regulation amending the InvestEU Regulation. \*

\*The InvestEU Fund mobilises public and private investment through an EU budget guarantee that backs the investment projects of the European Investment Bank (EIB) Group and other financial partners and increases their risk-bearing capacity.

On 14 April 2025, the European Council gave its final green light to the Commission's proposals to simplify EU rules and thus boost EU competitiveness. They will postpone the dates of application of certain corporate sustainability reporting and due diligence requirements, as well as the transposition deadline of the due diligence provisions. In view of significant implications for the business community, the Council and the European Parliament treated the proposals with the utmost priority aiming to provide EU companies with the necessary legal certainty as regards their reporting and due diligence obligations. The EU's co-legislators therefore supported the Commission's proposal to postpone:

- by two years the entry into application of the Corporate Sustainability Reporting Directive (CSRD) requirements for large companies that have not yet started reporting, as well as listed SMEs, and
- by one year the transposition deadline and the first phase of the application (covering the largest companies) of the Corporate Sustainability Due Diligence Directive (CSDDD).

Adam Szałpka, Minister for the European Union of Poland welcomed the decision of 14 April 2025 and stated that – *"Today we delivered on our promise regarding simplification of EU laws. The fast adoption of this directive is an important*

<sup>16</sup> European Commission, Brussels, 29 January 2025, COM(2025) 30 final [https://commission.europa.eu/document/download/10017eb1-4722-4333-add2-e0e-d18105a34\\_en](https://commission.europa.eu/document/download/10017eb1-4722-4333-add2-e0e-d18105a34_en)

*first step towards cutting red tape, providing legal certainty to our companies and making the EU more competitive”.*<sup>17</sup>

Following the decision of 14 April 2025, the legislative act will be published in the EU’s Official Journal and enter into force on the day following that of its publication. Member States must then transpose the directive into their national legislation by 31 December 2025.

The advent of the new directives driven not only by the recommendation of the Draghi report on competitiveness, but also by criticisms that the advent of Directives such as the CSRD and the CSDDD would place an undue bureaucratic burden on companies. While the Omnibus Package has been broadly welcomed for its proposed simplification of EU legislation, there have been criticisms. For example, the European Sustainable Investment Forum (Eurosif) warns that the Omnibus proposals risk undermining investment and competitiveness. Specifically, Eurosif warns that – *“...the amendments to CSRD and CSDDD, if adopted in the proposed form, will weaken EU sustainability disclosures and undermine legal certainty for investors and businesses. The proposed rollbacks risk hindering the contribution of investors to scaling-up investments for industrial decarbonisation and growth under the Clean Industrial Deal and risk damaging the EU’s long-term competitiveness”.*<sup>18</sup> Also in a press release, Herbert Smith Freehills, a global law firm, argues that the Omnibus package – *“... creates uncertainty about the future of the EU’s ambitious sustainability framework to which many companies have dedicated significant resources”.*<sup>19</sup>

## 5. Is Ireland immune from cuts in red tape?

Turning to Ireland, the question arises whether this country is immune from reductions in red tape? The short answer is no. There are two main reasons from this. First, as a Member of the European Union, Ireland is required to transpose EU Directives into Irish legislation. Second, there are good economic arguments for regularly reassessing existing regulations to see that they are fit for purpose and relevant for the smooth functioning of society. Poorly designed regulations can create administrative burdens, hinder economic growth, and even generate inefficiencies.

As regards the transposition of EU Directives, Ireland always needs to act judiciously. It is a matter for each Member State to choose the ‘form and method’ to achieve the objectives set out in any directive. Directives are meant to bridge the divide between the required uniformity of legislation at the EU level whilst at the same time paying heed to the diversity of national systems. Directives are not meant to create single, uniform rules at the EU-level, but rather to have the member states strive for common results. To that extent, Irish officials engaged in the transposition of individual EU Directives into Irish Law have a responsibility to ensure that the market conditions in Ireland are considered to the maximum extent.

Government Departments and Agencies have the responsibility to periodically review regulations within their areas of authority to ensure they are fit for purpose. **Box D** reproduces the commitment in the Programme for Government to have such a ‘look back exercise’ undertaken.

### **Box D: Programme for Government - Look-back Exercise on Regulations**

*“Undertake a look-back exercise to identify regulations that are now redundant to reduce unnecessary red tape, asking each government department and regulatory agency to submit a list of such regulations.”*

Source: Programme for Government, ‘Securing Ireland’s Future’, Pages 14 and 15, Department of the Taoiseach, January 2025, <https://www.gov.ie/en/publication/078a1-programme-for-government-2025-securing-irelands-future/>

<sup>17</sup> Council of the EU, Press Release, 14 April 2025, <https://www.consilium.europa.eu/en/press/press-releases/2025/04/14/simplification-council-gives-final-green-light-on-the-stop-the-clock-mechanism-to-boost-eu-competitiveness-and-provide-legal-certainty-to-businesses/>

<sup>18</sup> European Sustainable Investment Forum, Press Release, 27 February 2025. <https://www.eurosif.org/press-room/eurosif-warns-omnibus-proposals-risk-undermining-investment-and-competitiveness/>

<sup>19</sup> Herbert Smith Freehills, Press Release, 4 March 2025. <https://www.herbertsmithfreehills.com/notes/esg/2025-posts/The-EU-Omnibus-Package-%E2%80%93-What-do-we-know-so-far->

Ireland's Guidelines for Regulatory Impact Assessment<sup>20</sup> lists mechanisms for periodically reviewing regulations in Ireland to evaluate the extent to which they are achieving their objectives and intended benefits. Review mechanisms include reporting on performance within Annual Reports, consulting with stakeholders, establishing Review Groups and regular appearances of the relevant Minister or Regulator before Oireachtas Committees. Where appropriate, sunseting should also be considered. This is where at the time a regulation is made; a specific date is set on which the regulation will expire unless it is remade. This ensures that the regulation will be formally reviewed in the future to establish whether it is still valid, or if it could be improved, reduced, or even revoked.

Some of these approaches are addressed in the Programme for Government. Specifically in the section on enterprise and employment, the Programme contains relevant commitments, namely - *“we will strive to reduce costs for business, cut through unnecessary bureaucracy, ensure access to finance and invest in vital infrastructure to help businesses succeed. If we are to sustain economic prosperity and continue to grow jobs, we must keep a laser focus on competitiveness and innovation over the next five years.”*<sup>21</sup>

## 6. Does Ireland have scope to improve regulatory structures?

In principle, improved regulatory structures can reduce red tape in Ireland. Overlapping regulations can hinder policy objectives and burden businesses with repetitive inspections and data collection. Simplifying regulatory constraints and adopting best practices can lower the cost of doing business. The licensing and permitting processes are particularly varied and complex, suggesting a potential benefits from streamlined processes.

The OECD has made comments on regulatory structures in Ireland in two reports this year. *First*, on 12 February 2025, the OECD's Economic Survey on Ireland acknowledged that Ireland's regulatory framework is among the OECD's most competition-friendly<sup>22</sup>. However, it added that entrepreneurial activity and innovation diffusion continue to face regulatory obstacles, while gaps to best practices persist, for instance, in areas like regulatory impact assessment and barriers to entry in services and network sectors. It suggested that - *“Eliminating remaining regulatory constraints and moving closer to the frontier of best practice could enable more efficient resource allocation and enhanced organisational processes. This, on aggregate, may lower the cost of doing business. Establishing a business is relatively straightforward in Ireland, with limited administrative requirements and costs attached to the registration of new firms...the licensing and permitting requirements for a business to become operational vary considerably – in number and complexity – across sectors and a centralised inventory of all the licenses and permits issued to businesses by public bodies is lacking”*.

*Second*, on 9 April 2025, the OECD Regulatory Outlook 2025 made observations on the regulatory landscape in Ireland<sup>23</sup>. It observed that there has been little change in Ireland's Better Regulation agenda in recent years. It further observed that, while Ireland had committed to improving consultation by public bodies with citizens, civil society and others, despite some improvements, consultation practices do not yet operate on a systematic basis across government departments. In particular, the OECD highlighted the absence of a single body overseeing the Better Regulation agenda. It noted that - *“ Various aspects of the Better Regulation agenda sit across a number of departments, with the Department of the Taoiseach, along with the Office of the Attorney General, having a role in relation to transparency and the quality of regulation; the Department of Public Expenditure and Reform leading on public service modernisation, development and reform functions (including in relation to RIA) and the Department of Enterprise, Trade and Employment leading on administrative burdens and competition issues. Responsibility rests with each department to ensure adherence with the ‘Regulating Better’ principles as set out by government and ensure the effective oversight of regulatory bodies under their aegis.”* A key OECD recommendation from the OECD report is reproduced in **Box E**.

---

20 Government Accounting, Section on Value for Money Framework, Department of Public Expenditure, NDP Delivery and Reform, December 2024. <https://www.gov.ie/en/collection/c72a9-value-for-money-framework/>

21 Programme for Government, 'Securing Ireland's Future', Page 13, Department of the Taoiseach, January 2025, <https://www.gov.ie/en/publication/078a1-programme-for-government-2025-securing-irelands-future/>

22 OECD Economic Surveys: Ireland 2025, 12 February 2025, [https://www.oecd.org/en/publications/oecd-economic-surveys-ireland-2025\\_9a368560-en.html](https://www.oecd.org/en/publications/oecd-economic-surveys-ireland-2025_9a368560-en.html)

23 OECD Regulatory Policy Outlook, 9 April 2025, [https://www.oecd.org/en/publications/oecd-regulatory-policy-outlook-2025\\_56b60e39-en.html](https://www.oecd.org/en/publications/oecd-regulatory-policy-outlook-2025_56b60e39-en.html)

### Box E: OECD Recommendation for a Central Oversight Body

*“Establishing a central oversight body to review the quality of regulatory management tools and introduce requirements for the systematic ex post evaluation of existing regulations will help strengthen the quality of decision making in Ireland.”*

Source: OECD Regulatory Policy Outlook, 9 April 2025

[https://www.oecd.org/en/publications/oecd-regulatory-policy-outlook-2025\\_56b60e39-en.html](https://www.oecd.org/en/publications/oecd-regulatory-policy-outlook-2025_56b60e39-en.html)

## 7. Will the pace of cutting red tape continue?

Is the pace of cutting red tape likely to continue? The answer is yes. However, new regulations will still need to be introduced. An example is the commencement of the Planning and Development Act 2024 which will have a significant impact on Ireland’s planning system. The Act will be commenced on a phased basis to facilitate the transition from the arrangements under the current Act to those under the new Act.<sup>24</sup>

It is important that every effort is made to avoid ‘short-termism’ in introducing new regulations. This involves a move away from the traditional “regulate first” approach and a move towards ensuring that there is much more evidence of evaluation of different options in advance of decisions being taken on new regulations. It is not just a question of what should be stated in the legal text. The impacts, in terms of the burden of enforcement on government expenditure, also need to be considered, in terms of inspectorates, audits, or prosecutions, as associated enforcement costs can be considerable. Equally costs of compliance can be significant. Therefore, a ‘long-term’ view needs to be taken as to what compliance and enforcement will be required. Taking time to estimate what the implications might be for compliance and enforcement, in advance of legislative decisions being taken, can avoid surprises or disputes about resources afterwards. As well as identifying unintended impacts, taking a ‘long-term’ view of regulation helps to identify in advance those who need to be consulted and the extent to which their views need to be taken on board. The key question to ask is whether a particular regulation is necessary. If certain regulations are unnecessary, they should be avoided. In that way, cutting red tape or undertaking deregulation will not be necessary.

---

<sup>24</sup> Department of Housing, Local Government and Heritage, 12 April 2025, <https://www.gov.ie/en/department-of-housing-local-government-and-heritage/press-releases/ministers-browne-and-cummins-publish-implementation-plan-for-the-planning-and-development-act-2024/>

The Institute of International and European Affairs (IIEA) is Ireland's leading international affairs think tank. Founded in 1991, its mission is to foster and shape political, policy and public discourse, in order to broaden awareness of international and European issues in Ireland and contribute to more informed strategic decisions by political, business and civil society leaders.

The IIEA acts as a forum for informed debate, analysis and discussion. Views expressed in the Institute's publications, and in presentations at its events, are those of the authors alone and do not represent the views of the Institute, which is fully independent. The IIEA is a not-for profit organisation with charitable status.

© Institute of International and European Affairs, May 2025

Creative Commons License

This is a human-readable summary of (and not a substitute for) the license.

<https://creativecommons.org/licenses/Attribution-NonCommercial-ShareAlike/4.0/> 4.0 International (CC BY-NC-SA 4.0)

You are free to:

- Share - copy and redistribute the material in any medium or format
- Adapt - remix, transform, and build upon the material
- The licensor cannot revoke these freedoms as long as you follow the license terms.

Under the following terms:

**Attribution** — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

**NonCommercial** — You may not use the material for commercial purposes.

**ShareAlike** — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

**No additional restrictions** — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.



The IIEA acknowledges the support of the Citizens, Equality, Rights and Values (CERV) Programme of the European Union



**The Institute of International and European Affairs,**

8 North Great Georges Street, Dublin 1, Ireland

T: +353-1-8746756 F: +353-1-8786880

E: [reception@iiea.com](mailto:reception@iiea.com) W: [www.iiea.com](http://www.iiea.com)