



ASSESSMENT SUMMARY v1.0.0

Better Regulation Guidelines and Toolbox¹

European Commission²

¹ Better Regulation Guidelines and Toolbox (SWD(2021) 305 final): https://commission.europa.eu/law/law-making-process/better-regulation/better-regulation-guidelines-and-toolbox_en

² European Commission: <https://commission.europa.eu/>

Change Control

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1. INTRODUCTION

The present document is a summary of the assessment of the **Better Regulation Guidelines and Toolbox** carried out by CAMSS using the CAMSS Assessment EIF scenario³. The purpose of this scenario is to assess the compliance of a standard or specification with the European Interoperability Framework (EIF)⁴.

2. ASSESSMENT SUMMARY

The Better Regulation Guidelines and Toolbox consists in guidance, tips and best practice on how to manage all the aspects of a public policies. It covers the whole policy cycle – planning, adoption, design, implementation, application (including enforcement), evaluation and revision. Designed as a strategic framework, they cover the entire policy cycle, including planning, adoption, design, implementation, enforcement, evaluation, and revision. By offering structured methodologies and evidence-based recommendations, they empower policymakers to enhance regulatory quality, improve governance, and ensure that policies are efficient, transparent, and responsive to societal needs

These guidelines serve as a valuable resource for governments, institutions, and stakeholders involved in policy development. They outline best practices for creating balanced, well-informed regulations, ensuring that legislation aligns with economic, social, and environmental objectives. Through a structured approach, policymakers can identify regulatory challenges, assess impacts, and refine policies to enhance effectiveness.

The Better Regulation Guidelines and Toolbox is developed and revised by the European Commission. The specification was formally defined between 2015 and 2017 with the experience and the expertise of the Member States that were closely working together to consolidate the guidelines.

2.1. EIF Interoperability Principles

Interoperability principles are fundamental behavioural aspects that drive interoperability actions. They are relevant to the process of establishing interoperable European public services. They describe the context in which European public services are designed and implemented.

The specification does not support the principles setting context for EU actions on interoperability:

- **Subsidiarity and proportionality**

Better Regulation Guidelines and Toolbox is not included in any national catalogue of recommended specifications whose Member State NIF has a high performance on interoperability according to NIFO factsheets⁵.

³ CAMSS Assessment EIF Scenario: <https://ec.europa.eu/eusurvey/runner/CAMSSAssessmentEIFScenario6>

⁴ Isa2 programme website: https://ec.europa.eu/isa2/eif_en

⁵ NIFO Factsheets: <https://interoperable-europe.ec.europa.eu/collection/nifo-national-interoperability-framework-observatory/digital-public-administration-factsheets-2024>

The specification fully supports the principles setting context for EU actions on interoperability:

- Openness

The Better Regulation Guidelines and Toolbox acknowledges the relevance of Open Data in the development of public policies. However, it does not provide extensive recommendations regarding the means of publishing data on the web (Tool #4 and #28 provide recommendations on integrating systems using open data), nor does it exclude the use of proprietary software, in line with DIRECTIVE (EU) 2019 /1024⁶ on open data and the re-use of public sector information.

To facilitate communication and interaction with stakeholders and the general public, the Commission organises a consultation process, which is published on the 'Have your say'⁷ web portal. As part of this commitment, the Commission ensures that all collected contributions are made publicly available. The guidelines and toolbox outline the framework for both public and targeted consultation activities. The specification was formally defined between 2015 and 2017 with the experience and the expertise of the Member States that were closely working together to consolidate the guidelines. In this sense, the regulatory scrutiny⁸ board has published in their annual reports the evolution of the Better Regulation framework⁹.

The Better Regulation Guidelines and Toolbox market acceptance lies in the European Public sector which has set it as the framework for the development, implementation and assessment of the impact derived from public policies and laws. Currently there some market acceptance as described on the European Parliamentary Research Service briefing regarding the Better Regulation Guidelines and Toolbox. The report does not describe a formal, public change management process for these documents -such as public consultations on modifications to the guidelines, public version control, or detailed release notes for external consumption. Instead, they are characterised as internal documents, with references to internal procedures that are not publicly available.

Finally, Better Regulation Guidelines and Toolbox is a public asset developed by a European Institution and can be accessed and reused without any payment conditions. Therefore, it can be considered that the specifications is licensed under royalty-free basis and (F)RAND basis.

⁶ DIRECTIVE (EU) 2019/1024 on open data and the re-use of public sector information: <https://eur-lex.europa.eu/eli/dir/2019/1024/oj/eng>

⁷ Have your say portal: https://ec.europa.eu/info/law/better-regulation/have-your-say_en

⁸ Regulatory board reports: https://commission.europa.eu/law/law-making-process/regulatory-scrutiny-board_en#annual-reports

⁹ European Parliamentary Research Service briefing: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/699463/EPRS_BRI\(2022\)699463_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/699463/EPRS_BRI(2022)699463_EN.pdf)

- **Transparency**

The European Parliament demonstrates its strong commitment to better law-making principles, as outlined in the new Interinstitutional Agreement on Better Law-Making (IIA-BLM)¹⁰, reinforcing the goal of enhancing transparency in public policy and law-making while increasing the visibility of public administration decision making processes.

Better Regulation Guidelines and Toolbox is publicly available and aims to help public administrations in the development of public policies and laws according to real needs while it makes the process and data generated more transparent, fostering the accountability of public administrations.

- **Reusability**

Better Regulation Toolbox¹¹ (as a part of the Better Regulation framework) is a European Commission resource designed as a complement to the Commission's Better Regulation Guidelines. Even though it could be extended or modified to fit other business requirements at the National level, for instance, there are no implementations that evidence the possibility of extension to other business domains other than the development of public policies and laws.

- **Technological neutrality and data portability**

Better Regulation Guidelines and Toolbox is independent from any software, hardware, or operating system since it is a specification for lawmaking. It can be used and applied independently from other standards, or software requirements.

The construction of European Laws and policies aims to be proportionate to users needs, rights and duties, therefore the specification defines the development of public policies and laws with adaptability and applicability in multiple contexts at it's core. In this sense being able to implement the guidelines incrementally and separately is key.

Better Regulation Guidelines and Toolbox includes requirements for the alignment with relevant regulations at European level such as eIDAS, GDPR, Cybersecurity Act, etc. Ensuring that the development of policies and laws is aligned with the main legal acts, including the interoperability ones.

The specification supports the principles related to generic user needs and expectations:

- **User-centricity**

The Better Regulation Guidelines and Toolbox includes guidelines, recommendations and requirements with regards to the internal market (Tools #25, #28) and how policies and laws could

¹⁰

IIA-BLM

briefing:

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/579076/EPRS_BRI\(2016\)579076_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/579076/EPRS_BRI(2016)579076_EN.pdf)

¹¹ Better Regulation Toolbox reference: https://commission.europa.eu/document/download/9c8d2189-8abd-4f29-84e9-abc843cc68e0_en?filename=BR%20toolbox%20-%20Jul%202023%20-%20FINAL.pdf

benefit European citizens, business and institutions development reducing barriers and developing the once-only principle on lawmaking but without specific provisions.

- **Inclusion and accessibility**

The Better Regulation Guidelines and Toolbox includes accessibility within the requirements that ICT systems and solutions should cover for the proper implementation of a specific public policy (Tool #27). Therefore, it can be considered that the specification can positively impact the e-accessibility of public services and solutions.

- **Privacy**

The Better Regulation Guidelines and Toolbox fosters the secure and trustworthy data exchange between citizens, businesses and public administrations by proposing methods to ensure that ICT systems and solutions developed under the scope of public services in the EU include security regarding personal data exchanged between parties. In particular this can be seen on the Tool #55 (horizontal matters) on the toolbox.

The Better Regulation Guidelines and Toolbox fosters the secure and trustworthy access to personal between citizens, businesses and public administrations by proposing methods to ensure that any system and solution developing a public services under the EU law include security regarding data access between the parties involved. In this sense Tool #3 provides the stakeholders with some solutions in regards the transmission of confidential information (in this case to a third body, the regulatory board).

Finally, the Better Regulation Guidelines and Toolbox is an European resource created by the Commission where privacy is defined through the implementation of privacy policies such as the GDPR. In this sense the Tool #28 covers this element extensively.

- **Security**

The Better Regulation Guidelines and Toolbox provides with means to define a legal framework where the secure and trustworthy data exchange between citizens, businesses and public administrations is ensured. The Better Regulation Toolbox provides some checklists methods to helps the development of public policies that guarantee secure and trustworthy data processing.

The Better Regulation Guidelines and Toolbox only refers to the authentication protocols and access control mechanisms on certain elements (Tool #28) and only recommended as best practice. In this sense the specification sets the legal framework for the provision of authenticity features but does not set a definitive guide.

- **Multilingualism**

The Better Regulation Guidelines and Toolbox in its essence aims to provide a road-map for the construction of global, coherent and fair policies and laws. In several of the tools proposed within the specification, multilingualism is considered as part of the requirements that ICT platforms developed for public services need to comply with and ensure.

Therefore, the Better Regulation Guidelines and Toolbox fosters the creation of policies and laws according the multilingualism context of European citizenship.

The specification supports the foundation principles for cooperation among public administrations:

- **Administrative Simplification**

The Better Regulation Guideline and Toolbox is an internal European Commission resource designed to provide more specific and operational guidance to those involved with the various Better Regulation instruments. The main goal is to provide simpler, lighter, and faster EU regulation for the citizens and foster the EU competitiveness. In this sense, it provides specific and operational guidance to all the stakeholders implicated in developing legal framework instruments that will be used to create EU services delivery channels.

- **Preservation of information**

The specification is focused on providing guidelines, recommendations and mechanisms for the proper development of public policies and laws. Within the recommendations and mechanisms, there are some implications for long-term preservation or archiving, mainly on Tool #55 but it is only comprehensive if combined with another specification, the Management and long-term preservation of the European Commission's Archives, registered under reference number DPR-EC-00837¹².

- **Assessment of effectiveness and efficiency**

A few assessments have been carried on the specification effectiveness, in particular regarding the administrative burden and simplification.

Given the nature of the Better Regulation Guidelines and Toolbox only a few assessments can be carried out since the specification is rather stable. In this sense all are conducted by think tanks that focus on administration simplification and integration. It is worth mentioning that the Cambridge¹³ one is the most recent one and focuses on what can be adapted from the Better Regulation Guidelines and Toolbox in the UK context post Brexit.

In this sense the CEPS¹⁴ report on the Better Regulation Guidelines and Toolbox defines the specification as clear step forward in terms of clarity for the administrations to follow although

¹² Management and long-term preservation of the European Commission's Archives: <https://ec.europa.eu/dpo-register/detail/DPR-EC-00837>

¹³ Cambridge study: <https://www.cambridge.org/core/journals/european-journal-of-risk-regulation/article/abs/can-we-better-the-european-union-better-regulation-agenda/46A0BA96D46266FF5C8320A2DA3B937F>

¹⁴ CEPS Study: https://www.ceps.eu/wp-content/uploads/2019/11/KI0219819ENN.en_.pdf

more attention is needed to consider impacts on innovation, especially when it comes to the legislative design and the quantification of impacts.

2.2. EIF Interoperability Layers

The interoperability model which is applicable to all digital public services includes:

- Four layers of interoperability: legal, organisational, semantic and technical;
- A cross-cutting component of the four layers, 'integrated public service governance';
- A background layer, 'interoperability governance'.

The Specification supports the implementation of digital public services complying with the EIF interoperability model:

- **Interoperability governance**

At the moment of performing the assessment, the specification is associated with several ABB from the latest version published of the EIRA Library of Interoperability Specifications (ELIS)¹⁵. More specifically, Better Regulation Guidelines and Toolbox can define the interoperability aspects of the Binding Instrument, Non-Binding Instrument, Public Policy, Legal Act, European Legal Act, National Legal Act, Granularity Of Legal Requirements, Public Policy Context Constraint, and Digital-ready Policy making ABBs of the EIRA Legal View.

The Better Regulation Guidelines and Toolbox in itself acts as a method to ensure that policies and laws are developed, implemented and monitored and enhanced following a standardised method that includes, guidelines, recommendations and requirements to reach the objective of exhaustive and comprehensible laws and policies.

Finally, after checking the different standard catalogues at the supra-national level, the European Commission has listed it within Better Regulation Toolbox with all the specifications and resources produced and used by European Institutions. Even though the specification is not listed in the ICT standards catalogue, it can be considered that is included within a European Catalogue because it is included within the European Commission solutions stack for the development of better digital administrations.

- **Legal Interoperability**

The specification has been developed by the European Commission for its implementation across borders to improve the accountability and development of public policies and laws, in this sense the specification can be considered compliant with the different European Regulations.

¹⁵ EIRA Library of Interoperability Specifications (ELIS): <https://interoperable-europe.ec.europa.eu/collection/common-assessment-method-standards-and-specifications-camss/solution/elis/release/v610>

Moreover, one of the main goals of the specification is to foster the consistency and proper development of the general public laws and policies.

- **Organisational interoperability**

The purpose of the Better Regulation Guidelines and Toolbox is not related to the business process definition, and therefore, this criterion does not apply to the specification. However, Better Regulation Guidelines and Toolbox provides a set of guidelines to guarantee that policies and laws development, implementation and evaluation are properly established. Therefore, the Better Regulation Guidelines and Toolbox includes a set of recommendations, best practices and requirements whose purpose is to ensure and enhance the cross-border application and organisational interoperability as much as possible.

- **Semantic Interoperability**

The European commission is the main organizer of communities focused on data sharing and results. In this sense the maintainer is the one encouraging via the specification to create this communities.

3. ASSESSMENT RESULTS

This section presents an overview of the results of the CAMSS assessments for **Better Regulation Guidelines and Toolbox**. The CAMSS “Strength” indicator measures the reliability of the assessment by calculating the number of answered (applicable) criteria. On the other hand, the number of favourable answers and the number of unfavourable ones is used to calculate the “Automated Score” per category and an “Overall Score”.

Category	Automated Score	Assessment Strength	Compliance Level
EIF Principle setting the context for EU actions on interoperability	20/100 (20%)	100%	Ad-hoc
Core interoperability principles	1480/1700 (87%)	100%	Seamless
Principles related to generic user needs and expectations	1020/1200 (85%)	100%	Seamless
Foundation principles for cooperation among public administrations	460/500 (92%)	100%	Seamless
Interoperability layers*	800/1000 (80%)	100%	Sustainable
Overall Score	3380/4100 (82%) ¹⁶	100%	

**The technical interoperability layer is covered by the criteria corresponding to the core interoperability principle "Openness".*

With an 100% of assessment strength, this assessment can be considered representative of the specification compliance with the EIF principles and recommendations.

The Overall Automated Score of 82% (3380/4100) demonstrates that the specification supports the European Interoperability Framework in the domains where it applies.

¹⁶ See the “results interpretation” section of the CAMSS Assessment EIF Scenario Quick User Guide:

<https://joinup.ec.europa.eu/collection/common-assessment-method-standards-and-specifications-camss/solution/camss-assessment-eif-scenario/results-visualisation-and-interpretation>