Plans for Improving Technical Regulatory Impact Assessment in Korea
Contents

Ⅰ. Implementing Regulatory Reform

Ⅱ. Rationalization of Technical Regulations

Ⅲ. Main Activities in 2017
Implementing Regulatory Reform

The Related Organizations for Regulatory Reform

- Minister of the Office for Government Policy Coordination
- Regulatory Reform Office
- Fair Trade Commission
- Ministry of Trade, Industry & Energy
- Small and Medium Business Administration
- Task Force for Regulatory Reform
- Korean Agency for Technology and Standards (Technical Regulatory Reform Division)
- SME Policy Bureau (Regulatory Impact Assessment Division)

Legal Basis
Prime Ministerial Directive 'Provision on the Establishment and Operation of the Regulatory Reform Task Force for the Promotion of Regulatory Reform focused on Industry’ (No. 680)
Implementing Regulatory Reform
Main Activities to Rationalize Technical Regulations

- **2013**: Establishment of Technical Regulatory Reform Task Force
- **2014**: Technical Regulatory Impact Assessment
- **2015**: The 1st Technical Regulatory Policy Forum
- **2016**: Preliminary Review of Technical Regulations
- **2017**: Investigation & Analysis Technical Regulations in all laws (incl. Enforcement decrees, rules, etc.)
In order to realize policy objectives such as national security, health, environmental protection, etc.

Imposing the requirements on the characteristics of products and services, manufacturing methods and related processes in order to realize policy objectives such as national security, health, environmental protection, etc.

**Technical Regulation**

- **POSITIVE ASPECTS**
  - Technology & Quality Improvement
  - Increasing of Product Awareness

- **NEGATIVE ASPECTS**
  - Restrictions on Corporate Activities
  - Delays in Market Launch

LED Lamps 17 Standards 9 Technical Regulations 6 Certifications
Implementing Regulatory Reform

**Types of Technical Regulation**

1. **Excessive Regulation**
   - The standard is too high to comply!

2. **Duplicate Regulation**
   - In spite of the similar certifications, why do I have to get them each?

3. **Different from Intl. Standards**
   - It is a product that is being sold overseas, we have to manufacture it again.

4. **Outdated Regulations**
   - It’s still the same criteria as 10 years ago
Rationalization of Technical Regulations

Procedures to Rationalize of Technical Regulations

- Drafting Legislation
  - To achieve policy goals, review the necessity of establishing or reinforcing regulations, and alternatives, and engage in consultation with relevant agencies

- Preliminary Review of Technical Regulations
  - To review through Korean Agency for Technology and Standards (KATS) to see whether the relevant laws include technical regulations

- Pre-announcement of Legislation
  - Notice to WTO/TBT, Publicize the R.I.A. result at the time of pre-announcement of legislation and administration

- Examination of Adopted Regulation by Agency-in-Charge
  - Agency-in-charge modifies or supplements the initial R.I.A. by reflecting opinions raised during pre-announcement of legislation and administration

- Send draft legislation to be pre-announced, together with the RIA. Requests TBR of the KATS to carry out the TRIA
Rationalization of Technical Regulations  

**Procedures to Rationalize of Technical Regulations**

1. **Examination of Adopted Regulation by Agency-in-Charge**
   - Agency in-charge modifies or supplements the initial RIA by reflecting opinions raised during pre-announcement of legislation and administration, or in the course of consultation with other relevant agencies.
   - To be reviewed by the Regulation Reform Committee of individual agencies.

2. **Technical Regulatory Impact Assessment**
   - Send draft legislation to be pre-announced with the R.I.A.

3. **Office for Government Policy Coordination**
   - Requests KATS to carry out the T.R.I.A. for the corresponding regulation.

4. **Korean Agency for Technology and Standards**
   - Performs the T.R.I.A. based on the documented R.I.A. and sends its result to the OPC.

5. **Examination by the Regulatory Reform Committee**
   - Requests the RRC to examine the legislation.

6. **Regulatory Reform Committee**
   - Reflects the results from impact assessments, including opinions.

7. **Examination**
   - (Ministry of Government Legislation)
   - Enters into enactment/revision of legislation.
Rationalization of Technical Regulations

Request and respond to ‘Technical Regulatory Impact Assessment, Preliminary Review’ through the R.I.S.

→ Endeavor to improve work efficiency (minimize unnecessary time)
Rationalization of Technical Regulations
The Effect of the Preliminary Review of Technical Regulations

Ease the work burden of ministries

25 → 17
Korea Customs Service, Ministry of Education, Anti-Corruption & Civil Rights Commission, Korea Fair Trade Commission, Small and Medium Business Administration etc.

Increased the ratio of reflecting feedback

Decreased Evaluation & Increased Feedback
Main Activities in 2017

Investigation and Analysis Technical Regulations in Laws / Regulations

As all laws and regulations are investigated, all the technical regulations would be evaluated the suitability without exception when it was amended.

- Specifies the definition & range of Technical Regulations
- Discuss all the possible issues with Minister of the office for government policy coordination

- Find all the laws and regulations containing technical regulations
- KATS estimates that it would be 700 laws/enforcement decrees/rules and 21,328 technical standards

- Construct and manage database of technical regulations
- Monitoring the related laws/regulations whether it revises without Impact Assessment
Thank you