

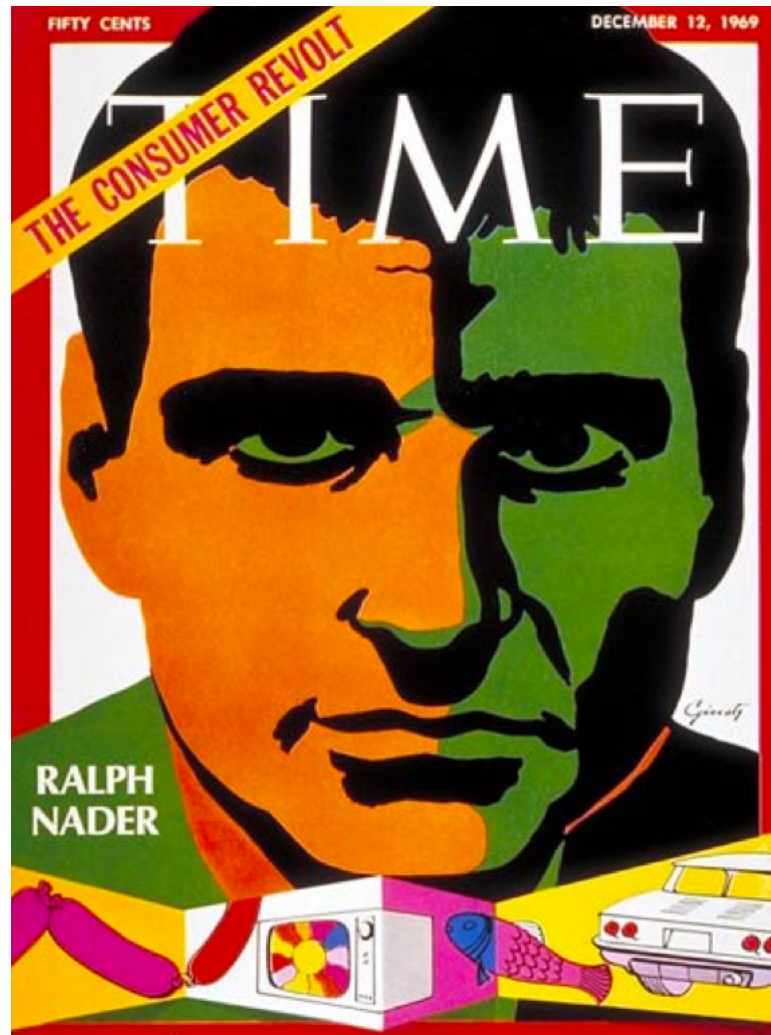


Principles of Good Regulation

Tom Wellock, Historian

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On the Side of Angels: Regulation in the 1960-70s





–NRC: Independent, Open, Reliable

GOVERNMENT
is the problem,
Not the solution.

1980s Backlash

- The Push for Deregulation
 - Japan (1988)
 - United Kingdom (1986)
 - West Germany (1984)
 - United States: Executive Order 12291 (1981)

- NRC: Efficient, Clear, Reliable.

NRC in 1980s

- TMI
 - Industry Initiatives—INPO
 - Backfit Rule
 - From prescriptive to risk-informed regs
- Statements of Principles:
 - Safety Goals and Culture
 - License Renewal
 - Mission Statements



Marcus receiving an award from then-NRC commissioner Ken Rogers

October 31, 1989

- Moving from prescriptive regulations
- Commission/staff distance.
- End of Cold War—communicating with regulators abroad.





Signing Ceremony, Cooperative Agreement with Hungary, 1990

The Five Principles

- Independent
- Open
- Efficient
- Clear
- Reliable

Table 1 BRTF Principles of Good Regulation¹³

Proportionality	Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
Accountability	Regulators must be able to justify decisions and be subject to public scrutiny.
Consistency	Government rules and standards must be joined up and implemented fairly.
Transparency	Regulators should be open and keep regulation simple and user-friendly.
Targeting	Regulation should be focused on the problem and minimise side effects.

UK, Better Regulation Task Force 1998

Necessity

requiring higher standards of evidence before regulating.

Effectiveness

targeting new regulations more effectively.

Proportionality

regulating as lightly as possible.

Transparency

consulting more widely before regulating.

Accountability

strengthening accountability in the regulatory process.

Consistency

ensuring greater consistency across regulatory bodies.

Irish Government Principles of Good Regulation

Necessity

whether new regulations are required.

Proportionality

the need to balance advantages and constraints.

Subsidiarity

the justification for action at European level.

Transparency

the need to facilitate participation.

Accountability

whether there is clear identification of originating authorities.

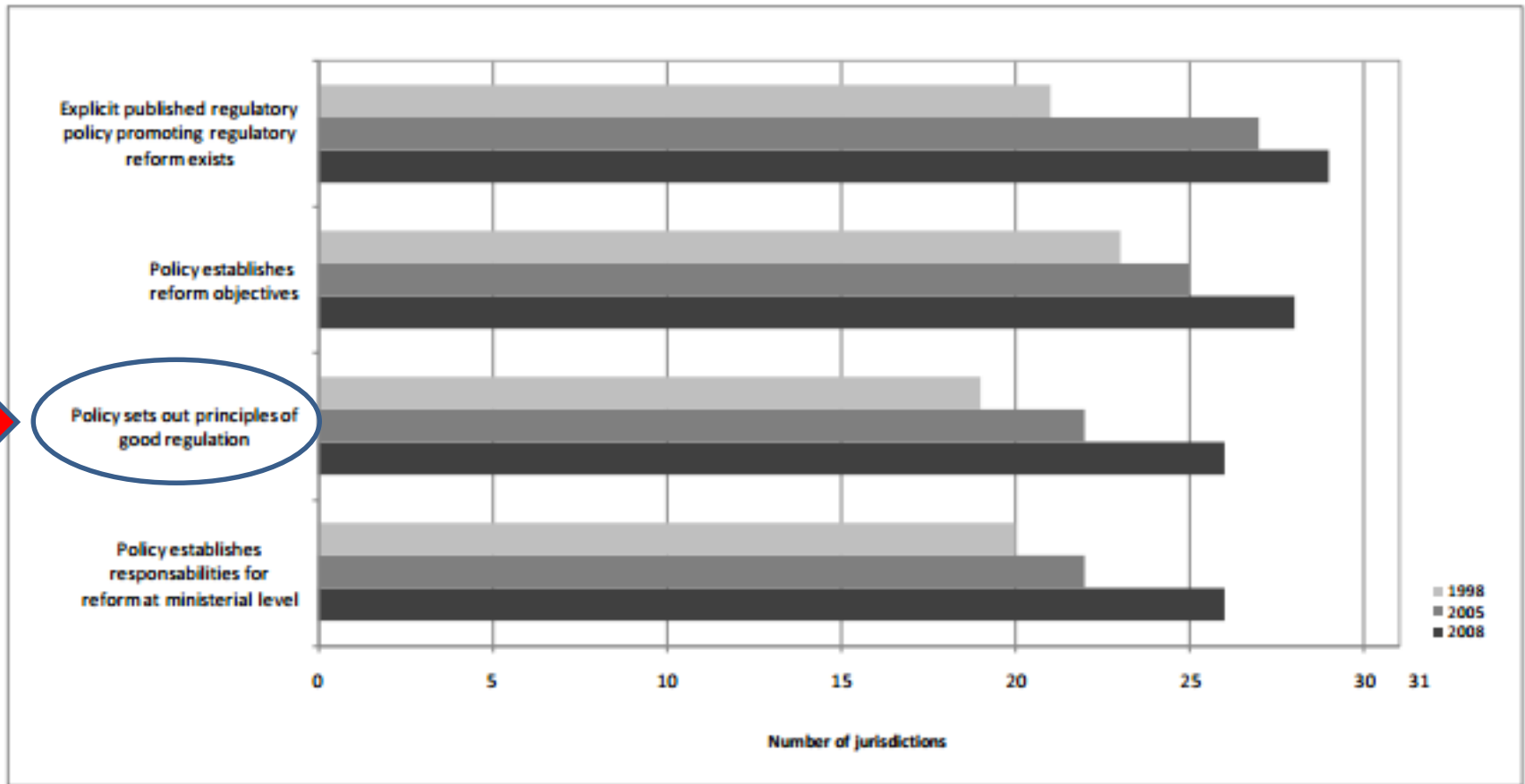
Simplicity

the ease with which regulations can be used and understood.

European Union, Principles of Good Regulation

Figure 1. Explicit regulatory policy promoting government wide regulatory reform

1998, 2005 and 2008



OECD Tracking of the adoption of Principles of Good Regulation

Comprehension of the values of the regulatory body and the principles of good regulation, e.g., independence, openness, effectiveness, efficiency, clarity, objectivity, stability, proportionality, accountability and consistency

IAEA-TECDOC-1757 (2015)

PGRs in Diverse Places

- International Federation of Accountants
- Alberta Government, Canada
- Australian Safety Rehabilitation and Compensation Commission
- Asia-Pacific Economic Cooperation
- International Federation of Midwives

Executive Order 13563 (01/18/2011)

- Principles of Regulation: Our regulatory system must . . .
 - be based on the best available science.
 - allow for public participation and an open exchange of ideas.
 - promote predictability and reduce uncertainty.
 - use the best . . . and least burdensome tools.
 - take into account benefits and costs, both quantitative and qualitative.
 - ensure that regulations are accessible, consistent . . . and easy to understand.

PGRs Today

– Our Five Touchstones

- Within the Agency
- Critics

– An NRC Calling Card at Home and Abroad