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SELECTED PROJECTS OF JACOBS AND ASSOCIATES AND JACOBS AND ASSOCIATES EUROPE, 2003-2007

Regulatory Impact Analysis (RIA) Programs and RIA Training

GLOBAL RIA TRAINING COURSE, BRUGES

In March and October each year, we offer a popular one-week RIA course jointly with the College of Europe in Bruges, open for worldwide participation. The course is designed for practitioners around concepts, case studies and hands-on work. Our next course is scheduled for 8-12 October 2007 --- find the course registration and information at http://www.coleurop.be/template.asp?pagename=RIA_training.

EUROPEAN NETWORK ON BETTER REGULATION

Jacobs and Associates is working with a consortium of European regulatory experts, under a Commission project, to develop a Europe-wide database on RIA practices, as part of the 6th Framework Programme, *Citizens & Governance in a Knowledge-based Society*. See the ENBR website at <http://www.enbr.org/>. (EC/2005-2008)

EVALUATION OF RIA TRENDS

Jacobs and Associates continually monitors the use of Regulatory Impact Analysis (RIA) around the world. In our 2006 report, *Current Trends in Regulatory Impact Analysis: The Challenges of Mainstreaming RIA into Policy-making*, Jacobs and Associates examines global trends in RIA. We find that RIA is being mainstreamed into policy processes, but that new issues and tensions are emerging as result. Our conclusion is that, to reach a sustainable level of RIA quality, governments need a clear strategy aimed at the institutionalization of capacities and incentives within the machinery of government. Such a strategy rests on a series of good RIA practices: clearer targeting strategies, development of multi-level consultation strategies, more attention to data collection and data quality issues, more investment in training, effective quality control through central RIA units and ministerial accountability, better use of scarce scientific resources, and better technical RIA manuals. Available at www.regulatoryreform.com/pdfs/Current%20Trends%20and%20Processes%20in%20RIA%20-%20May%202006%20Jacobs%20and%20Associates.pdf.

TURKEY

Jacobs and Associates led a project to introduce Regulatory Impact Analysis into the Turkish legal framework -- including a pilot RIA project for a new public laboratories law. (EU/2006-2007)

TURKEY

Through the Economic Development Foundation (think tank of the Turkish Chamber of Commerce), Jacobs and Associates is providing a series of tailored RIA courses to both Turkish officials and business leaders. These courses are meant to prepare the Turkish private sector for accession negotiations with the E.U. (Istanbul, 2007-2008)

PERU

Jacobs and Associates developed a multi-year action plan to establish a Regulatory Impact Analysis system and a series of RIA pilot programs for the Peruvian government in an effort to address the damaging regulatory inflation gripping the economy. (IDB/2005-2006).

BULGARIA	Jacobs and Associates assisted the Bulgarian government to evaluate its pilot RIA program, and recommended a detailed step by step program to institutionalize RIA into legal and regulatory development. <i>(World Bank/ 2006-2007)</i>
CANADA	Jacobs and Associates prepared for the Canadian government an evaluation of current trends in the process and methods of RIA by Canada's peers and competitors in global markets. Our report assessed the most recent trends in the most advanced RIA countries, and identified lessons to enable Canada to stay at the forefront of good regulation practices. Our report, <i>Regulatory Impact Analysis in Regulatory Process, Method, and Co-operation Lessons for Canada from International Trends</i> , can be downloaded at http://www.bibliotheque.assnat.qc.ca/01/mono/2007/04/933268.pdf . <i>(2005-2006, Privy Council Office, Government of Canada).</i>
EUROPEAN COMMISSION	Jacobs and Associates held RIA training courses and RIA workshops for the Health and Consumer Protection DG of the European Commission <i>(2005-2006, Brussels).</i>
UKRAINE	As part of the USAID BizPro project led by DAI, Jacobs and Associates with our fulltime Associate based in Kiev, Andrey Astrakhan, evaluated the implementation of the RIA requirements in the Regulatory Policy Law of 2003, and worked with the State Committee for Regulatory Policy and Entrepreneurship (SCRPE) to boost the quality of RIA. Jacobs and Associates held RIA training courses for the State Committee on Regulatory Policy and Entrepreneurship <i>(2004-2006, USAID)</i>
SERBIA	Jacobs and Associates held RIA training courses for the Regulatory Reform Council <i>(March 2005, Belgrade)</i>
MOLDOVA	Jacobs and Associates held RIA training courses for the National Commission for State Regulation in Business Activity <i>(January 2005, Chisinau)</i> and the National and Regional Working Group <i>(July 2006, Chisinau)</i>
CHINA	Jacobs and Associates held RIA training course for the Ministry of Commerce <i>(November 2004, Beijing)</i>
KOREA	Jacobs and Associates held a one-week RIA training course for the Prime Minister's Office and Regulatory Reform Council <i>(August 2003, Seoul)</i>

Regulatory Guillotine™

EVALUATION OF THE REGULATORY GUILLOTINE™ IN SIX COUNTRIES	One of the Jacobs and Associates most widely-known innovations is a reform tool called the Regulatory Guillotine™. The guillotine is a reform strategy used by countries joining the OECD in the 1990s, and since then extensively refined and developed by Jacobs and Associates as an orderly and transparent process to speed up regulatory simplification in countries undergoing rapid economic transition. In 2006, Jacobs and Associates evaluated the guillotine processes and results in 6 countries in a paper, "Effective and Sustainable Regulatory Reform: The Regulatory Guillotine in Three Transition and Developing Countries." Available at www.regulatoryreform.com/documents/Evaluation-of-regulatory-guillotine-Jacobs-Jan-2006.doc .
EGYPT	Jacobs and Associates is the strategic manager of a new national simplification program using the Regulatory Guillotine™ method. With Bearing Point in USAID's Technical Assistance for Policy Reform (TAPR) II, we are designing one of the most far-reaching regulatory reform projects in Egypt's modern history. In 2007-2008, the project will review, simplify and eliminate tens of thousands of regulations across several ministries to improve Egypt's competitiveness and reduce corruption. <i>(2007)</i>

- MACEDONIA** Jacobs and Associates is leading a major technical assistance project under a World Bank program to assist the Government in implementing a Regulatory Guillotine™ of Business Licences and Permits and launching a pilot RIA (*World Bank/2007-2008*). This work builds on a earlier project focusing on the institutional design for systemic Regulatory Reform. (*FIAS/2004*).
- CROATIA** Jacobs and Associates assisted the Croatian government (as part of a joint USAID/World Bank (FIAS) project headed by DAI) to quickly modernize the regulations governing business activity using the Regulatory Guillotine™ approach. Around 1,500 regulations were reviewed in 9 months by a special taskforce called HITROREZ, 26% of regulations were eliminated as unneeded for Croatia's current economy, and 28% were simplified. The results were announced by Prime Minister Ivo Sanader in June 2006. (*2006-2008*)
- REPUBLIKA SRPSKA, BIH** Jacobs and Associates undertook the first Regulatory Guillotine™ Guillotine in the Eastern Balkans in the Republika Srpska, working with Chemonics in the USAID/SPIRA project. Around 330 formalities and 2,473 inspection-related regulations were reviewed in four months. Some 21% of formalities and 58 % of inspection regulations were eliminated as unneeded for the Republic's economic needs, and 23% of formalities were simplified. The results were announced by Prime Minister Milorad Dodik in September 2006. Since then two registries for inspection-related measures have been set up <http://www.regodobrenja.net/eng/> (*USAID/2006-2007*)
- UKRAINE** Jacobs and Associates placed a fulltime regulatory reform expert in Kiev to work with the State Council on Regulatory Reform and Entrepreneurship and local governments, under the USAID BizPro project led by DAI. This expert provided diagnostics, solution design, implementation assistance, and legal drafting to implement the Rapid Deregulation approach based on the Regulatory Guillotine™ method. The Rapid Deregulation, one step in a broader reform program, reviewed some 14,000 regulations through a national network of committees in only 12 weeks, cutting them by 36%. (*USAID/2004-2006*)
- KENYA** Using the Regulatory Guillotine™ strategy, adapted by the World Bank/IFC FIAS, we helped the Government of Kenya design an unprecedented reform that drastically reduced its stock of business licenses in a two phase project (*FIAS/2005-2006*). In a subsequent WB project, we design an appeals process for business licensing review and advised on the proposed design for electronic register. (*FIAS/ 2007*)
- MOLDOVA** Jacobs and Associates recommended the guillotine approach in 2004 under a World Bank project to the government as part of a larger diagnostic of regulatory practices in Moldova. We were the chief technical advisor on the implementation of the guillotine, working with DAI's BizPro project under USAID financing. (*2004-2005*)
- VIETNAM** As part of an ADB project to improve the business environment, Jacobs and Associates is developed a reform strategy for the licensing system in Vietnam, recommending a broader and more ambitious reform effort including launching a Regulatory Guillotine™. In 2007, we are working with the USAID project VNCI, led by DAI, to assist in boosting the results of Vietnam's ambitious national simplification program through the Regulatory Guillotine™ approach. As part of this work, we organized a study tour of high-level Vietnamese officials to study the guillotine programs in Korea and Mexico. (*ADB/2005-2006, USAID 2007*)

Improving the National Regulatory Environment for Business

- ADVISORY PANEL OF BETTER** Two directors of Jacobs and Associates are members of a Joint DFID-Netherlands-FIAS Programme that aims to develop regulatory policy tools that will help developing countries improve regulatory management, institutions, and processes. The BRG Programme focuses on the three main areas: 1) Understanding Regulatory

REGULATION FOR GROWTH PROGRAMME	Governance and Building Reform Capacities; 2) Developing and Adapting Regulatory Management Tools; 3) Measuring Regulatory Governance. <i>(FIAS 2007)</i>
TRAINING MODULE FOR SME DEVELOPMENT	Jacobs and Associates wrote for the World Bank Institute its <i>Training Module on Improving the Legal and Regulatory Framework for SME Development</i> . This training module identifies practical reforms to legal/regulatory instruments, institutions, and processes that increase the role of SMEs in sustainable private sector expansion. It includes case studies for Italy, Serbia, Moldova, Korea, and Mexico. <i>(World Bank Institute/2004-2005)</i>
BELGIUM/FLANDERS	Jacobs and Associates carried out an extensive diagnostic and assessment titled <i>Regulatory management and administrative simplification in Belgium and Flanders</i> . We detailed a set of recommendations for improving regulatory management through better use of tools such as RIA. <i>(Gov'ts of Belgium and Flanders/2004)</i>
BOSNIA HERZEGOVINA	In a series of projects, Jacobs and Associates has supported the BiH government in its efforts to move ahead on the legal and administrative reforms necessary to stimulate private sector activity. Most recently, we assessed the results of the Regulatory Guillotine™ and reforms to the inspection system in order to map out the next steps in the reform process. <i>(FIAS/2003, 2005-2007)</i>
JORDAN	Jacobs and Associates is working with Bearing Point as the main technical experts for the better business environment component in the USAID Sustainable Achievement of Business Expansion and Quality (SABEQ) project in Jordan. For example, we are working to improve Jordan's performance in the doing business indicators, to improve legal transparency and security in Jordan through better legal publication and consultation practices, and to boost the capacities of private sector trade associations to participate constructively in policymaking. <i>(USAID/2006- 2008)</i>
CANADA	Scott Jacobs was invited by the Prime Minister of Canada to serve on Canada's <i>External Advisory Committee on Smart Regulation</i> . The Committee was established in May 2003 to provide the government with an external perspective and expert advice on the best way to improve the government's regulatory system to better meet the needs of Canadians in the 21st century. The Committee's report, <i>Smart Regulation: A Regulatory Strategy for Canada</i> , is available at http://regulatoryreform.com/pdfs/Canada%20Smart%20Regulation%20Report%20Sept%202004.pdf .
EL SALVADOR	Jacobs and Associates analyzed the environmental institutional capacity in El Salvador to improve institutional coordination, the EIA system, inspection/enforcement capabilities and public participation in the decision-making process. <i>(IFC/2005)</i>
PARAGUAY	Jacobs and Associates assessed the existing regulatory institutions, procedures and tools in charge of the quality of the stock and flow of new regulations, and proposed an institutional framework to increase the quality, transparency, accountability and efficiency of laws and regulations. <i>(IDB/2005)</i>
SOUTH ASIA	Jacobs and Associates assessed regulatory practices, business environments, and related reforms across South Asia (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka), and recommended a package of institutional reforms to assist the region in catching up with other Asian countries. In brief, we concluded that "The South Asia region is in the midst of an historic turn toward market-based development, but regulatory practices and policies lag far behind changes in economic strategy." Download our summary report at www.regulatoryreform.com/pdfs/Regulatory%20reform%20in%20South%20Asia%20Jacobs.pdf . <i>(FIAS/2004-2005)</i>
SOUTH ASIA	Jacobs and Associates is assisting the ILO to assess through a large scale business survey the regulatory burdens on entrepreneurship of labor laws and regulations in Bangladesh, India, Nepal and Sri Lanka. <i>(ILO 2007)</i>

ZAMBIA	Jacobs and Associates wrote the 2004 report <i>Market Access for Zambian Horticulture Exports: Developing an Institutional and Regulatory Framework for Testing and Certification Services</i> , Background Study, prepared for the World Bank's Zambia Diagnostic Trade Integration Study. Looking at successful examples from other African countries, we recommended that Zambia clarify the roles of the public and private sectors in testing and certification by properly regulating a private market for testing and related services such as certification, quality control, and training. (<i>World Bank/2004-2005</i>)
UKRAINE	Jacobs and Associates placed a fulltime regulatory reform expert in Kiev to work with the State Council on Regulatory Reform and Entrepreneurship and local governments, under the USAID BizPro project led by DAI.. This expert provided diagnostics, solution design, implementation assistance, and legal drafting to improve Ukraine's legal and regulatory environment for business growth, including RIA, the national system of One Stop Shops, and the rapid deregulation approach based on the Regulatory Guillotine™ method. (<i>USAID/2004-2006</i>)
GHANA	Jacobs and Associates carried out a country diagnostic and prepared a report, <i>The Role Of Regulatory Reform In Export Diversification In Ghana</i> . We concluded that "... to succeed against increasing competition in all of Ghana's export markets, Ghana must embark on deeper and faster reform to reduce factor costs, relieve emerging bottlenecks that impede exports, and provide a supportive business environment for entrepreneurs as they develop new products and new markets." The report contained a series of detailed recommendations for reform of regulatory regimes in various sectors. (<i>World Bank/2004</i>)
MAURITANIA	Jacobs and Associates prepared a major diagnostic, <i>Regulatory Reform, Market Performance and Poverty Reduction in Mauritania</i> with a full set of recommendations for action. (<i>World Bank/2002-2003</i>)
SENEGAL	Jacobs and Associates prepared a major diagnostic, <i>Regulatory Reform, Market Performance and Poverty Reduction in Senegal</i> (<i>World Bank/2002-2003</i>)
PSD STRATEGY GUIDE FOR ASIA	Jacobs and Associates assisted the Asian Development Bank in writing a PSD strategy Guide that helps Asian governments diagnose market problems, involve stakeholders, coordinate among government bodies, and increase accountability. The workshop introducing the guide can be found at http://209.225.62.100/Documents/Events/2005/Achieving-Results-PSD/default.asp (<i>ADB/2005-2006</i>)
STRATEGIC USE OF DRIVERS OF CHANGE FOR BROAD REFORMS	Working with the World Bank/IFC-FIAS, Jacobs and Associates prepared a major report and several case studies on implementation of broad regulatory reforms. We assessed the processes through which broad regulatory reforms actually occurred in the United Kingdom, Italy, Australia, Mexico, Hungary, and South Korea. Our work examined the question: " <i>What strategy for broad-scale regulatory reform maximizes the chances of genuine and durable success in environments resistant to reform?</i> " We found that, regardless of the specific content of the reform, success is influenced by an evolving mix of "drivers of change" that governments can use strategically. The FIAS work was updated and published by Jacobs and Associates as <i>How Broad-based Reforms Succeed in Changing the Business Environment: The Strategic Use of Drivers of Change</i> . Available: http://regulatoryreform.com/pdfs/Drivers%20of%20Change%20Scott%20Jacobs%20Revised%20Jan%202007.pdf . (<i>FIAS/2004-2005</i>)
EVALUATION OF FIAS ADMINISTRATIVE SIMPLIFICATION PROGRAM	Jacobs and Associates was selected to carry out the external assessment of the first ten years of the program of the Foreign Investment Advisory Service to Reduce Administrative Barriers to Investment. Our assessment studied several key questions: "How effective has FIAS been in getting results? How can the FIAS approach be improved, in light of past experience and changing opportunities and constraints?" (<i>FIAS/2003-2004</i>).

Business Registry Reforms

SERBIA	Jacobs and Associates designed the new registry for the Republic of Serbia under World Bank support. This radical reform transferred the registry out of the commercial courts and local governments into a new, professional organization. Partly as a result of this critical reform, the World Bank named Serbia the world's top reformer in 2005 out of 155 countries. The most advanced registry in the Balkans, the new Business Registration Agency began operation in January 2005 and continues to successfully operate in 2007. The new registry has reduced the time needed to register from 51 to 18 days and allows enterprises to register in one place. The register has been designed as a centralized electronic database of registered business entities, contracts on financial leasing and pledges. <i>(Gov't of Serbia/2002-2005)</i>
BULGARIA	Mr. Jacobs headed the Jacobs and Associates team to modernize the business registry in Bulgaria, working with the USAID Commercial Law Reform Program (CLRP) and Bearing Point. The new business registry – transferring registration from the courts to the Ministry of Justice -- was adopted in the new Business Register Act in March 2007. Documents include: <i>Reform of Bulgaria's Business Registration System: Draft Implementation Plan with Workload, Staffing, Budget, and Revenues Estimates (Feb 2005)</i> , <i>Modernizing business registration in Bulgaria: Options for change (July 2004)</i>
LESOTHO	Jacobs and Associates prepared a diagnostic and action plan for business registration reform that would transfer the Companies Registry to the Ministry of Trade, Industry and Marketing. <i>(FIAS/2004)</i>
GLOBAL REVIEW OF BUSINESS REGISTRY REFORMS	Jacobs and Associates is preparing a series of case studies from around the world on the management of stakeholders in the reform of business registries, concluding with a synthesis report on lessons learned about how to successfully engage the wide variety of stakeholders involved in this complex reform. <i>(FIAS/2006-2007)</i>

Inspection Reforms

MONGOLIA: CAPACITY BUILDING OF THE UNIFIED STATE INSPECTION AGENCY	Jacobs and Associates, technical advisor to the Government of Mongolia, proposed modifications to Mongolia's legal and institutional framework for business inspections. Our report, <i>Capacity Building of the State's Specialized Inspection Agency</i> , diagnosed the burdens on businesses resulting from the current inspection systems and proposed a package of reforms to "streamline and modernize the general regulatory system of Mongolia and the inspection framework in order to reduce administrative burdens." These efforts are expected to build the capacity of the new, unified State Specialized Inspection Agency. We helped design the modern inspection law that will help eradicate the misuse of terms and abusive interpretations; implement risk-based inspections; and protect the rights of regulators and those inspected. We proposed to implement modern tools for public consultations and communication, including an Information Management System to serve as data base and a One Stop Shop. <i>(IBRD/2007)</i>
GOOD PRACTICES FOR REGULATORY INSPECTIONS	<i>Good Practices for Business Inspections: Guidelines for Reformers (World Bank Toolkit 2006)</i> , prepared by Scott Jacobs and Cesar Cordova, was published by the World Bank Group in its influential series of toolkits for better business environments. Available at http://www.ifc.org/ifcext/sme.nsf/Content/BEE+Toolkits .
CASE STUDIES OF REFORM OF	Jacobs and Associates prepared for FIAS a set of case studies on successful inspections reforms, focussing on innovative alternatives to traditional regulatory

REGULATORY INSPECTIONS "policing" techniques: "Canada: Case studies of industry self-inspection and third-party certification in the forest industry; creation of the Food Inspection Agency to consolidate multiple food inspection activities; and adoption of government-wide compliance policies," "Netherlands: Case studies on self-inspection and reporting in maritime safety; risk based inspections in radio services; and rationalization of local and regional environmental inspectorates," "Mexico: Reforms to environmental inspections and customs clearance systems," and "Philippines: Reform of customs inspections." (*FIAS/2004-2005*)

ALTERNATIVES TO PUBLIC SECTOR INSPECTIONS: PUBLIC-PRIVATE PARTNERSHIPS AND CSR The aim of this report prepared for FIAS was to explore how governments in developing countries can draw on examples of public-private inspection partnerships to develop effective and credible alternative inspection approaches for ensuring compliance with voluntary and mandatory standards, using experience gained from public-private sector corporate social responsibility (CSR) experiences, and from innovative public-private inspection innovations outside the CSR context. Download the report at [http://www.ifc.org/ifcext/economics.nsf/AttachmentsByTitle/CSR-Alternatives+to+Public+Sector+Inseptions+June+30/\\$FILE/Alternatives+to+Public+Sector+Inseptions+June+30.pdf](http://www.ifc.org/ifcext/economics.nsf/AttachmentsByTitle/CSR-Alternatives+to+Public+Sector+Inseptions+June+30/$FILE/Alternatives+to+Public+Sector+Inseptions+June+30.pdf)

Sectoral and Competition Regulators

CANADA Jacobs and Associates prepared a report for the Canadian Competition Bureau exploring how seven leading OECD countries undertook *ex ante* competition analysis during their rulemaking processes. (*Canada/2004-2005*)

KAZAKHSTAN Jacobs and Associates supported the Kazakhstan Agency for Information and Communication (AIC) in analyzing the design options for a new regulatory authority for telecommunications including identifying best practice models from other jurisdictions. Detailed recommendations on the regulatory structure appropriate to Kazakhstan along with draft legislation to establish the regulator were provided as part of the assignment. (*EBRD/2006*)

SECTORAL REGULATORS IN ASIA Jacobs and Associates assessed the capacities and training needs of Asia's utility regulators for APEC. Our report, *Regulatory governance in Asia: Training needs assessment of potential members of the East Asian Utility Regulators Network*, concluded that "While a few Asian countries have succeeded in creating credible independent regulators that are able to challenge powerful vested interests, the performance to date of independent utility regulators in Asia is not very promising. The main reason for this is that the external environment of structural, policy, and governance reforms remains extremely difficult." We published a shorter version in the April 2004 ADB Governance Brief as *Governance of Asian utilities: New regulators struggle in difficult environments*. (*APEC/2003-2004*)

EGYPT Jacobs and Associates prepared an assessment of the performance of the Council of Competitiveness in Egypt (*UNIDO/2004*)

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