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DEVELOPMENT OF A QUALITY RATING FOR REGULATORY IMPACT ASSESSMENT IN MUNICIPALITIES

The aim of the study is to elaborate an assessment methodology for local government authorities regarding the quality of implementation of Regulatory Impact Assessment. The compilation of such rating will allow the identification of bottlenecks in the activities of local government authorities as well as best practices in the sphere of regulatory impact assessment. The relevance of research, on the one hand, is contingent upon the lack of methodological insights in the area of regulatory impact assessments at the local level, and, on the other, upon the active introduction of evaluation into municipal administrative practices. The experience of organising regulatory impact assessment at the local level and different approaches to rating formation is analysed in the study. It is shown that borrowing the regional rating methodology is not appropriate for evaluating municipalities. Principles for analysing the quality of evaluations in municipalities that take the specific character of its implementation into account, particularly at the local level, are formulated by the author. In the course of the study, features of regulatory impact assessment application at the municipal level are identified and approaches for monitoring the results of introducing regulatory impact assessment in municipalities are formulated. A system of indicators for the analysis of quality evaluation and expert evaluation by the bodies of local self-government are substantiated by the author along with a set of corrective measures. A method is proposed for the collection of information and formation of a rating on the basis of monitoring data. The formation of a rating of regulatory impact assessment quality on the basis of the author's original developments allows corrective solutions to be applied in a timely manner and best practices to be replicated at the same time as encouraging the local self-governing bodies to improve assessment quality. The presented approaches and principles can be used by the authorities to develop specific methods for the monitoring of assessment quality at the local level during the initial stage of introducing the institution. With the accumulation of practical experience, improved qualifications on the part of municipal employees and civil society activities, a refinement of the theses formulated by the author will be required as a part of future research.

Keywords: Regulatory Impact Assessment (RIA), examination of existing laws, RIA in municipalities, RIA municipality rating, rating methodology, RIA quality, regional economics, municipal economics, municipal law-making, regulatory policy

Introduction

Regulatory Impact Assessment (RIA) is widely recognised as an effective tool for choosing the best option of regulation and achieving a balance of interests between public authorities, the business community and the general public. Two key assessment components allow this goal to be achieved: applying economic analysis to a draft regulatory normative legal act and carrying out public consultations with stakeholders.

The introduction of regulatory impact assessment at the national level is essential for the formation of a supportive business environment in general, as well as a reduction in the number of administrative barriers to the development of various sectors of the economy.

The propagation of regulatory impact assessment institution on the sub-national level strengthens the trust of entrepreneurs in the local authorities as well as increasing their interactional efficiency and the investment attractiveness of the area. The regulatory impact of municipal bodies on the entrepreneurial business sector is inextricably linked to their function of providing services in the field of development as well as the potential of a particular municipality to actually implement transformatory policies. [1, p. 7].

In addition, the social utility of an administrative regulatory choice can, through the adoption of existing norms and institutions, be interpreted by citizens as being free of unreasoned compulsion [2, 3]

The above-mentioned effects of the introduction of regulatory impact assessment are very important because the effective implementation of economic and social policy by the authorities at the sub-

national level is impossible without the support of the local business community. At the same time, it is recognised by large enterprises and small businesses as the “pillar” of the economy of any state, both simultaneously forming of the gross regional product as well as filling the budget.

In most countries, when applying this instrument, RIA is extended to the sub-national level. In particular, this applies in the CIS countries (Ukraine, Uzbekistan), Australia, Canada, the United States and member states of the European Union. Subjects of the Russian Federation have been mandatorily implementing RIA since 1 January, 2013. In selected areas this institution was launched as a part of earlier pilot projects. At the very same time, active growth in the attention of the Russian scientific community towards the application of regulatory impact assessment at a regional level was taking place. Over the last years, research in this area was mainly directed towards implementation and organisational issues of system evaluation on the part of Subjects of the Russian Federation (N.V. Bryukhanova [4], A.B. Didikin [5], S.A. Kochetkova [6]); the direct assessment of the regional laws, case description and identification of best practices (V.F. Barkatunov [7], A.D. Bykova [8]), as well as towards the formulation of approaches to the concept of regulatory impact assessment quality and formation of regional ratings (N.N. Sarycheva [9], O.M. Shestoporov [10]). Works devoted to regulatory impact assessment at the municipal level are presented to a significantly lesser degree due to the lack of a sufficient practical basis for analysis. The majority of them are dedicated to general organisational issues concerning assessment by local authorities as well as the identification of best practices (D.O. Derman [11], A.B. Didikin [12], A.B. Dolgushin [13]).

Since the 1st of January 2016, the regulatory impact assessment mechanisms have been adopted en masse by local authorities in the Russian Federation.

The Federal Law № 447-FZ “On amendments to certain legislative acts of the Russian Federation on the regulatory impact assessment of draft regulations and examination of normative legal acts” from 30.12.2015¹ has established that the projects of administrative centres of the Subjects of the Russian Federation as well as other urban districts and municipal districts included in the appropriate list by the law of the RF Subject fall within regulatory impact assessment. However, an exception is made for projects comprising normative legal acts of representative bodies of municipal formations, the establishment, amendment, suspension or cancellation of local taxes and levies and the regulation of legal budgetary relationships. In these municipalities, an expert examination of current municipal acts that affect the realisation of enterprise activity must be carried out.

As of the beginning of 2017, the lists of municipal districts and urban areas obliged to implement regulatory impact assessment and expert evaluation have been affirmed in the 52 Subjects of the Russian Federation².

In most Subjects of the Russian Federation a sufficiently broad list of municipalities is defined, in which the regulatory impact assessment and expert evaluation are mandatory. For example, the list includes 74 municipalities (including the administrative centre) in the Sverdlovsk Oblast³, 55 in the Rostov Oblast⁴, 35 in the Novosibirsk Oblast [12], 34 in the Voronezh Oblast⁵ and 26 in the Republic of Bashkortostan⁶.

In order to analyse the current state of development of the regulatory impact assessment institution at the local level as well as to apply the corrective solutions in due time to enhance its functionality,

¹ On Amendments to Certain Legislative Acts of the Russian Federation on the Regulatory Impact Assessment of Draft Regulations and Examination of Normative Legal Acts / Federal Law from December 30, 2015 № 447-FZ // Collection of Legislative Acts of the Russian Federation from January 4, 2016. № 1 (part I). Art. 6

² RIA in Russia: 6 years and 6000 conclusions / RF Ministry of Economic Development Report Russia.— p. 50

³ On the regulatory impact assessment of draft normative legal acts of the Sverdlovsk Oblast and municipal draft normative legal acts and examination of normative legal acts of Sverdlovsk Oblast and municipal normative legal acts / The Law of Sverdlovsk Oblast from July 14, 2014 № 74 OZ [electronic resource]. URL:<http://ar.gov66.ru/organam-vlasti/vnedrenie-otsenki-reguliruyushhego-vozdjestviya-v-munitsipalnyh-obrazovaniyah/> (date accessed: 05/02/2017)

⁴ Regulatory impact assessment system in the Rostov Oblast / The Official Government Portal of the Rostov Oblast [electronic resource]. URL: <https://www.donland.ru/Default.aspx?pageid=128693> (date accessed: 05/02/2017)

⁵ On Amendments to the Law of the Voronezh Oblast “On the Regulatory Impact Assessment of Draft Municipal Projects of Normative Legal Acts and Examination of Municipal Normative Legal Acts in the Voronezh Oblast / The Law of Voronezh Oblast from December 16, 2016 № 176-OZ [electronic resource]. URL:<http://pravo.govrn.ru/?q=node%2F8905> (date accessed: 05/02/2017)

⁶ Ministry of Economic Development of the Republic of Bashkortostan / official website [electronic resource]. URL: <https://economy.bashkortostan.ru/deyatelnost/administrativnaya-reforma/institut-otsenki-reguliruyushchego-vozdjestviya/munitsipalnaya-orr/> (date accessed: 05/02/2017)

it is necessary to carry out monitoring of the results of the introduction of regulatory impact assessment and the quality of its implementation. However, at the present time there is no approved uniform methodology for assessing the quality of the organisation and implementation of regulatory impact assessment in municipalities. The foregoing determines the relevance and expediency of searching for an approach to the development of quality rating of regulatory impact assessment in the municipalities.

Methodological approaches to the compilation of RIA quality ratings at the subregional level

In the Russian Federation, along with the official rating of the Subjects of the Russian Federation in the field of regulatory impact assessment, composed by the Ministry of Economic Development of Russia, the ratings are formed by the research organisations.

Thus, the National Institute for Systematic Studies of Entrepreneurship Problems has begun to publish an independent rating of Subjects of the Russian Federation on the quality of regulatory impact assessment since 2012⁷. This institute employs the quality of the evaluation itself as the basis for rating and is on the way to identify the “best practices”, for example, using the criteria of report completeness, best calculations, unconventional approaches and so on.

The Centre of Regulatory Impact Assessment of National Research University, Higher School of Economics, under the leadership of D.B. Tsygankov, has commenced an analogous programme of work, selecting the following key indicators⁸:

- evaluation of provision of resources (how much time and money is allocated to the assessment: training of civil servants, introduction and monitoring of the procedure);
- assessment of document quality (examination based on the summary reports, expert opinions and other).

It should be noted that a special methodology for the quality rating formation of the regulatory impact assessment and examination in the Subjects of the Russian Federation was accepted by the Ministry of Economic Development of the Russian Federation as early as in 2014. In view of the transition of the regulatory impact assessment institution in the regions to a whole new level, this methodology has been corrected, and since 2016 the Subjects of the Russian Federation have been carrying out evaluations according to new criteria⁹.

In particular, legal consolidation and practical experience have become less important as compared to the greater importance of the introduction of regulatory impact assessment in municipalities and the informational support of this assessment.

In general, when rating the Subjects of the Russian Federation in the field of regulatory impact assessment, the following indicators are evaluated (with different criteria of importance)¹⁰:

- implementation of the regulatory impact assessment of draft normative legal acts, developed by the legislative (representative) state government body of the RF Subject;
- use of quantitative methods in the process of conducting regulatory impact assessment;
- quality of public consultation;
- efficiency of the regulatory impact assessment procedure and examination of normative legal acts, and their systematic adoption;
- information activity of the region in the field of the regulatory impact assessment; transparency and openness of the RIA institution;
- practice of regulatory impact assessment procedure implementation in local self-government bodies.

All subjects of rating are divided into groups.

⁷ The monitoring of regulatory impact assessment institution introduction to the decision-making mechanism in the Subjects of Russian Federation. Round 1 [Electronic resource]. URL: http://nisse.ru/articles/details.php?ELEMENT_ID=129630 (date accessed: 19/02/2017)

⁸ The report of the project “Study of the Process and Results of RIA Implementation at the Regional Level in Various Countries: Conclusions and Recommendations for the Russian Federation” supported by the “Foundation of Applied Research of the National Research University, Higher School of Economics”

⁹ Methodology of Quality Rating Formation of Regulatory Impact Assessment and Expert Evaluation in the Subjects of the Russian Federation / Federal Portal “Regulatory Impact Assessment [electronic resource]. URL: <http://orv.gov.ru/Content/Item?n=13165> (date accessed: 19/01/2017)

¹⁰ RIA in Russia: 6 years and 6000 conclusions / RF Ministry of Economic Development Report Russia.— p. 51

Experience and peculiarities of quality rating formation of the regulatory impact assessment in municipalities

At the moment, only a few Subjects of the Russian Federation employ methodologies for rating the quality of implementation of regulatory impact assessment in municipalities. Their analysis shows that the majority of subjects when building rating methodology is based on the latest approaches of the Ministry of Economic Development of the Russian Federation to development of the institution of regulatory impact assessment within regions themselves, taking into account the long-standing evaluation practices (examples of selection criteria in the Subjects of the Russian Federation are presented in Table 1). The author believes that such an approach will lead to a reduction in municipal ratings and a low degree of their differentiation towards the rating during the fledgling period of an institution of regulatory impact assessment at the local level. The development of evaluation quality requirements should be carried out gradually: the introduction of highly specialised criteria is possible only after implementation of basic tasks of introduction of regulatory impact assessment in law-making practice of local self-government bodies.

Table 1.

**System of indicators used for rating formation of implementation quality
of regulatory impact assessment and expert evaluation in municipalities**

Krasnodar Krai	Sverdlovsk Oblast	Perm Krai
Normative consolidation of RIA for the representative and executive bodies of local self-government, expert evaluation	Normative consolidation of RIA and expert evaluation	Normative consolidation of RIA for the representative and executive bodies of local self-government
Methodological support of assessment	Methodological support of assessment	Consolidated mechanism for evaluating assessment conclusions
Consolidation of dispute settlement procedures		Consolidation of dispute settlement procedures
Availability on the Internet of information and documents on implementation, examination and public consultations of RIA		
Accounting of level of regulatory impact		Accounting of level of regulatory impact
RIA projects are implemented on a systematic basis	RIA is implemented on a permanent basis	
Use of quantitative evaluation methods, search for alternative methods		Use of quantitative evaluation methods, search for alternative methods
Existence of negative opinions on RIA		
		Further training of municipal employees on the subject of RIA
Existence of an Expert Evaluation Implementation Plan		
Systematic implementation of expert evaluation	Actual results of expert evaluation	Actual results of expert evaluation
Existence of negative opinions on the results of expert evaluation		Introduction of amendments to the acts according to the results of expert evaluation
		Implementation of assessment of actual impact
Conclusion of agreements with organisations on cooperation in the field of IRA		
Existence of a coordinating body (council)		
Quantitative characteristics of public consultation efficiency		
	Quantitative characteristics of extent to which proposals within public consultations have been evaluated	Independent evaluation by the expert community

In the author's opinion, the direct application of the methodology developed by the Ministry of Economic Development of the Russian Federation to municipalities (excepting administrative centres) is incorrect for a number of reasons. Firstly, the labour resources and skill levels of the local government authorities are significantly inferior at the local level in comparison with the authorities of the Subjects of the Russian Federation, which can afford to allocate special structures to accompany the institution of regulatory impact assessment. Secondly, the number of active experts from the business community in municipalities is very small, especially in those remote from the administrative centre and depressed territories. Thirdly, the scope of law-making regulating entrepreneurial activities in municipalities is less than at the level of Subjects of the Russian Federation, with a considerably reduced possibility of introducing an entirely new regulation (i.e. with a significant regulatory effect). Draft acts being developed by local authorities mostly have a low to medium regulatory impact since affecting practical questions that might trigger a response in the business environment, such as the adoption of various object layout schemes, rental rates, land use regulations, beautification and the like.

During the first stages of forming approaches to the analysis of the implementation quality of the regulatory impact assessment in municipalities the author proposes to apply the following principles at the level of socio-economic development on the basis of the aforementioned features and taking into account the significant differentiation of the municipalities within a Subject of the Russian Federation:

- accounting at the level of personnel provision within local government authorities;
- accounting of law-making scope and the degree of regulatory impact of municipal draft normative legal acts;
- accounting of the level of entrepreneurship in the municipality;
- accounting of civic activity in the municipality;
- objectivity and availability of indicators for analysis.

In order to comply with the principles listed above, relative indicators can be used for monitoring (for example, normalised to the number of municipal draft normative legal acts subjected to regulatory impact assessment), or summary indicators neglecting the quality and detail of the study (e.g., the presence of any document without having evaluated its content or availability of a section on the website without the assessment of its content).

In order to ensure the objectivity and availability of indicators for analysis, as many as possible indicators should be used, based on the data and information published on the official websites of local self-government bodies, including special sections on holding public consultations in the context of regulatory impact assessment.

Proceeding from the purposes of regulatory impact assessment, by the quality of its implementation at the municipal level the author implies the compliance of legislative requirements for assessment (both federal and regional), the reduction of the administrative burden over the business sector following the results of evaluation (including those due to the application of computational methods and alternative option search), as well as the organisation of effective public consultations (i.e., the establishment of mechanisms that do not require redundant costs after their introduction to provide the extensive response of the business community with a view to improving the normative base).

For the evaluation of the first results of regulatory impact assessment institution introduction in accordance with the indicated content of regulatory impact assessment quality, a system of the indices, grouped into the following divisions is proposed to employ by the author:

- Section 1. Normative consolidation;
- Section 2. Actual implementation of regulatory impact assessment;
- Section 3. Actual implementation of expert evaluation;
- Section 4. Cooperation with the business community.

These groups of indicators allow both the formalisation of the institution of regulatory impact assessment and the practical realisation of this instrument to be evaluated, including the setting of communication channels with the business community during public consultation.

For each indicator, specific weights (scores) can be assigned depending on the degree of importance of certain aspects of regulatory impact assessment introduction at the local level for the authorities of the Subject of the Russian Federation. It is recommended that the assigned scores be varied within a narrow range (from 0 to 2 or from 0 to 5) in order to more specifically describe the assignment criteria of certain scores. For example, 0 – failure, 1 – partial compliance and 2 – full compliance with the criterion. In this connection, the situation is possible when different maximum scores are assigned to

different indicators. Thus, issues connected with organising interaction with the business community in the framework of regulatory impact assessment should be given greater importance as compared to the formal adoption of regulatory documents.

The author considers it advantageous to collect information in two ways. Firstly, a questionnaire survey of local self-government authorities, which will reduce labour costs during the search of the necessary information as well as improve the reliability of data due to their significant volume. Secondly, the selective monitoring of individual aspects among the municipalities, primarily involving qualitative evaluation, in order to verify the data and enhance the objectivity of the evaluations.

The municipalities can be divided into conditional groups or ranked within a single rating depending on the scores obtained.

In adopting a methodology of rating formation for municipalities, the RF Subjects choose a path similar to that of the Ministry of Economic Development, according to which rating participants, in addition to serialisation, are allocated into the conditional groups (“Highest”, “Good”, “Satisfactory” and “Unsatisfactory”). For example, such an approach is chosen in the Sverdlovsk¹¹, Perm¹², Leningrad and Novgorod Oblasts and Krasnodar Krai¹³.

Most of the RF Subjects set a threshold for entering the “highest level” group at about 80 scores out of 100, resulting in a few municipalities falling into this group. The author agrees with this approach, since it sets a high standard for pursuing an improvement in the quality of regulatory impact assessment at the local level and allows the real leaders of the rating and procedural best practices to be identified.

System of indicators for the compilation of the municipal rating on the quality of regulatory impact assessment

A detailed system of indicators is presented for each section.

The inclusion of the following indicators is proposed for the “Normative consolidation” section:

— presence of a normative legislative basis for regulating the basic principles and conducting regulatory impact assessment practices and expert evaluation procedures in the municipality. This is the main indicator for further decision-making on the development of the institution of regulatory impact assessment because it is impossible to implement regulatory impact assessment without the basic documents. The development of standard documents capable of being quickly and easily adapted by local authorities can be considered in terms of a measure for adopting appropriate normative legislative acts in all municipalities. A similar recommendation relates to the two following indicators;

— availability of model forms of documents required for carrying out the procedures; in particular, notification form, summary reports, opinions, proposal summaries, expert evaluation implementation plan;

— availability of methodological instruments for regulatory impact assessment and expert evaluation implementation;

— free access to normative methodological documents on regulatory impact assessment issues via the Internet, assignment of official status to a public consultation platform. In the case of the absence of an official municipal website or technical difficulties with its expansion and updating, it is possible to use the regional portal dedicated to RIA for the placement of the information and conducting of the public consultations by the local authorities, thus contributing to the additional development of the regulatory impact assessment institution in view of the high traffic of the regional portal;

— relevance of normative legal acts governing the regulatory impact assessment and implementation of expert evaluation, i.e. the compliance of aforementioned documents with the most recent editions of the normative legal acts of the level of the Russian Federation and the RF Subject.

¹¹ The introduction of regulatory impact assessment in the municipalities of the Sverdlovsk region // Official website “Administrative Reform in the Sverdlovsk Oblast” [electronic resource]. URL: <http://ar.gov66.ru/organam-vlasti/vnedrenie-otsenki-reguliruyushhego-vozdjeystviya-v-munitsipalnyh-obrazovaniyah/> (date accessed: 12/02/2017)

¹² The introduction of RIA in the municipalities of Perm territory // The official site of the Ministry of Economic Development of the Perm territory [electronic resource]. URL: <http://economy.permkrai.ru/assessment/introduction/#4278179341052> (date accessed: 12/02/2017)

¹³ Regional News / Official Portal “Regulatory Impact Assessment” [electronic resource]. URL: <http://orv.gov.ru/Content/List?cat=17> (date accessed: 12/02/2017)

The indicators characterising the practical side of the evaluation should be included in the section “Actual Implementation of Regulatory Impact Assessment”. In particular, the implementation of regulatory impact assessment can be evaluated on an ongoing basis according to the proportion of municipal draft normative legal acts subject to assessment in the sphere of entrepreneurial and investment activities, for which this assessment is actually carried out.

According to the 2016 results, a systematic implementation of regulatory impact assessment is organised across 73 administrative centres of RF Subjects, as well as in the territories of the municipalities and municipal districts of 46 RF Subjects¹⁴.

In the section “Actual Implementation of Expert Evaluation”, the presence of an Expert Evaluation Implementation Plan for the current year and at least one conclusion about expert evaluation (because the current legislation does not define the specific range of acts mandatorily subject to expert evaluation) can be used as indicators. Volumes of revealed and excluded excess responsibilities and expenditures of economic subjects in different municipal formations can be compared for an expanded evaluation of this direction. In order to provide high indicators on this criterion, the local self-government bodies should choose the most problematic issues for implementation of expert evaluation identified by the appeals and complaints of entrepreneurs, because, due to the economic factors, any regulation with a high cost level demonstrates its inefficiency over time. [15]

Special attention is paid to the section “Interaction with the Entrepreneurial Community” in view of the fact that obtaining feedback from the key beneficiaries of the introducing regulation, i.e. subjects of entrepreneurial activities, is an integral part of the regulatory impact assessment. It is precisely the demonopolisation of political decision-making by ensuring public participation and control that favours the minimisation of economic and organisational costs resulting from regulatory impact assessment. [16]

This section should include the following:

- presence of agreements between local self-government bodies and business associations, expert organisations and organisations whose activities are aimed to the protection and representation of the interests of subjects of entrepreneurial activity — because such an interaction format provides a basic level of involvement of the entrepreneurial community in the public consultations;

- presence of a section on the official website of the local self-government body, providing news as well as methodological, normative and other materials on issues of regulatory impact assessment. The level of awareness and involvement of civil society is reduced if free access to the mentioned documents is lacking. The first and second indicators can be easily corrected; however, they will be fulfilled without qualitative and substantial filling of the work with the organisations party to concluded agreement, and the website will not lead to the breakthrough development of a regulatory impact assessment institution;

- average number of opinions sent during the public consultations on the draft act characterising the level of involvement of the expert community in the discussion over the municipal draft normative legal acts. The low scores of this indicator point to the closed nature of the local government authorities and the low efficiency of organisation of public consultations;

- accounting degree of positions oriented within public consultations, defined as the ratio of the total number of comments and proposals on the draft acts considered (including partially) by the developer to the total number of sent observations and proposals on the draft acts. This indicator characterises the approach of the local government authorities to the institution of regulatory impact assessment. Its low value indicates the formal attitude to evaluation, the rejection of a position of openness towards interactions that lead to a discrediting of the institution of regulatory impact assessment in the eyes of civil society. This is one of the main indicators, whose low scores require the application of urgent corrective solutions, since the recovery of a lost reputation is a much more laborious and long-term process than its initial formation;

- presence of a coordinating advisory body in the field of RIA affiliated with the authorised body, composed of representatives of the entrepreneurial community and business associations of the region. The tasks of such a council should include issues relating to the development of the regulatory impact assessment institution on the territory of the corresponding municipality, as well as the identification

¹⁴ RIA in Russia: 6 years and 6000 conclusions / RF Ministry of Economic Development Report Russia.— p. 50

and resolution of problems on the part of the implementation of assessment and expert evaluation (e.g. gaps in normative regulation procedures, conflict situations concerning the specific draft acts or between individual developers and experts, and so on). The presence of business community representatives in such a body will provide the feedback to the local authorities from the acting experts and increase the openness of local authorities in the sphere of regulatory impact assessment.

Conclusion

The author's proposed methodology is of an applied character, making scientific and practical contributions to the study of the development of regulatory impact assessment at the local level.

The approaches and principles presented in this article for analysing the quality of the implementation of regulatory impact assessment in municipalities can be used by the authorities of the Subjects of the Russian Federation to develop the specific methodologies for monitoring the implementation of regulatory impact assessment at the local level and the quality rating formation of regulatory impact assessment by local government authorities. In particular, the proposed approach was endorsed for the development of methodology of quality rating compilation of implementation of regulatory impact assessment and expert evaluation in the municipalities of the Sverdlovsk Oblast¹⁵.

The formation of quality rating of the implementation of regulatory impact assessment and expert evaluation in municipal areas and urban districts will allow the current state and the dynamics of development of regulatory impact assessment institution to be evaluated at the municipal level, drawbacks in the individual territories to be identified and timely corrective assistance to the local authorities provided as well as best practices of regulatory impact assessment implementation of municipal draft normative legal acts to be replicated.

Furthermore, the presence and free access publication of the quality rating of organisation and implementation of regulatory impact assessment in the municipal formations stimulates the local authorities to raise evaluation quality and improve public consultations. This is evidenced by the similar experiences of applying ratings at the regional level. For example, in the report of the Ministry of Economic Development of the Russian Federation it is stated that "regional governments attach considerable importance to the position of their subject in the rating." And in three years of analysing the quality of the work with regulatory impact assessment, many regions have significantly improved the work in this direction and achieved a higher level. At the present time, the group with "unsatisfactory level" includes a much smaller number of regions"¹⁶.

Given the continuing development of the institution of regulatory impact assessment in municipalities of the Russian Federation, its transformation into an indispensable attribute of law-making, the accumulation of practical experience, increases in the qualification level of municipal employees and civil society activities, a refinement of the theses formulated by the author will be required within future research.

References

1. *Impact of Municipal Regulations on SMMEs. Development Policy Research Unit* (2006). Cape Town: University of Cape Town, 107
2. Coleman, J. (1990). Constitutional Contractarianism. *Constitutional Political Economy*, 1 (2), 135–148
3. Coleman, J. (1991). Natural Persons, Corporate Actors, and Constitutions. *Constitutional Political Economy*, 2 (1), 81–106
4. Bryukhanova, N. V. & Chirkov, M. O. (2014). *Pravovoe regulirovanie i metodicheskie podhody k ocenke reguliruyushchego vozdeystviya normativnykh pravovykh aktov subfederal'nogo urovnya: Monografiya [Legal regulation and methodical approaches to the assessment of the regulatory impact of normative legal acts of the sub-federal level: Monograph]*. Barnaul: Altajskij gosudarstvennyj universitet [Altai State University], 174
5. Didikin, A. B. (2015). Konstitucionno-pravovye aspekty primeneniya ochenki reguliruyushchego vozdeystviya proektov zakonov: federal'nyj i regional'nyj urovni [Constitutional and legal aspects of the regulatory impact assessment of draft laws: federal and regional levels]. In: *Sbornik statej vsrossijskoj nauchno-prakticheskoy konferencii «Pravovye problemy ukrepleniya rossijskoj gosudarstvennosti» (29–31 yanvarya 2015 g.) [Collection of articles All-Russian scientific-practical conference "Legal problems of strengthening of Russian statehood" (29–31 January 2015)]* (pp. 81–82). Tomsk: Izdatel'stvo Tomskogo universiteta [Tomsk State University Press]

¹⁵ Introduction of Regulatory Impact Assessment in the Municipalities of the Sverdlovsk Oblast // Official website "Administrative Reform in the Sverdlovsk Oblast" [electronic resource]. URL: <http://ar.gov66.ru/organam-vlasti/vnedrenie-otsenki-reguliruyushchego-vozdeystviya-v-munitsipalnyh-obrazovaniyah/> (date accessed: 12/02/2017)

¹⁶ RIA in Russia: 6 years and 6000 conclusions / RF Ministry of Economic Development Report Russia.— p. 52

6. Kochetkova, S. A. (2016). Opyt vnedreniya sistemy ocenki reguliruyushchego vozdejstviya v sub'ektah RF [Experience of introduction of regulatory impact assessment system in the regions of Russia]. *Mezhdunarodnyj zhurnal prikladnyh i fundamental'nyh issledovanij [International Journal of Applied and Basic Research]*, 11–6, 1154–1157
7. Barkatunov, V. F. & Popov, V. V. (2013). K voprosu ob ocenke reguliruyushchego vozdejstviya normativnyh pravovyh aktov i upravlencheskih reshenij (na primere Kurskoj oblasti) [On the question of regulatory impact assessment regulations and administrative decisions (the Kursk region)]. *Municipal'naya sluzhba: pravovye voprosy [Municipal Service: legal issues]*, 2, 15–18
8. Bykova, A. D. (2015). Analiz primeneniya raschetnyh metodov ocenki reguliruyushchego vozdejstviya na regional'nom urovne [Analysis of the application of computational methods of regulatory impact assessment at the regional level]. *Vestnik Kaliningradskogo filiala Sankt-peterburgskogo universiteta MVD Rossii [Bulletin of the Kaliningrad branch of the St. Petersburg University of the Ministry of Interior of Russia]*, 4 (42), 90–93
9. Sarycheva, N. N. (2016). Ocenka reguliruyushchego vozdejstviya v regionah Rossii. Tekushchaya situaciya i puti razvitiya [Regulatory Impact Assessment in the Russian Regions. Current Situation and Development Trends] *Gosudarstvennoe upravlenie. Elektronnyj vestnik [Public Administration. Electronic Bulletin]*, 56, 168–193.
10. Shestoperov, O. M. & Smirnov, S. V. (2013). O hode vnedreniya ocenki reguliruyushchego vozdejstviya v sub'ektah RF: nekotorye itogi monitoring [On the progress of implementation of regulatory impact assessment in regions of Russia: Some results of the monitoring]. *Voprosy gosudarstvennogo i municipal'nogo upravleniya [Questions of state and municipal management]*, 2, 71–90.
11. Derman, D. O. & Danilova, M. A. (2014). O razrabotke algoritma provedeniya ocenki reguliruyushchego vozdejstviya dlya organov mestnogo samoupravleniya [On the development of an algorithm of regulatory impact assessment for local governments]. *Ekonomika Vostoka Rossii [Economy of the East of Russia]*, 2 (2), 73–78.
12. Didikin, A. B. (2016). *Luchshie praktiki primeneniya ocenki reguliruyushchego vozdejstviya v deyatel'nosti organov mestnogo samoupravleniya. Spravochnoe izdanie [Regulatory impact assessment best practice in the activities of local governments. Reference edition]*. Novosibirsk: Omega Print, 154.
13. Dolgushin, A. B. (2016). Institucional'nye parametry municipal'noj ocenki reguliruyushchego vozdejstviya, ustanavlivaemye federal'nym i regional'nym zakonodatel'stvom [Institutional settings municipal regulatory impact assessment established by the Federal and Regional legislation]. *Municipal'noe pravo [Municipal Law]*, 2 (74), 29–35
14. Kitck, E. W. (1984). The Intellectual Foundations of Law and Economics. *Journal of Legal Education*, 184–196.
15. Van den Hauwe, L. (2000). Public Choice, Constitutional Political Economy, and Law and Economics. In: B. Bouckaert and G. DeGeest. (Eds.), *Encyclopaedia of Law and Economics* (pp. 603–659). Cheltenham, UK: Edgar Elgar

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