

Terms of Reference Request for Services

Senior expert for the review and revision of Resolution of the Cabinet of Ministers of Ukraine «On approval of methodologies for regulatory impact assessment and review of regulatory acts»

Background

Ukraine is currently strengthening its regulatory governance framework as part of the European integration process and implementation of Better Regulation principles. An important element of this process is improving the effectiveness and proportionality of the Regulatory Impact Assessment (RIA) system.

According to the Law of Ukraine “On the Principles of State Regulatory Policy in the Sphere of Economic Activity”, the preparation of Regulatory Impact Assessment is a mandatory element of the development of regulatory acts. At the same time, the Law establishes mandatory procedural requirements that apply equally to all regulatory proposals, including requirements related to stakeholder consultations.

In particular, the Law requires that proposals and comments from business entities, their associations, and other stakeholders be submitted within one month of the publication date of the draft regulatory act and its RIA. Therefore, introducing a simplified RIA approach requires a comprehensive analysis of the entire regulatory procedure to ensure that simplification is meaningful in practice and does not only reduce the analytical part while leaving all other procedural requirements unchanged.

Furthermore, the current regulatory framework does not provide for differentiation of requirements for reviewing the effectiveness of regulatory acts depending on the nature and scale of their impact. The procedure for monitoring and reviewing regulatory acts is detailed in Resolution No. 308 of the Cabinet of Ministers of Ukraine, which establishes uniform approaches to assessing regulatory effectiveness.

As a result, deregulation initiatives that are aimed exclusively at reducing administrative burdens, eliminating outdated requirements, or simplifying procedures may still require the same level of analytical and procedural steps as regulatory interventions introducing significant obligations or restrictions.

The introduction of a proportionate approach should not be limited only to the preparation of a simplified RIA document. It should include an assessment of which elements of the regulatory process may be adjusted for deregulation proposals while maintaining transparency, stakeholder participation, and accountability.

In previous technical assistance activities, a draft Government Resolution introducing an experimental project to prepare deregulation regulatory acts under a simplified procedure was developed. The draft included a simplified RIA methodology and a checklist for determining the applicability of the simplified approach.

The primary partner would be the State Regulatory Service (SRS) of Ukraine, which is the central executive authority whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine. The SRS is an authorized state body that implements state regulatory policy, policy on supervision (control), licensing, and permitting system in the sphere of economic activity. The SRS creates a favorable business climate by protecting entrepreneurs from administrative pressure and implementing state regulatory policy. The main goal of the SRS activity is to prevent the adoption of economically impractical and ineffective regulatory acts and to reduce the interference of state authorities in economic activity. The SRS is an independent arbiter that ensures the admissibility and legitimacy of regulations carried out by other authorities.

SRS identified that introducing a separate experimental procedure may create additional administrative steps rather than provide genuine simplification. Therefore, the SRS considers it more appropriate to integrate a proportionate approach into the existing regulatory framework by amending Resolution No. 308.

Furthermore, the assignment is fully consistent with the recommendations of the SIGMA Monitoring Report "Public Administration in Ukraine", which recommends simplifying and modernizing the regulatory impact assessment system, strengthening quality control, and ensuring that impact assessments effectively support evidence-based decision-making. These functions fall within the institutional mandate of the SRS.

The assistance will also support the implementation of the Public Administration Reform Roadmap (CMU Resolution No. 475-r of 14 May 2025), in which the SRS is one of the institutions responsible for achieving Strategic Result 3: introducing high-quality regulatory impact assessment in line with EU standards.

In particular, the SRS is responsible for reviewing regulatory impact assessments prepared by regulatory authorities, providing methodological guidance, and ensuring the quality of regulatory decision-making.

Description of the assignment

The assignment shall entail the following elements:

- Development of amendments to the existing regulatory impact assessment methodology, including:
- Preparation of draft amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 308 «On approval of methodologies for regulatory impact assessment and review of regulatory acts»;
- Development of a methodology for conducting simplified (proportionate) Regulatory Impact Assessment (Light RIA) for deregulation regulatory proposals;
- Development of criteria for determining cases where simplified RIA may be applied;
- Development of practical guidance/templates for regulatory authorities.

Tasks and responsibilities

In line with the overall purpose, the contractor is expected to deliver the following results:

Task	Output
Initial review of the Ukrainian regulatory impact assessment framework, including the Law of Ukraine “On the Principles of State Regulatory Policy in the Sphere of Economic Activity”, Resolution No. 308 of the Cabinet of Ministers of Ukraine and existing approaches to preparation and review of RIA.	Analytical note identifying key challenges, gaps and areas requiring improvement for introducing a proportionate RIA approach.
Review of OECD and EU Better Regulation principles and practices regarding proportionate RIA, Light RIA, screening mechanisms and differentiated approaches to regulatory proposals.	Comparative analysis of relevant international practices (including examples from EU Member States).
Analysis of the existing draft experimental project on simplified RIA for deregulation regulatory acts and assessment of its compliance with international approaches. Identification of possible improvements and alternative solutions.	Expert recommendations on transforming the experimental approach into a sustainable mechanism integrated into the existing RIA framework.
Preparation of recommendations regarding amendments to Resolution No. 308, including integration of simplified RIA requirements into the existing methodology.	Draft structure and key provisions of amendments to Resolution No. 308.
Development of a simplified RIA methodology/template for deregulation regulatory proposals, including requirements for problem definition, objectives, alternatives, expected impacts, benefits, and costs assessment.	Draft methodology/template for simplified RIA.
Development of recommendations on proportionate approaches to regulatory review and ex post assessment of deregulatory acts, including possible simplification of tracking requirements under Resolution No. 308.	Recommendations on adapting monitoring and review requirements to the nature and impact of deregulation proposals.
Preparation of the final report summarising the expert support provided, key findings, recommendations and next steps.	Final report

Selected expert, while performing the said tasks, should make use of the ReSPA “Practical RIA package”, where applicable: <https://kmp.respaweb.eu/pubs/37/ria-practical-package-en-language>

Necessary Qualifications, Experience and Skills

The minimum qualifications of an expert are listed below:

General experience, qualifications and skills:

- Advanced university degree (Master’s level or higher) in public administration, public policy, political science, economics, law, or another field relevant to the assignment;
- Minimum of 10 years of professional experience in the field of public administration reforms;
- Proven experience with EU Better Regulation principles, OECD or SIGMA methodologies
- Excellent analytical, drafting, and presentation skills;
- Fluency in English (written and oral); knowledge of Ukrainian will be considered a strong asset;
- Full computer literacy and proven ability to use data analysis, visualization, and reporting tools

Specific experience, qualifications and skills:

- At least 7 years of direct experience in the design of RIA-related regulations and the RIA implementation;
- Demonstrated experience with SIGMA Principles of Public Administration and the EU Better Regulation principles;
- Understanding of Ukraine’s national planning and policy coordination system, or that of similar EU candidate countries;
- Ability to formulate evidence-based recommendations and produce high-quality analytical and policy reports suitable for both technical and public audiences

Timing and Location

The duration of the assignment is from August to September 2026. The maximum input of the Expert is 10 working days. All requested services will be implemented on a home-based basis.

TIMELINE (indicative only)

Activity	WD	Timeline
Desk review / Interviews with core team. Interviews with key stakeholders	1	August 2026
Develop and submit the draft assessment report, containing: - General review of the Ukrainian RIA framework, - Review of OECD and EU Better Regulation principles and practices regarding proportionate RIA	8	August - September 2026

- Draft recommendations for amendments to Resolution No. 308, including integration of simplified RIA requirements - Development of a simplified RIA methodology, with a template for deregulation regulatory proposals - Draft recommendations regarding proportionate approaches to regulatory review and ex post assessment of deregulation regulatory acts, including possible simplification of tracking requirements under Resolution No. 308		
Final Report with integrated feedback from beneficiaries	1	September 2026
TOTAL	10	

Remunerations

The assignment foresees engagement of up to 10 (ten) expert days of up to 5.000,00 EUR.

The payment will be made in one installment upon completion of the assignment. The final outputs will be subject to ReSPA's approval before payment is executed.

Note: No other costs will be covered except the expert's daily rate.

Reporting and Final Documentation

The expert/company will be requested to deliver the following documents before the payment is conducted:

Outputs

- Final Report with key conclusions and recommendations
- Executive summary (up to 4 pages)

Documents required for payment

- Invoice (signed original);
- Timesheets (signed original);
- Final brief report on the assignment