

EAMA response to the BEIS consultation: Reforming the framework for better regulation

Introduction

The Engineering and Machinery Alliance of trade associations, representing more than 2,000 advanced engineering companies, supports the government's commitment to world class regulation. It is right that there should be considered debate as to what that means in terms of general principle and for specific sectors.

We have concentrated our response to this extensive questionnaire to a smaller number of questions. We would welcome any queries regarding the answers. Here are our responses:

Question 5: Should a proportionality principle be mandated at the heart of all UK regulation?

Answer: All regulation and regulatory enforcement should be proportionate, taking account of risk and the desired outcome or outcomes. We trust this is embedded practice in the UK.

Questions 21 & 22: Do you think that a new streamlined process for assessing regulatory impacts would ensure that enough information on impacts is captured? If no, what would you suggest instead?

Answer: The best approach to regulatory impact assessment is one of openness to representation, for example from individuals, businesses, trade associations; and early engagement with relevant parties. EAMA and its members are already engaged on existing and potential new regulation with government departments, the Health and Safety Executive (through the industry liaison group, SHEP) and others. This can be extended.

Regulatory offsetting: One-in, X-out Questions 30-34: Should the One-in, X-out approach be re-introduced in the UK? What do you think are the advantages of this approach? What do you think are the disadvantages of this approach? How important do you think it is to baseline regulatory burdens in the UK?
a. Very important b. Somewhat important c. Somewhat unimportant d. Not very important
Question 34: How best can One-in, X-out be delivered?

Answer: No, there should not be a One-in, X-out approach. We can see no practical advantages to the UK and significant disadvantages.

As ministers have made clear, the UK now has the freedom to revise or repeal any regulations, including retained EU rules, and therefore does not face the obstacles that arose when seeking to reduce regulation when the UK was a member of the EU. We are free to move in any direction and at whatever pace we choose, which was not the case before.

Regulatory reform in the machinery and component sector will at times be complex, with competing commercial interests and genuine, necessary discussion as to what is best in the public interest. Reviews should go ahead diligently, without the additional complexity of fitting into a 1 on, X out process.

In the last decade, there was a sense that desirable regulation was at times being held up while government sought regulations to repeal. That should not be repeated.

Additionally, not all regulations are of equal significance. A 1 in, X out approach would take no account of whether a regulation was of great or little significance; and were such assessments to be made, it would itself add significantly to the complexity of the process, for little or no gain.

It is in any case likely that the government will find it relatively easy to reduce the number of regulations. Consolidation of regulations, not least from the EU, has the potential to reduce numbers significantly.

In view of these factors, we believe that there would be no value to be gained from adding the additional process of a One in, X out rule.

It is not very important to baseline the burdens of regulations, although a record of the number of regulations added and scrapped could be kept easily. Were such a baseline to be kept, it would be important also to baseline the benefits of regulation and to take account of the level of compliance and enforcement.

We have no comment as to how 1 in, X out should be delivered, as we believe that the idea should not be taken forward.

Question 35: Are there any other matters not mentioned above you would like to suggest the Government does to improve the UK regulatory framework?

Answer: It should be a principle of government that the purpose of any regulation - or removal of regulation - be clearly stated.

Jack Semple
Alliance secretary

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