

# **UNEP LIRA-Guidance National Demonstration Projects**

## **Module 3: Design of Policy Solutions**

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# Introduction (1)

## ❖ Rationale

- Development of a coherent and realistic plan
  - Careful selection of a balanced set of instruments and tools, enabling further strengthening of the infrastructures
- Successful implementation and enforcement and building synergies and complementarities between components
  - Clarification of the technical details of the proposed developments
- Convincing decision makers to invest in SMC
  - Adequate formulation of the proposals, including specific legal text

# Introduction (2)

## ❖ Key steps

- Select Policy Solutions
- Define a Phased Approach
- Draft Legislative Proposals
- Draft Institutional Proposals
- Design Cost Recovery Measures

# Objectives and Expected Outputs

## ❖ Objectives

- Define a coherent approach for strengthening legal and institutional infrastructures for SMC
- Develop technical proposals for the priority activities
- Devise a set of interventions to be conducted for implementation of the priority developments

## ❖ Expected Outputs

- A summary of the phased approach for strengthening LIs
- Technical proposals for the priority actions
- An action plan for implementing the priority developments

# Selection of Policy Solutions (1)

- ❖ Coherent package of measures
  - Legal, institutional, and financing developments as a whole
  - Think about possible:
    - Synergies
    - Opportunities for cooperation
    - Resources sharing
- ❖ Balanced mix of instruments
  - Regulatory/ non-regulatory
  - Compliance promotion
- ❖ Possible prioritization

# Definition of a Phased Approach (1)

## ❖ Phases

- Long term approach for strengthening SMC legal and institutional infrastructures
  - Description
  - Goal
  - Key principles and elements
- Short term action plan for proposed priority package of measures
  - Objectives and indicators
  - Activities and tasks
  - Schedule
  - Budget

# Drafting Legislative Proposals (1)

## ❖ Main components

- Reorganization of the legal framework (laws)
- Consolidation VS Harmonization
- Development of regulations/ rules of procedure
  - Filling regulatory gaps
- Amendment of related sectoral legislation
  - Often needed for increased integration of chemicals management into national development policy



# Drafting Legislative Proposals (2)

- ❖ Key elements
  - Domestication of international/regional agreements
  - Scope and definitions
  - Powers and mandates, roles and responsibilities
  - Mandates for coordination and cooperation
  - Instruments and tools
  - Inspection requirements
  - Record keeping and reporting
  - Offences and sanctions
  - Confidentiality of information
  - Appeals

# Drafting Institutional Proposals (1)

- ❖ Main considerations for the development of institutional proposals
  - Organization of administration at the three levels
  - Reform of existing bodies VS Creation of new bodies
  - Coordination and cooperation mechanisms
    - Internal and external
  - Information management system
    - Including monitoring and surveillance
  - Human and technical capacity
    - Sharing and capacity building

# Designing Cost Recovery Measures (1)

- ❖ Key design elements
  - × Supporting public service(s)
  - × Legal basis
  - × Regulated entities
  - × Fee structure
  - × Fee level
  - × Implementation arrangements
  - × Monitoring and compliance
  - × Revenue allocation

# Designing Cost Recovery Measures (2)

## ❖ Enabling legislative steps

- × Empowerment of Ministers to enact fees
- × Allocation of responsibilities for hazard and risk assessment between public and private sectors
- × Fees amount
- × Renewal/ repeat intervals
- × Terms for inspection and monitoring
- × Provisions for “orphan” substances that require licensing
- × Waiver of fees
- × Fees for further laboratory analysis
- × Use of revenues
- × Empowerment of Minister to enact cost recovery regulations
- × Date of commencement and length of validity

Thank you for your attention!

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