



SAPIENZA
UNIVERSITÀ DI ROMA
DIPARTIMENTO DI SCIENZE GIURIDICHE

SHORT COURSE ON REGULATION

Economics, Law and Governance
Strategy and Implementation

Rome, Sapienza Università di Roma
12-14 September, 2012

Contact:

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Academic Directors:

Prof. Robert Baldwin, Prof. Marco D'Alberty,
Prof. Nicoletta Rangone

SHORT COURSE ON REGULATION

Objectives

The course is intended for participants who may have varying familiarity with regulation. It will both introduce participants to key issues and develop understandings of these. The presentations will be of special value to professionals who are moving into regulatory affairs from other areas (no prior knowledge of regulation or economics will be assumed).

The course will look at how regulation operates on the ground but will also cover regulatory theory and all stages of the regulatory process — from law and rule-making to institutional frameworks and enforcement. It will consider regulation from the perspectives of economists, lawyers, sociologists, political scientists and others. Individual seminars will examine not merely how regulation ought to be carried out and evaluated but how regulation tends to develop and how its incidence and shape can be explained. Lessons from the utilities, financial and other sectors will be drawn on.

Eligibility

The course is intended for high civil servants, managers and officers of enterprises, professionals, barristers, solicitors, attorneys, graduate students and scholars who wish to reach an advanced education on regulation.

Time: 12-14, September 2012 (three full days: 10.00-14.00 15.00-18.30).

Location: Sapienza Università di Roma, piazzale Aldo Moro 5, 00185, Rome, Italy.

Applications: The number of participants will be between 15 and 40. Applications must be submitted before 10th July, 2012

Cost: € 1,500 (including meals and supporting materials), € 1,200 for three people of the same institution or firm; € 1,000 for five people of the same institution or firm.

PROGRAMME

DAY 1: HISTORY, THEORIES AND GENERAL FRAMEWORKS

HISTORY OF MODERN REGULATION

Professor M. D'Alberti

MAIN FEATURES OF CONTEMPORARY REGULATION

Professor M. D'Alberti

PUBLIC REGULATORS AND REGULATORY PROCEDURES

Professor M. D'Alberti

REGULATION AND COMPETITION (A LEGAL PERSPECTIVE)

Professor M. D'Alberti

WHY REGULATE?

Justifications for regulating – economic, 'market failure' and other.

Professor R. Baldwin

WHAT IS GOOD REGULATION?

How do we assess regulation – criteria and benchmarks. Evaluation systems.

Professor R. Baldwin

COPING WITH UNCERTAINTY: THE PRECAUTIONARY PRINCIPLE IN REGULATION

The challenges of regulating in the face of incomplete information and evidence.

Dr V. Heyvaert

RISKS AND REGULATION

The consequences of organizing regulation around the idea of risk. Different approaches to risk.

Dr V. Heyvaert

EXPLAINING REGULATION

How can firms and others predict future regulatory sys-

tems and constraints?

Professor R. Baldwin

DAY 2: REGULATORY STRATEGIES

REGULATORY STRATEGIES: FROM COMMAND TO SELF REGULATION

Problems of legislative solutions. Alternatives and less-restrictive regulation.

Professor R. Baldwin

THE CHALLENGES OF ENFORCEMENT

At which stage of a risky activity should the regulator intervene?

Analysing enforcement in its different aspects. Comparing 'deterrence', 'compliance' 'responsive' and other systems.

Professor R. Baldwin

RULES, STANDARDS AND PRINCIPLES

How different types of rules and standards affect the achieving of objectives. The advantages and disadvantages of moving from detailed rules to principle-governed regulatory regimes.

Professor R. Baldwin

EMISSIONS TRADING AND MARKET MECHANISMS

Trading as an alternative to 'command' approaches.

Professor R. Baldwin

REGULATORY STRATEGIES AND THE EUROPEAN DIMENSION

The impact of European decision-making on instrument choice and implementation.

Dr V. Heyvaert

REGULATION IN THE TRANSNATIONAL CONTEXT

The role of non-state actors in regulation and issues of trans-jurisdictional legitimacy.

Dr V. Heyvaert

PRICE CAPPING, STRUCTURAL REGULATION

AND REGULATING MONOPOLIES

The special issues attaching to price control mechanisms. How price caps are set and reset. Approaches to monopoly.
Professor M. Cave

ECONOMIC CONCEPTS AND REGULATION

Essential economic concepts and analytic approaches.
Professor M. Cave

MEASURING EFFICIENCY

How the efficiency of operations can be assessed.
Professor M. Cave

REVIEW AND REGULATION IN COMPETITIVE SECTORS

Identifying competitive sectors and the consequences.
Professor M. Cave

UTILITIES REGULATION – AN INTRODUCTION

The special challenges of regulating in the utilities sector – a general review of issues.
Professor M. Cave

DAY 3: TOOLS AND PERSPECTIVES

RISK BASED REGULATION

Making strategies of risk based regulation work: the challenges.
Professor R. Baldwin

DEALING WITH LOW RISKS

Risk-based regulation tends to focus on higher risks but lower risks also have to be dealt with. This session considers the use of specific strategies for addressing lower risks and the special challenges to be faced.
Professor R. Baldwin

IMPACT ASSESSMENT, COST-BENEFIT TESTING AND REGULATION

The role of Cost Benefit Analysis in regulation. Technical issues.
Professor R. Baldwin

REGULATORY IMPACT ASSESSMENT: WORK-

SHOP

Issues arising in applying a cost benefit approach to evaluating regulations. Case study.
Professor R. Baldwin

THE QUEST FOR BETTER REGULATION

The worldwide search for less intrusive, lower cost, more effective regulation – how this sits with other approaches such as impact assessment. How RIAs impact on policy processes.
Professor R. Baldwin

COMPETITION IMPACT ASSESSMENT

Completing competition assessments in Regulatory Impact Assessment.
Professor N. Rangone

ASSESSING ADMINISTRATIVE BURDENS

Independent authorities, government, and regional policy-makers faced with the administrative burdens measurement and reduction.
Professor N. Rangone

THE STANDARD COST MODEL

The Standard Cost Model to measure the stock (in simplification policies) and the flow of regulation (in Regulatory Impact Assessment).
Professor N. Rangone

ETHICS AND REGULATION, ETHICS IN REGULATION: AN OVERVIEW

Professor M. De Benedetto

REGULATION: THE NINETIES, THE CRISIS AND AFTER

Professor M. D'Alberty

ACADEMIC STAFF

Professor Robert Baldwin

Robert Baldwin is a Professor of Law at the LSE where he teaches Regulation and Criminal Law at undergraduate and graduate levels. He has published widely on regulation and acted as a consultant to such bodies as the Health and Safety Executive, the European Commission, the International Labour Organisation, the National Audit Office and HM Treasury. His books include: *Regulating the Airlines*, (Oxford, University Press, 1985); *Rules and Government*, (Oxford University Press, 1995); *Law and Uncertainty* (Kluwer, 1996); *Understanding Regulation*, (Oxford University Press, 1999 with Martin Cave and 2011 Second Edition with M. Cave and M. Lodge) and *The Government of Risk* (Oxford University Press, 2001 with Christopher Hood and Henry Rothstein); *The Oxford Handbook on Regulation* (Oxford University Press, 2010) (with M. Cave and M. Lodge).

Professor Martin Cave

Professor Martin Cave is Deputy Chair of the U.K. Competition Commission. He was formerly Director, Centre for Management Under Regulation at Warwick Business School, a Centennial Professor at the LSE's Law Department and Visiting Professor at Imperial College Business School. He has authored numerous works on regulation, and has very extensive experience of advising regulatory agencies such as Ofcom, OFWAT, the Office of Fair Trading and international institutions such as the European Commission on the OECD.

Professor Marco D'Alberty

Marco D'Alberty is Professor of Administrative Law at "Sapienza" University School of Law, Rome. He is member of the Board of Italian Authority for the Control on Insurances Companies-ISVAP (since 2011). He has been member of the National Council for Economy and Labour-CNEL (1995-1997); member of numerous Committees for administrative reforms for the Prime Minister's Office and several Ministries (1985-1997); member of the Committee for the Guarantee of Statistical Information (1993-1997); Chairman of the Committee for Administrative Innovation, at the Prime Minister's Office (1996-1997); Commissioner of the Italian Competition Authority-AGCM (1997-2004). He is author of numerous essays and articles on Administrative

Law, Public Administration, Comparative Law and Public Regulation of Markets and of the following books: *Lezioni di diritto amministrativo*, Giappichelli, 2012. *Poteri pubblici, mercati e globalizzazione*, Il Mulino, 2008; *Diritto amministrativo comparato*, Il Mulino, 1992; *I "public contracts" nell'esperienza britannica*, Jovene, 1984; *Le concessioni amministrative*, Jovene, 1981.

Professor Maria de Benedetto

Maria De Benedetto is professor of Administrative law of Economics at the University "RomaTre". She has been legal advisor for the Italian Antitrust Authority (1996), the Presidency of the Italian Council of Ministers – Department for Civil Service (2000), the Italian School of Public Administration (2002-2004), the Italian Unit for the simplification and quality of regulation (2006-2008). She is also Editor in chief of the legal review "Studi Parlamentari e di Politica Costituzionale". She has written the following books: *L'Autorità garante della concorrenza e del mercato*, Il Mulino (2000); *Istruttoria amministrativa e ordine del mercato*, Giappichelli (2008); (with N. Rangone e M. Martelli) *La qualità delle regole*, Bologna, Il Mulino (2011). She has also edited *Istituzioni, politica e amministrazione. Otto paesi europei a confronto*, Giappichelli (2005) and *Spagge in cerca di regole. Studio d'impatto sulle concessioni balneari*, Arel/Il Mulino (2011).

Dr Veerle Heyvaert

Dr Veerle Heyvaert is a Senior Lecturer in Law at the LSE where she teaches environmental law and European law. She has an LL.M. from Harvard Law School and a PhD from the European University Institute in Florence. She has published extensively on issues of transnational environmental law, regulatory agencies and risk regulation, including recent articles on the emergence of hybrid norms in the *European Journal of International Law* (2009) and the globalisation of chemicals regulation in the *Journal of Law and Society* (2009). Her current research interest cover international environmental law and questions of compliance with international commitments, new developments in European environmental law, and in particular the reform of the EU regulatory framework for chemicals control.

Professor Nicoletta Rangone

Nicoletta Rangone is a professor of Economic Law at the Po-

litecnico of Milan where she teaches Administrative Law and Environmental Law. She also teaches Public Utilities Regulation at LUMSA University in Rome. She is legal advisor on the Standard Cost Model and simplification to the Presidency of the Counsel of Ministries (since 2005). She was consultant in the OECD (2001-2007-2009), the Italian School of Public Administration (2002-2004), the Italian Unit for the simplification and quality of regulation (2008-2011), the European Commission (2005). From 1996 to 2002 she worked with the Italian Antitrust Authority. His books include: *I servizi pubblici*, Il Mulino, 1999; *Le programmazioni economiche. L'intervento pubblico tra piani e regole*, Il Mulino, 2007; *La qualità delle regole* (with M. de Benedetto e M. Martelli), Il Mulino, 2011.

