

Implementation Toolkit on Adopting Agile Regulatory Governance to Foster Innovation

APEC Economic Committee

January 2026



Asia-Pacific
Economic Cooperation



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List of Abbreviations

APA	Aotearoa Plan of Action
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
BRE	UK's Better Regulation Executive
CDR	Consumer Data Right (Australia)
CSF	Centre for Strategic Futures (Singapore)
DTA	Digital Transformation Agency (Australia)
GRP	Good Regulatory Practice
ISO	International Organization for Standardization
MPC	Malaysia Productivity Corporation
OBC	Outcome-Based Contracting (Singapore)
OECD	Organisation for Economic Co-operation and Development
OIA	Office of Impact Analysis (Australia)
PESTLE	Political, Economic, Social, Technological, Legal and Environmental
PHAC	Public Health Agency of Canada
PIR	Post-Implementation Review
RIA	Regulatory Impact Analysis
RIS	Regulatory Impact Statement
TRRs	Canada's Targeted Regulatory Reviews
UPC	Unified Public Consultation (UPC)
WEF	World Economic Forum

1. Introduction

1.1. The Catalyst for Agility

In an era of rapid technological advancement, increasing global competition and innovation across all sectors, there arises a need to have the right regulatory frameworks in place that can promote economic growth. However, the traditional regulatory landscape is conventionally rigid and often struggles to keep up with the rapid pace of innovation. This presents significant barriers that stifle economic growth, hindering the introduction of new ideas, products and business models as a result.

Economies' experiences with COVID-19 exemplifies the shortcomings of traditional regulatory landscapes and their inability to adapt to new problems and emerging solutions. Hence, regulators are now faced with the dilemma of having to safeguard public interest while also ensuring that their efforts are not overbearing to the extent that such interests are unnecessarily obstructed.

In the recognition of such challenges, agile regulatory governance has emerged as a viable and promising approach. With collaborative and iterative values in policymaking, this method enables regulators to work closely with industry stakeholders in the implementation of frameworks that are both suitable and adaptable to new technologies and innovation. The involvement of industry leaders and innovation drivers facilitates the typical oversight process whereby the right expertise is utilised in creating an enabling environment for the integration of new technologies. By focusing on the future, agile governance can help ensure effective management of public interests while promoting laws and regulations that support innovation- leading to strong, resilient, and sustained economic growth.

1.2. APEC's Response

Considering this shift towards agility, APEC economies should be prepared to adopt principles of agile regulatory governance to ensure the community does not become overburdened by both international and domestic developments. In line with APEC's broader commitments under both the Aotearoa Plan of Action (APA) and the Putrajaya Vision 2040, the long-term goal is to create a conducive environment for economic growth.

Pursuant thereof, it becomes necessary to assess the current landscape and level of awareness regarding agile regulatory governance within APEC economies. Though the call for agility is apparent, it's important to keep in mind that APEC is a cooperative effort of myriad economies that vary in terms of regulatory capacity.

2. Executive Summary

Agile Regulatory Governance is a forward-looking approach designed to help regulators respond effectively to fast-paced innovation, complex economic, environmental and societal shifts and emerging risks. It encourages regulation that is not only more dynamic and flexible, but also more attuned to real-world conditions and outcomes. This Implementation Toolkit is structured around 3 strategic purposes i.e. equipping economies with knowledge and tools, providing self-assessment instruments to track progress and presenting best practices to inspire and guide reform efforts across the region.

The Implementation Toolkit is then anchored on 3 core principles. Anticipatory and foresight regulation encourages early preparation for future challenges by embedding strategic foresight into regulatory processes. Iterative and adaptive regulation promotes the *design–test–evaluate–adapt* cycle allowing regulations to evolve based on real-world feedback. Outcome-based regulation shifts attention toward results, enabling regulators to remain flexible in how those results are achieved while maintaining accountability.

To support the consistent application of these principles, the Implementation Toolkit identifies 3 foundational practices that underpin Agile Regulatory Governance. Comprehensive public consultation ensures that stakeholders are engaged in a meaningful and transparent manner. Coherence and integration promote alignment across regulators, sectors and economies to prevent duplication and fragmentation. Technology and digital infrastructure enable faster, more responsive and more transparent regulation by embedding digital tools across the regulatory lifecycle.

This Implementation Toolkit not only discusses these principles and practices in depth, but also presents global examples of best practices, detailed step-by-step implementation guidance and sample templates that can be adapted by regulators. It recognises the diverse starting points of APEC economies and supports both incremental reforms and overhaul transformations. By utilising the approaches outlined in this Implementation Toolkit, economies can build regulatory systems that are more resilient, future-ready and trusted by the people they serve.

3. Purpose of the Implementation Toolkit

The 3 strategic purposes of this Implementation Toolkit are to:



4. How to use this Implementation Toolkit

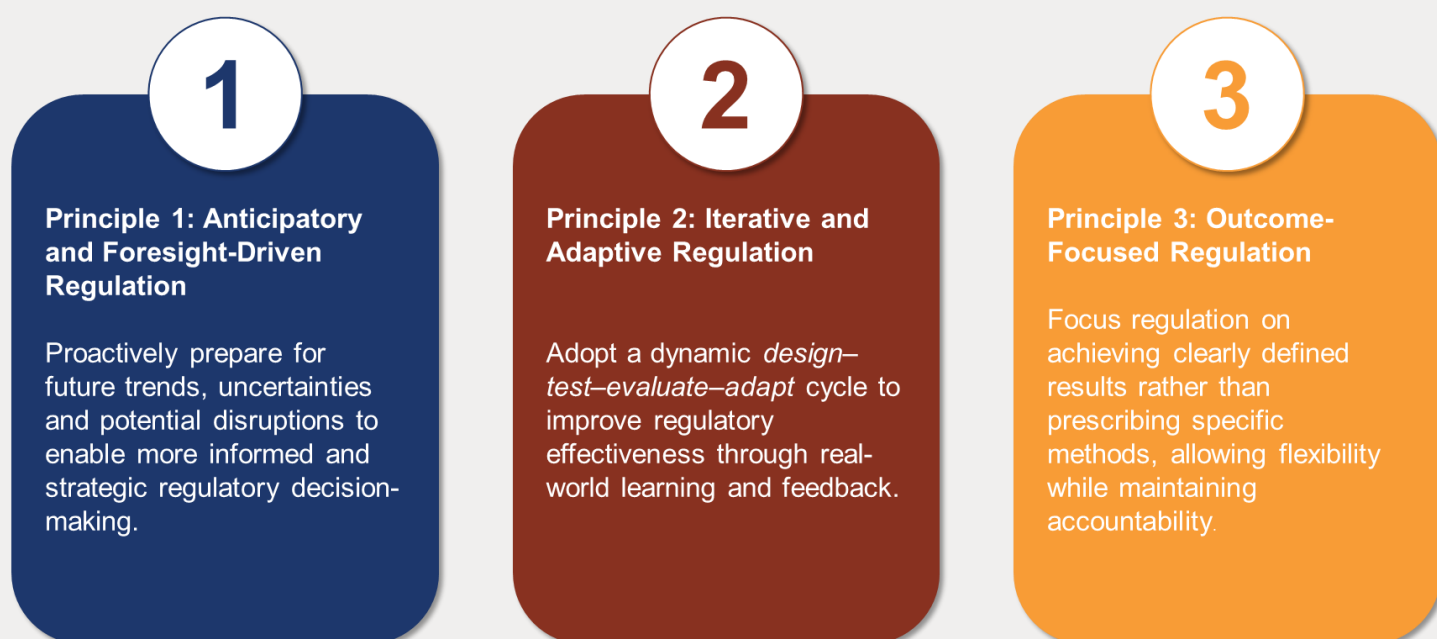
This Implementation Toolkit is designed for regulators. It can be used:



While this Implementation Toolkit is designed primarily for regulators within APEC economies, other relevant stakeholders are also encouraged to implement these principles where applicable to their functions. In essence, while the term ‘regulation’ often implies government mandates, the underlying principles of being forward-thinking, adaptable and focused on outcomes can be highly valuable for any organisation.

5. Core Principles of Agile Regulatory Governance

Agile Regulatory Governance centres on 3 core principles derived from international best practices.



These principles are integral pillars of Agile Regulatory Governance, empowering regulators to navigate the complexities of innovation while fostering its responsible growth.

5.1. Principle 1: Anticipatory and Foresight-Driven Regulation

Agile Regulatory Governance requires not just being reactive but anticipatory and foresight driven. In a fast-changing world shaped by advances in artificial intelligence, automation, digital services, changing ways of doing business and shifting geopolitical alliances, governments need mechanisms to anticipate change and design regulation that is future-proof.

This involves reimagining governance not just as the management of risks but as an effort to get ahead of innovation and technological developments to shape outcomes beneficially. This approach may involve but is not limited to horizon scanning to detect emerging trends, scenario planning to visualise multiple futures and technology assessments to understand potential implications.

Common Tools Used in Practice

Horizon scanning

- A systematic process for identifying early signals of change across political, economic, social, technological, legal and environmental (PESTLE) domains. It helps detect trends and emerging issues that could disrupt or reshape regulatory frameworks.

Scenario planning

- The development of multiple plausible future narratives to test assumptions and understand the consequences of different policy decisions. It is especially useful in high-uncertainty environments.

Technology assessments

- Analytical evaluations of new or emerging technologies, examining not only technical feasibility but also ethical, environmental, economic and social implications. These assessments support risk management and responsible innovation.

Economies have also begun embedding foresight into governance by establishing dedicated units focused on foresight within regulators and incorporating long-term thinking into tools such as Regulatory Impact Analysis (RIA). RIA strengthens anticipatory and foresight-driven regulation by encouraging regulators to identify uncertainties and potential risks early in the regulatory process. By systematically assessing expected impacts and involving stakeholders upfront, RIA enhances the ability to foresee unintended consequences, shape regulatory responses ahead of time and align interventions with long-term goals.

Box 1: Policy Horizons Canada

Policy Horizons Canada (PHC) is the Government of Canada's centre of excellence for foresight. It supports federal departments and agencies by providing strategic insights into emerging policy challenges and opportunities. While PHC does not set policy, it equips policymakers with foresight-based analysis to help navigate complex and uncertain futures. PHC has developed a "Foresight Competencies Framework" to strengthen public sector capacity by identifying the core skills needed to apply foresight effectively. Through its reports, reflections, and tools, PHC plays a vital role in embedding long-term thinking into Canadian policy development.

<https://horizons.service.canada.ca/en/home/>

Box 2: Singapore's Centre for Strategic Futures

Operating under the Prime Minister's Office, the Centre for Strategic Futures (CSF) helps the Singapore government anticipate and prepare for long-term challenges. The CSF uses tools such as scenario planning, horizon scanning, and futures research to identify potential risks and opportunities that may otherwise be overlooked. Working closely with the Strategy Group of the Public Service Division, it functions as an internal think tank that strengthens whole-of-government anticipatory capacity. Through its work, CSF ensures futures thinking is embedded in strategy development, supporting Singapore's resilience and adaptability in an increasingly volatile world.

<https://www.csf.gov.sg/>

Beyond tools and structures, the cultural shift required for foresight is equally critical. A proactive culture embraces uncertainty and values insights from multidisciplinary sources including behavioural scientists, data analysts, civil society members, academic researchers and other non-governmental contributors. Diversity of expertise and perspectives is a strength, and these institutions can help create a mutually supportive ecosystem of appraisal for policy.

Embedding Anticipatory and Foresight-Driven Regulation within Agile Regulatory Governance thus requires:



- 01** Establishing dedicated units focused on foresight within Regulators or foresight is integrated systematically into policy development processes.
- 02** Integrating anticipatory tools in early stages of policymaking.
- 03** Ensuring foresight includes diverse input and reflects evolving trends and insights.
- 04** Ensuring foresight findings are incorporated into implementation strategies.

5.2. Principle 2: Iterative and Adaptive Regulation

Agile Regulatory Governance requires flexibility to respond to changing conditions and emerging challenges. Instead of the traditional *regulate-and-forget* model, this principle supports a continuous cycle of *design-test-evaluate-adapt*. Iterative approaches help regulators learn what works, refine what does not and remain responsive to innovation and public needs.

Iterative and adaptive development is supported through regulatory sandboxes, policy labs and pilots among others. These mechanisms allow for temporary deployment of new policies or regulations under controlled environments to collect feedback and adjust in real time. This approach ensures flexibility in the face of emerging evidence, technological disruptions and shifting stakeholder needs. It involves modular rules, conditional approvals and sunset clauses that allow for ongoing revision.

Common Tools Used in Practice

Regulatory Sandboxes

- Controlled environments where innovative products, services or business models can be tested under regulatory oversight. They provide temporary flexibility in applying certain regulatory requirements, allowing real-time learning while maintaining safeguards.

Policy Labs

- Structured, workshop-style environments that bring together regulators, stakeholders and multidisciplinary experts to rapidly generate, prototype and test ideas for solving regulatory challenges. They focus on innovation, collaboration and early-stage solution design.

Pilot

- Small-scale, real-world testing of new or revised regulation or approaches before broader rollout. They are used to validate assumptions, assess impacts and improve design under real operating conditions.

Phased Implementation

- A step-by-step approach to rolling out regulations, enabling early feedback, adjustments and capacity building before full-scale application. It enables regulators to manage risk, build confidence and improve policy effectiveness progressively.

Post-Implementation Review (PIR)

- Evaluations conducted after a regulation is in effect to assess its performance, identify gaps or unintended consequences and gather evidence for improvement.

Box 3: Australia's Building and Testing Service

Australia's Digital Transformation Agency (DTA) has developed a rigorous service design and delivery process that includes a dedicated beta stage for building and testing digital government services. During this phase, services are made available to users in a limited capacity to allow for real-world testing and feedback. This enables regulators to collect insights, identify usability barriers and refine both policy and service elements before full-scale launch.

<https://www.digital.gov.au/policy/digital-experience/toolkit/service-design-and-delivery-process/beta-stage-building-and-testing-service>

Embedding Iterative and Adaptive Regulation within Agile Regulatory Governance thus requires:



- 01** Establishing structured testing environments to trial regulatory approaches in controlled settings before full implementation.
- 02** Embedding feedback mechanisms at each stage of the regulatory process to capture lessons and make necessary adjustment.
- 03** Applying phased rollout strategies that allow for staged implementation with space for learning and adjustment.
- 04** Institutionalising evaluation and review processes to evaluate the real-world effects of regulation and support continuous improvement

5.3. Principle 3: Outcome-Based Regulation

Agile Regulatory Governance encourages a shift from prescriptive and detailed regulation to outcome-based approaches that define what should be achieved, rather than how to achieve it. By focusing on results, regulators enable greater flexibility, innovation, technological advancement, responsiveness to changing conditions and adaptation to different circumstances.

Outcome-based regulation requires clearly defined objectives, measurable indicators of success and mechanisms for monitoring and evaluation. Rather than prescribing specific processes, it allows regulated entities to determine the most effective methods to comply provided they meet the intended outcomes. This is particularly useful in fast-moving sectors where rigid regulation can become quickly outdated. Outcome-based regulation is increasingly recognised for its focus on outputs or performance rather than procedures or checklists.

Common Tools Used in Practice

Performance Indicators

- Measurable metrics are used to track progress toward achieving intended outcomes. They help regulators assess whether a policy or regulation is performing as intended and support evidence-based monitoring, evaluation and continuous improvement.

Outcome-Based Compliance Mechanisms

- Mechanisms that assess compliance based on whether the intended outcomes are achieved, rather than adherence to prescribed procedures. Examples include emissions limits or energy efficiency thresholds.

Risk-Based Frameworks

- Regulatory frameworks that tailor intensity of oversight based on the likelihood and severity of risks. This ensures resources are focused on areas of highest potential impact while enabling innovation in lower-risk areas.

Box 4: Singapore's Outcome-Based Contracting (OBC)

Singapore introduced Outcome-Based Contracting (OBC) in government cleaning contracts to focus on service quality and results, rather than prescribing inputs like headcount or cleaning schedules. Under OBC, service providers are assessed based on outcomes such as cleanliness levels and user satisfaction. This flexibility enables providers to adopt technology (e.g. smart sensors, automated cleaners), redesign workflows and improve productivity. Supported by the National Environment Agency, OBC has enhanced service standards while promoting innovation in the cleaning sector.

[https://www.nea.gov.sg/industry-transformation-map/grow-productive-firms-to-enhance-resilience/outcome-based-contracting-\(obc\)#:~:text=OBC%20specifies%20the%20desired%20outcomes,and%20deliver%20quality%20cleaning%20services.](https://www.nea.gov.sg/industry-transformation-map/grow-productive-firms-to-enhance-resilience/outcome-based-contracting-(obc)#:~:text=OBC%20specifies%20the%20desired%20outcomes,and%20deliver%20quality%20cleaning%20services.)

Embedding Outcome-Based Regulation within Agile Regulatory Governance thus requires:



- 01** Defining clear regulatory objectives and/or outcomes that set out what the regulation aims to achieve and not the means to achieve it.
- 02** Developing measurable indicators to assess performance.
- 03** Allowing flexibility in how regulated entities meet outcomes or compliance requirements.
- 04** Establishing feedback loops and review processes to track effectiveness and improve over time.

6. Foundational Practices of Agile Regulatory Governance

Agile Regulatory Governance is supported by foundational practices that underpin its core principles. These foundational practices are not standalone features but are integrated and interlinked components that should be applied consistently to ensure effective implementation of the core principles of Agile Regulatory Governance.

1

Comprehensive Public Consultation

Design engagement processes that are inclusive, continuous and tailored to the purpose and context to ensure stakeholder input shapes regulatory decisions meaningfully.

2

Coherence and Integration

Ensure regulatory consistency across Regulators, sectors and jurisdictions to prevent confusion, ensure alignment and support coordinated implementation.

3

Technology and Digital Infrastructure

Integrate technology and digital infrastructure throughout the regulatory process to enhance speed, transparency and responsiveness, reducing burdens and enabling efficient and adaptive governance.

6.1. Practice 1: Comprehensive Public Consultation

Agile Regulatory Governance places stakeholders at the centre of the regulatory process. It recognises that those affected by regulation among others, industry players, civil society, academia and the general public are critical sources of insight, innovation and legitimacy. Moving beyond one-off consultations, this principle promotes continuous and structured consultation across stakeholders.

Early and different methods of consultation is essential to ensure participation of impacted stakeholders. This includes digital tools such as online surveys, centralised consultation portals and interactive platforms like townhalls or focus groups to facilitate more responsive consultation. Transparency, clarity and accessibility are critical elements to building trust in public consultation processes. This includes ensuring consultation documents are easy to understand, setting reasonable timelines for responses and being open about how stakeholder input will be considered and used in decision-making.

Common Tools Used in Practice

Stakeholder Identification and Mapping

- Stakeholder identification and mapping ensures that all relevant and affected parties are recognised, prioritised and engaged based on their level of importance and influence on the proposed policy or regulation.

Stakeholder Planning

- Stakeholder planning ensures that consultation is purposeful and well-targeted. It helps regulators determine why a particular stakeholder group is being engaged, what the consultation is intended to achieve, and which consultation tool is best suited for effective consultation.

Feedback Mechanisms

- Feedback mechanisms ensure that stakeholder input is systematically collected, documented and considered throughout the regulatory process. They promote transparency, improve regulatory quality and build trust that consultation efforts are meaningful and not just symbolic.

Provided below are common consultation tools used to engage with stakeholders:



Online Platforms

Surveys, public comment portals and social media engagement to gather feedback efficiently.



Centralised Consultation Portals

Government-managed platforms where all regulatory proposals and consultations are listed for public access.



Workshops & Focus Groups

Smaller, interactive sessions that allow for in-depth discussions.



Townhalls

Open forums where the government engage directly with the public to discuss regulatory proposals and gather feedback.



Surveys & Questionnaires

Structured tools to collect specific data and perspectives from targeted groups, which can also be conducted online.



Meetings

In-person or virtual sessions where relevant and affected stakeholders can express views and provide insights in a closed-door setting.

Consultation under Agile Regulatory Governance can take various forms depending on the context, complexity of the issue at hand and the purpose of the engagement. Some engagements may aim to simply inform the public with timely and balanced information, using tools such as fact sheets and public notices. Others are designed to consult stakeholders and gather feedback on regulatory proposals through surveys, open calls for comment and focus groups. In more involved cases, engagement may include working closely with stakeholders to reflect their views in the regulatory design, using workshops or deliberative forums. Collaborative engagements might feature co-design sessions or multi-stakeholder task forces, while empowerment efforts could include citizen panels and shared decision-making platforms. Selecting the appropriate method and depth of engagement ensures stakeholders are involved meaningfully, while maintaining the efficiency and legitimacy of regulatory processes.

Box 5: Canada’s “Consulting with Canadians” Portal

Canada’s federal government maintains the “Consulting with Canadians” portal, a centralised platform that facilitates public consultations on proposed regulations and policies. This portal allows stakeholders including industry players, civil society, academia and the general public to access consultation documents, submit feedback and track the progress of regulatory proposals.

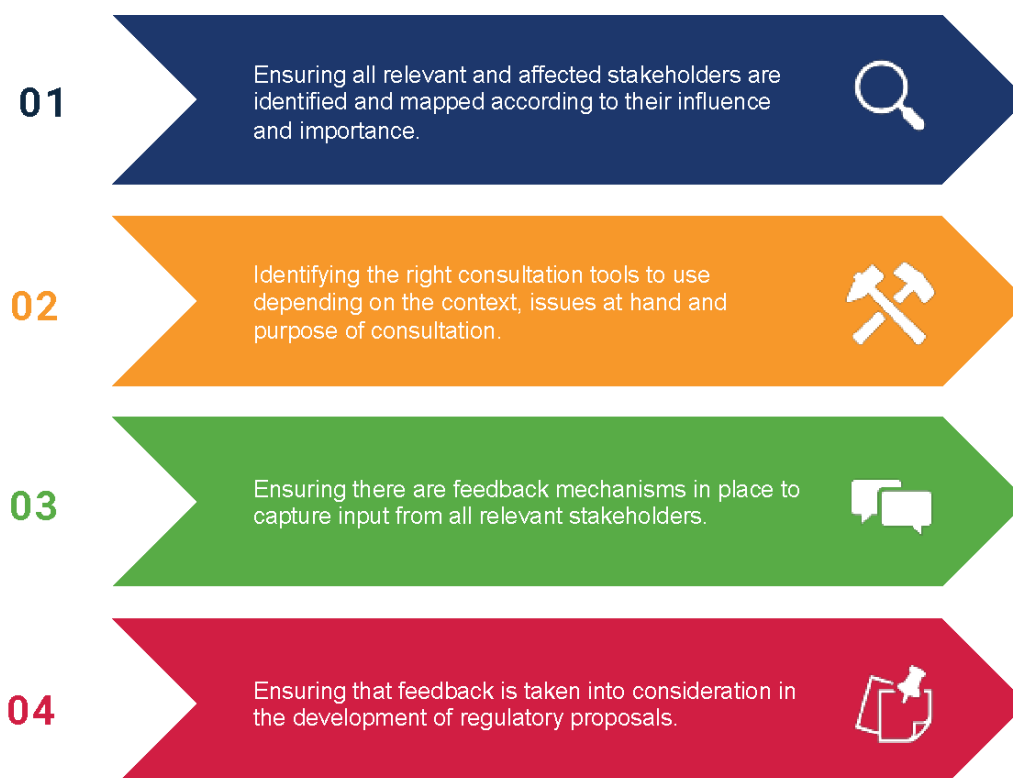
<https://www.canada.ca/en/government/system/consultations/consultingcanadians.html>

Box 6: Malaysia’s Unified Public Consultation (UPC) Portal

Malaysia’s Unified Public Consultation (UPC) portal, managed by the Malaysia Productivity Corporation (MPC) serves as a digital platform for public consultation in the regulatory process. The portal provides access to consultation documents and allow stakeholders to submit feedback online. Malaysia has also published a newly updated Public Consultation Handbook 2.0 providing guidance to regulators on conducting comprehensive public consultation.

<https://upc.mpc.gov.my>

Embedding Comprehensive Public Consultation within Agile Regulatory Governance thus requires:



6.2. Practice 2: Coherence and Integration

Agile Regulatory Governance requires coherence within and across regulators, sectors and economies. Regulatory fragmentation such as overlapping mandates, conflicting regulations or inconsistent processes can hinder innovation, delay implementation and increase compliance burdens. Coherence helps ensure that regulation is efficient, easy to navigate and aligned with broader strategic goals.

Internal coherence focuses on ensuring that regulatory frameworks across different regulators do not contradict one another and are implemented consistently. This requires whole-of-government approaches and institutional coordination mechanisms. External coherence involves aligning domestic regulatory practices with international norms, standards and best practices. Integrated planning and implementation systems as well as shared governance structures help prevent siloed regulation.

Common Tools Used in Practice

Whole-of-government coordination mechanisms

- Formal structures such as inter-ministerial committees or central oversight units that promote regulatory consistency across regulators. This may also include integrated agendas or roadmaps that align priorities and timelines across regulators to minimise duplication or conflict.

Regulatory alignment with international standards and best practices

- Practices that promote consistency with international standards and global best practices to facilitate international cooperation and support cross-border compatibility.

Regulatory mapping and gap analysis

- Identifying and assessing existing regulation across sectors or regulators. It assists in detecting overlaps, inconsistencies, gaps and areas where alignment or streamlining is needed.

Box 7: Australia's Office of Impact Analysis (OIA)

Formerly known as the Office of Best Practice Regulation (OBPR), Australia's Office of Impact Analysis (OIA) serves as a central oversight body for assessing the quality of regulatory proposals. The OIA ensures that all federal regulations are subject to a proportionate level of scrutiny through RIA. It also provides training and capacity-building to regulators to improve internal coherence and policy quality. The OIA operates under the Department of the Prime Minister and Cabinet, reinforcing its whole-of-government approach.

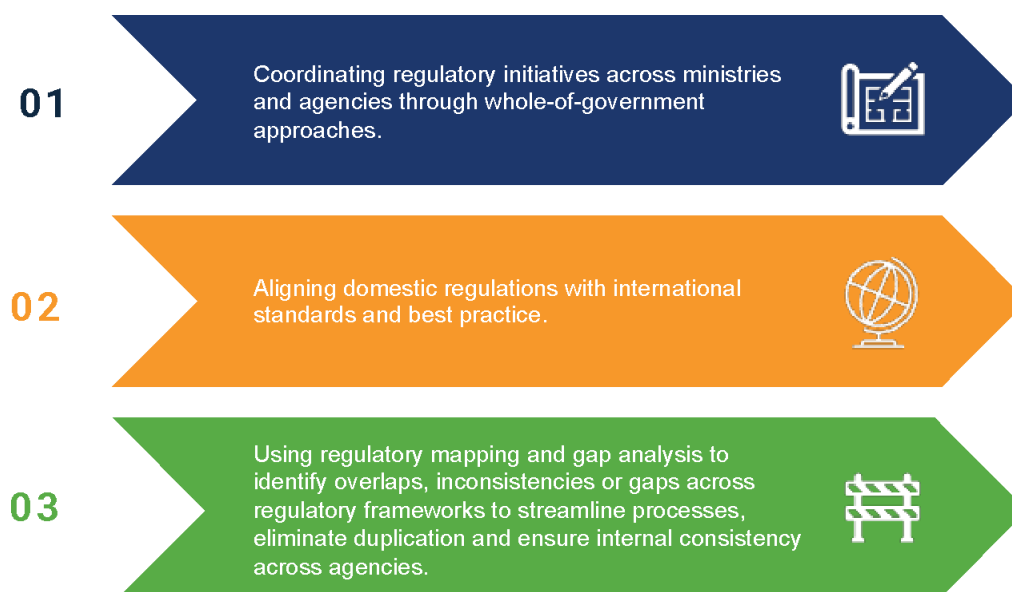
<https://oia.pmc.gov.au/>

Box 8: Malaysia's Central Oversight by the Malaysia Productivity Corporation (MPC)

In Malaysia, MPC acts as the leading agency in driving the adoption and implementation of GRP across various sectors. MPC reviews regulatory proposals through RIA, and Regulatory Impact Statement (RIS) submission. As part of its role, MPC also supports capacity building within ministries, promotes the use of the Unified Public Consultation (UPC) portal, and facilitates coordination among federal and state agencies.

<https://www.mpc.gov.my/>

Embedding Coherence and Integration within Agile Regulatory Governance thus requires:



6.3. Practice 3: Technology and Digital Infrastructure

This approach focuses on embedding digital systems, platforms and technologies throughout the regulatory life cycle from design, consultation, implementation, compliance until review.

Digital infrastructure acts as a critical enabler of speed, flexibility and responsiveness. It supports iterative approaches by providing the digital infrastructure needed to test regulatory ideas. For example, sandboxes which can be managed through data dashboards while digital simulations allow regulators to model potential outcomes or risks before rollout. These tools help gather structured feedback and generate evidence to adapt and refine regulation before full-scale implementation. Digital platforms also allow regulators to engage a wider range of stakeholders more efficiently, model potential impacts of new proposals, and track whether regulatory objectives are being achieved.

By integrating technology into governance processes, economies can deliver regulations that is not only more efficient, but also more adaptive and aligned with fast-changing environments. When digital infrastructure is integrated effectively, it allows regulators to reduce administrative burdens, improve transparency and make more informed, evidence-based decisions.

Common Tools Used in Practice

Digital consultation platforms

- Centralised online systems where stakeholders can access and provide feedback on proposed policy or regulation, increasing transparency and participation.

Regulatory workflow platforms

- Tools that streamline submissions, approvals, licensing and tracking in a single system, improving efficiency and user experience.

Data dashboards

- Interactive digital displays used to monitor regulatory performance, sandbox progress or compliance trends in real time. These dashboards help regulators visualise key indicators, track testing outcomes and make timely, evidence-based decisions.

AI-powered analytics and decision-support systems

- Used to simulate impacts, analyse compliance data or identify regulatory gaps and emerging risks.

Machine-consumable regulation

- Digital formats that allow computers to read and apply regulation, enhance automation and reducing ambiguity.

Box 9: Singapore's GovTech Dashboards for Service Delivery

Singapore's GovTech agency provides dashboards-as-a-service to ministries and agencies across the government. These dashboards consolidate data from different services into unified views that help public officials monitor licensing volumes, turnaround times, digital uptake, and citizen satisfaction in near real-time.

For regulators, this means they can observe how fast applications are being processed, where bottlenecks occur, and how new regulations are affecting service delivery. While some dashboards are internal, many are publicly accessible, reinforcing Singapore's commitment to transparency, responsiveness and data-driven governance.

data.gov.sg

Embedding Technology and Digital Infrastructure within Agile Regulatory Governance thus requires:

01

Prioritising technology and digital infrastructure in the design and delivery of regulation.



02

Ensuring interoperability, user accessibility and cybersecurity across platforms.



03

Investing in data governance, real-time analytics and emerging technologies.



04

Promoting digital literacy and technical capacity among Regulators.



7. Diagnostics Scorecard

This chapter provides a diagnostic scorecard designed to help regulators assess their maturity in implementing the principles and practices of Agile Regulatory Governance. It helps identify areas of strength, gaps in implementation and priority areas for improvement.

7.1. How to Use the Scorecard

1. Understand the indicators and their application and relevance to your organisation.
2. Understand how to use the scoring guide.
3. Assess your organisation's implementation performance.
4. Calculate your overall score.
5. Use the results guide to assess your level of implementation and determine improvement areas.

7.2. Scoring Guide

Score	Level of Maturity	Description
5	Fully Embedded and Reviewed	The principle or practice is fully embedded across the organisation, regularly monitored, evaluated and refined based on data, feedback or performance.
4	Institutionalised Practice	The principle or practice is broadly practiced across the organisation and supported by clear structures.
3	Partial Implementation	The principle or practice is applied in some areas with basic systems or tools in place, but implementation is partial or lacks consistency.
2	Initial Awareness	The principle or practice is recognised and may be discussed internally, but there are no formal systems or consistent actions in place.
1	Not Yet Considered	No evidence that the principle or practice exists within the organisation. No documented plans or efforts underway.

7.3. Agile Regulatory Governance Implementation Diagnostics Scorecard

Principle/ Practice	Weightage (%)	Indicators	Evidence & Remarks	Score (1-5)	Weighted Score
Core Principles of Agile Regulatory Governance					
Anticipatory and Foresight- Driven Regulation		Foresight tools such as but not limited to horizon scanning, scenario planning or technology assessments are used to anticipate emerging issues.		(/5)	
		There is a dedicated foresight unit or foresight is integrated systematically into policy or regulatory decision-making.		(/5)	
		Insights from foresight activities are actively used to shape regulatory or policy decisions.		(/5)	
		RIA is systematically conducted and used to inform regulatory decision-making.		(/5)	
Iterative and Adaptive Regulation		Regulations are regularly reviewed and updated (every 5 years or less).		(/5)	
		Regulatory proposals are tested through mechanisms such as pilots, sandboxes, phased implementation or other controlled or testing environments before being fully adopted.		(/5)	
		Testing or feedback processes designed are in collaboration with relevant stakeholders to ensure practical insights.		(/5)	

		Feedback received is systematically evaluated, considered and used to inform adjustments or amendments to regulation or policy.		(/5)	
Outcome-based Regulation		There are clearly defined and achievable outcomes for each policy or regulatory proposal.		(/5)	
		There are clear and measurable indicators to assess performance and whether the defined outcomes are being achieved.		(/5)	
		The defined outcomes are monitored periodically and systematically.		(/5)	
		Regulatory or policy approaches are adjusted based on performance data or outcome evaluations.		(/5)	
		Regulation or policy is designed with flexibility and outcome-orientation, avoiding overly prescriptive or detailed requirements where unnecessary.		(/5)	
Foundational Practices of Agile Regulatory Governance					
Comprehensive Public Consultation		All relevant and affected stakeholder groups are identified and mapped for each regulatory proposal.		(/5)	
		Regulatory information is made available to the public.		(/5)	
		RIA or other forms of impact assessments, or justifications are made accessible to the public alongside regulatory proposals.		(/5)	
		Stakeholder consultations are conducted regularly and tailored to the purpose, complexity and stage of the regulatory process.		(/5)	
		There are sufficient platforms or tools to collect feedback from all relevant and affected stakeholders.		(/5)	

		There are mechanisms in place to ensure feedback is reviewed and where appropriate, incorporated into policy or regulatory decisions.		(/5)	
Coherence and Integration		Regulatory or policy proposals are coordinated across regulators or levels of government to ensure internal consistency.		(/5)	
		Regulations are aligned or consistent with international standards or regional frameworks, where relevant.		(/5)	
		Digital systems are used to manage regulatory submissions, approvals and tracking, with accessible platforms for stakeholders		(/5)	
		There are efforts to identify and reduce duplicative, redundant or conflicting regulation or policy.		(/5)	
Technology and Digital Infrastructure		Digital tools, such as but not limited to consultation platforms, digital feedback mechanisms or others are used to support regulatory design, consultation and implementation.		(/5)	
		There is a centralised or integrated digital platform for managing regulatory submissions, licensing or compliance processes.		(/5)	
		Real-time or near real-time data systems such as but not limited to dashboards and analytics platforms are used to monitor regulatory performance or outcomes.		(/5)	
		Digital infrastructure is designed with cybersecurity, accessibility and user experience as core considerations.		(/5)	
Total Score %					

The scorecard above offers guiding indicators intended to support self-assessment across different regulatory frameworks. While the indicators reflect widely recognised good practices, they are not meant to be applied rigidly. Regulators are encouraged to adapt, revise or expand the scorecard to suit their economy's or organisation's specific context, mandate or organisational structure. Certain indicators may not be applicable, and some may be more relevant than others depending on the regulator's functions or strategic priorities. Regulators may also determine the relative weightage of each principle or foundational practice based on those factors.

7.4. Results Guide

Score Range	Level	Interpretation
0% – 20%	Foundation Not Yet Established	Agile Regulatory Governance is not yet systematically considered. The focus should be on building leadership awareness, initiating discussions and setting the foundation for agile approaches.
21% – 40%	Laying the Groundwork	Early understanding exists, but practices are informal or sporadic. Formal structures and capacity building are needed to move towards systematic adoption.
41% – 60%	Progressing Towards Agility	Some Agile Regulatory Governance practices are applied, but application is uneven. The next steps should focus on strengthening consistency, deepening agile practices across all areas and enhancing organisational readiness for continuous adaptation.
61% – 80%	Operationalising Agility	Agile Regulatory Governance is becoming embedded in organisational processes. Principles and practices are applied with increasing consistency, but further efforts are needed to strengthen organisation-wide application and sustain continuous improvement.
81% – 100%	Sustained and Strategic Agility	Agile Regulatory Governance is deeply integrated and continuously evolving. The focus should now be on sustaining momentum, institutional learning and influencing broader policy or regional best practices.

8. Overcoming Common Challenges in Implementation and Ensuring Continuous Improvement

While Agile Regulatory Governance provides a future-proof framework to foster innovation, economies often encounter a set of shared implementation challenges. These challenges range from structural and cultural resistance to operational and technical limitations. This section outlines common barriers and offers strategies to address them.

1. Resistance to Change and Old Ways of Working

In many economies, regulatory systems are characterised by limited flexibility in policy-making and enforcement, with governments required to follow processes that are often lengthy and complex. Regulatory institutions are frequently organised around risk-averse procedures designed to ensure stability and control. While these approaches provide consistency, they may also reduce adaptability, cross-sectoral collaboration, and responsiveness, which are important for implementing agile regulation.

Strategies

- ✓ Identify internal champions who can navigate institutional norms while pushing for agility.
- ✓ Launch limited-scope pilot projects to demonstrate value without triggering institutional resistance.
- ✓ Use phased implementation to allow gradual adaptation while preserving control.

2. Weak Foresight and Horizon Scanning Capabilities

Despite increasing recognition of its value, foresight activities remain poorly integrated into regulatory governance systems. Regulators often lack embedded foresight mechanisms that allow them to anticipate disruption. Even where foresight tools exist, they may not be institutionally connected to decision-making.

Although the value of foresight is increasingly acknowledged, its integration into regulatory governance remains limited. Many regulators do not have established foresight mechanisms to anticipate potential disruptions, and where such tools are in place, they are often not institutionally connected to decision-making processes.

Strategies

- ✓ Start with simple horizon scanning exercises using publicly available sources and build familiarity internally before investing in formal tools or training.
- ✓ Integrate foresight into existing planning processes (e.g. strategic reviews, regulatory roadmaps) instead of setting up entirely new systems as this helps normalise its use without requiring major reform.

- ✓ Collaborate with external foresight organisations such as think tanks or academia to draw on external capacity before attempting to build internal capabilities from scratch.

3. Limited Capacity, Skills and Resources

Regulators require capacity building to deploy agile approaches and ensure that organisations have the necessary digital literacy. The effective use of regulatory sandboxes, policy labs and adaptive frameworks require regulators to be fluent in new skills such as data interpretation, user-centred design, behavioural insights and digital platforms. However, in many economies, these skills are lacking due to limited access to training opportunities, strained human resources and constrained budgets. A lack of resources may prevent organisations from investing in tools, upskilling staff, or dedicating time to agile approaches and collaboration.

Strategies

- ✓ Start with practical exposure by involving staff in pilot projects or small-scale regulatory experiments.
- ✓ Offer short, topic-specific training sessions linked to actual regulatory tasks or tools present in the organisation.
- ✓ Develop simple internal guides that explain core agile concepts in plain language, before moving to full toolkits or formal programmes.

4. Stakeholder Fatigue and Lack of Trust in Consultation

Agile Regulatory Governance requires iterative and meaningful engagement with stakeholders. However, repeated consultations without visible impact or follow-up can lead to disengagement and skepticism. More meaningful consultation and stakeholder engagement can be enabled by more transparent processes to demonstrate that comments are considered.

Strategies:

- ✓ Share consultation outcomes clearly by publishing summaries that show how feedback influenced decisions.
- ✓ Space out engagements to avoid overloading the same information to the same stakeholder groups prior to any adjustments or changes made from the previous engagement.
- ✓ Choose the right format for each audience. For example, quick polls or social media for the public, structured sessions for technical stakeholders.
- ✓ Follow up with participants after consultation to close the loop and maintain engagement over time.

5. Lack of Performance Tracking and Post-Implementation Review

Agility requires the ability to monitor, evaluate and revise policies in real-time. However, few regulators implement structured post-implementation reviews (PIR) or maintain performance dashboards.

Strategies:

- ✓ Start with simple post-implementation reviews focused on whether outcomes match intentions, even if informal.
- ✓ Use phased implementation to test policies in stages and gather feedback as you go.
- ✓ Set up basic tracking tools such as spreadsheets or basic dashboards to monitor key indicators regularly.
- ✓ Encourage teams to reflect on lessons learned and apply them to future regulatory design.

6. Lack of Coordination Across Regulators

Agile regulatory reforms often require multiple regulators to be aligned with each other. However, overlapping mandates, unclear jurisdictions and disconnected digital systems make coordination difficult. Whole-of-government approaches require not just shared goals but aligned systems and compatible digital infrastructure.

Strategies

- ✓ Start with joint planning sessions or shared timelines to align regulatory efforts across agencies.
- ✓ Use common digital tools to coordinate submissions, reviews or compliance processes.
- ✓ Establish clear lead Regulators or focal points to avoid duplication and confusion.
- ✓ Formalise coordination through working groups or inter-regulator committees with defined responsibilities.

7. Fear of Taking Risks in Experimentation and Innovation

Even where regulatory sandboxes and pilots are permitted, many regulators remain reluctant to experiment due to fear of reputational risk or uncertainty about legal authority. Regulators often fear that failures within sandboxes will reflect poorly on them, rather than being seen as part of a learning model.

Strategies

- ✓ Frame pilots and sandboxes clearly as learning exercises, not final solutions.
- ✓ Seek legal or policy clarity early such as through MOUs, internal guidance or Cabinet backing.
- ✓ Start small to reduce risk and build internal confidence through quick wins.
- ✓ Share lessons openly, including what didn't work, to normalise experimentation.

9. Conclusion

Agile Regulatory Governance is not a one-off reform, but an ongoing effort to make regulation more responsive, resilient and reflective of real-world complexity. This Implementation Toolkit emphasises the 3Ps framework i.e. the 3 strategic purposes, 3 core principles and 3 foundational practices. The 3 strategic purposes of this Implementation Toolkit are to provide knowledge and tools, self-assessment instruments and best practices on Agile Regulatory Governance. Agile Regulatory Governance is underpinned by the 3 core principles i.e. anticipatory and foresight-driven regulation, iterative and adaptive regulation and outcome-based regulation as key drivers of agile implementation across regulatory frameworks. To support the application of these principles, this Implementation Toolkit also identifies three foundational practices i.e. comprehensive public consultation, coherence and integration and the use of technology and digital infrastructure. These practices are not standalone elements, but embedded features that cut across all aspects of agile regulation.

Together, these principles and practices can equip regulators to better navigate change, manage uncertainty and strengthen public trust in the regulatory process. As APEC economies chart their own regulatory futures, this Implementation Toolkit offers a shared starting point for progress and continuous improvement.



10. References

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Appendix

This Appendix provides step-by-step instructions as well as sample templates and checklists to support the implementation of selected Agile Regulatory Governance tools introduced in earlier chapters of this Implementation Toolkit. These resources are intended to serve as a guide and not a prescription, thus should not be followed rigidly.

Regulators are encouraged to adapt the tools to suit their specific economy or organisational context. Not all tools will be equally applicable, and the depth or application may vary depending on the nature of the regulatory issue being addressed. The intention is to provide a flexible starting point that can be refined over time.

Appendix 1: Horizon Scanning (Principle 1 Tool)

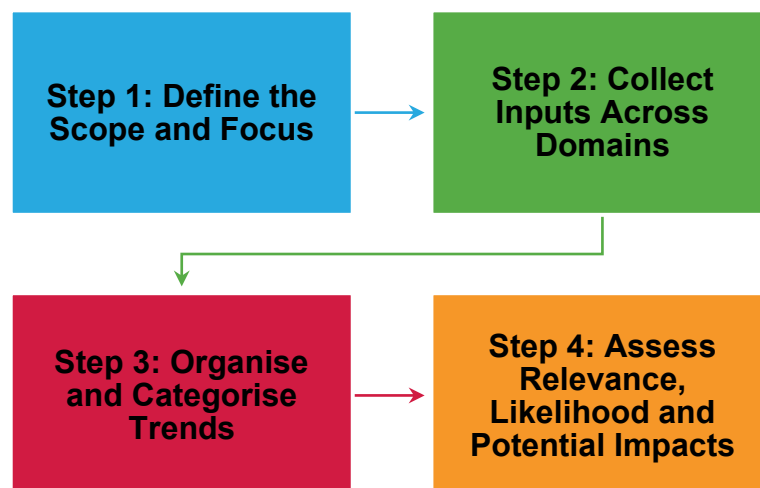
Overview

A systematic process for identifying early signals of change across political, economic, social, technological, legal and environmental (PESTLE) domains. It helps detect trends and emerging issues that could disrupt or reshape regulatory frameworks.

When to Use

- During early policy exploration or long-term regulatory strategy development.
- When dealing with high uncertainty, unclear situations or many possible futures.
- As part of regulatory reviews or strategic foresight efforts.

Step-by-Step Guidance



Step 1: Define the Scope and Focus

Define the focus area, time horizon and key questions.

Example: *What emerging technologies may impact consumer protection in the next 5 years?*

Step 2: Collect Inputs Across Domains

Scan for trends across political, economic, social, technological, legal and environmental (PESTLE) domains. You may refer to but not be limited to:

- Academic journals and news articles
- Industry and regulatory trend reports
- Social media or expert write-ups or blogs

Step 3: Organise and Categorise Trends

Group data into categories or themes and distinguish between weak trends such as early but uncertain trends and strong trends such as trends already gaining traction.

Step 4: Assess Relevance, Likelihood and Potential Impacts

Filter for what is plausible and strategically relevant to your scope and focus. Consider:

- Relevance to Regulation
- Likelihood
- Potential Impact

Practical Tips

- ❖ Involve diverse expertise including technology, social science, behavioural science, legal etc.
- ❖ Schedule horizon scanning periodically, not as a one-off.
- ❖ Pair with scenario planning for deeper application.
- ❖ Incorporate insights into Regulatory Impact Analysis (RIA).

Horizon Scanning Summary Template

Trend	Source	Relevance to Regulation	Likelihood	Potential Impact	Notes
1.					
2.					
3.					

Appendix 2: Regulatory Sandbox (Principle 2 Tool)

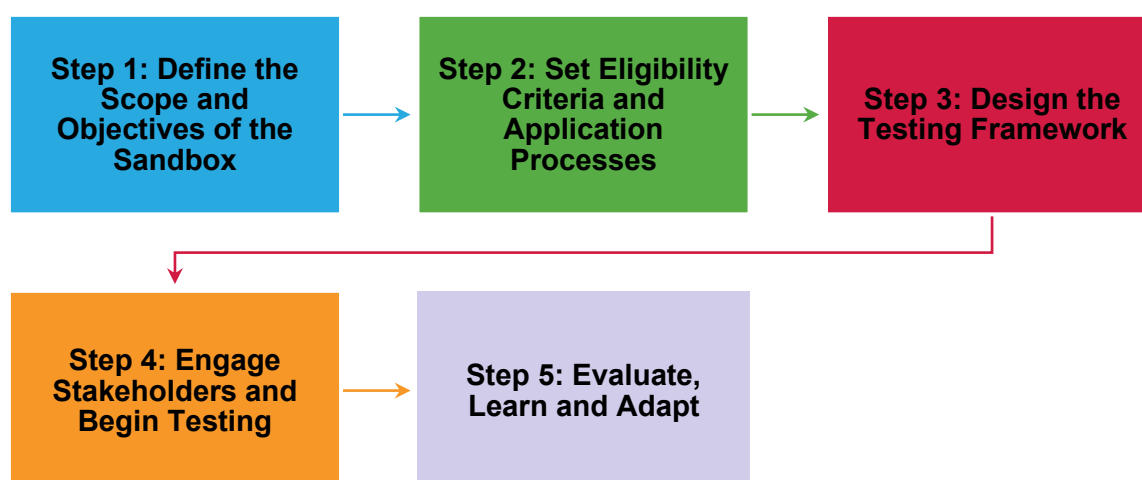
Overview

Controlled environments where innovative products, services or business models can be tested under regulatory oversight. They provide temporary flexibility in applying certain regulatory requirements, allowing real-time learning while maintaining safeguards.

When to Use

- When innovation progresses faster than existing regulation, creating uncertainty or barriers.
- In early-stage markets with unclear risks or implications.
- To support a transition to adaptive and evidence-based regulation.

Step-by-Step Guidance



Step 1: Define the Scope and Objectives of the Sandbox

Define the sandbox's purpose (e.g. foster innovation, improve access and reach, test compliance approaches) and target sectors. Define objectives or success metrics upfront (e.g. What will be learned? What outcomes are sought?).

Step 2: Set Eligibility Criteria and Application Processes

Determine what types of participants may apply (e.g. start-ups, incumbents) and set transparent criteria such as:

- Novelty of solution
- Consumer benefit
- Readiness for testing
- Risk mitigation strategies

Develop simple and time-bound application procedures.

Step 3: Design the Testing Framework

Define the regulatory exemptions, safeguards and data collection methods. This includes:

- Duration of test (e.g. 6–12 months)
- Monitoring mechanisms
- Consumer protection protocols
- Exit strategies or escalation pathways

Step 4: Engage Stakeholders and Begin Testing

Coordinate with relevant authorities, industry players and consumer groups to validate the framework. Launch testing in a live but controlled market setting.

Step 5: Evaluate, Learn and Adapt

Assess results and participant feedback. Decide on the next steps (e.g. scale up, amend the regulation, issue guidance or close the sandbox). Share findings publicly where possible to support ecosystem learning.

Practical Tips

- ❖ Keep governance lightweight but accountable such as using memorandums of understanding if cross-agency.
- ❖ Document both failures and successes (sandbox learning is iterative).
- ❖ Be transparent about what a sandbox can and cannot offer (it's not a fast-track licence).
- ❖ Align with innovation strategies or domestic GRP efforts.

Sandbox Design Summary Template

Item	Description
Objective	
Duration	
Eligibility	
Exemptions	
Safeguards	
Evaluation Criteria	

Appendix 3: Performance Indicators (Principle 3 Tool)

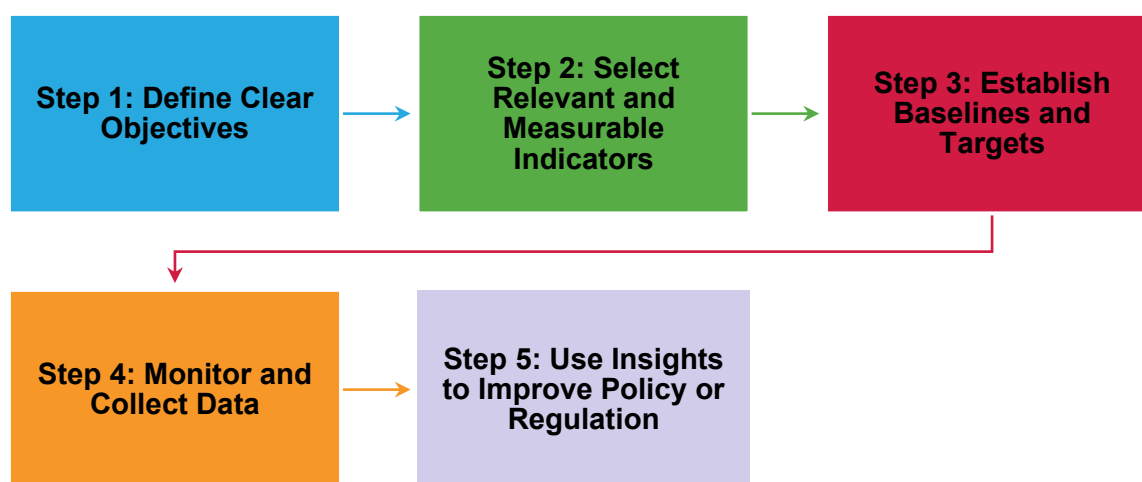
Overview

Measurable metrics used to track progress toward achieving intended outcomes. They help regulators assess whether a policy or regulation is performing as intended and support evidence-based monitoring, evaluation and continuous improvement.

When to Use

- To monitor performance during or after implementation.
- To evaluate the impact of policy or regulation over time.
- As part of a post-implementation review or regulatory dashboard.

Step-by-Step Guidance



Step 1: Define Clear Objectives

Ensure that objectives are specific, measurable, achievable, outcome-oriented and time-bound. For example: *Reduce average household water consumption by 10% within three years.*

Step 2: Select Relevant and Measurable Indicators

Choose indicators that:

- Are directly linked to the objective
- Can be reliably measured with available data
- Reflect progress, results or performance across time

Indicators may focus on outcomes (e.g. reduced emissions), outputs (e.g. number of licences issued), or processes (e.g. average response time).

Step 3: Establish Baselines and Targets

Determine current performance levels and set clear targets. This creates a benchmark for measuring progress and adjusting if needed.

Step 4: Monitor and Collect Data

Track progress using reliable data sources. Use administrative data, audits, surveys or reporting systems. Ensure regular data updates and quality assurance.

Step 5: Use Insights to Improve Policy

Review results periodically to determine if the regulation is on track. Use findings to inform adjustments communicate progress or support future regulatory development.

Practical Tips

- ❖ Avoid selecting too many indicators and focus on those that are meaningful and actionable.
- ❖ Ensure indicators are aligned across regulators to enable coordination.
- ❖ Integrate indicators into digital dashboards for real-time tracking.

Performance Indicator Summary Plan Template

Objective(s)	Indicator(s)	Baseline	Target	Frequency	Data Source
<i>E.g. Improve road safety</i>	<i>E.g. Road fatalities per 100,000 people</i>	<i>E.g. 8.4</i>	<i>E.g. 6.0 by 2027</i>	<i>E.g. Quarterly</i>	<i>E.g. Police + Health Ministry data</i>

Appendix 4: Stakeholder Identification & Mapping (Practice 1 Tool)

Overview

Stakeholder identification and mapping ensures that all relevant and affected parties are recognised, prioritised and engaged based on their level of importance and influence on the proposed policy or regulation.

When to Use

- At the start of any consultation or regulatory development process.
- When revising existing regulations.
- To identify impacted stakeholders.
- As part of risk assessments or Regulatory Impact Analysis.

Step-by-Step Guidance



Step 1: Define the Scope of Consultation

Clarify the purpose of the proposed policy or regulation and the groups likely to be affected.

Step 2: Identify Stakeholders

List all potentially relevant stakeholders across all sectors including but not limited to Government, industry, civil society, academia and the general public.

Step 3: Map Stakeholders Based on Influence and Importance

Using the provided matrix, map the stakeholders based on their influence and importance to the proposed policy or regulation.

Practical Tips

- ❖ Use internal and external input to validate the mapping.
- ❖ Include and map all applicable stakeholders.
- ❖ Use this map to guide timing, method and depth of engagement.

Stakeholder Influence–Importance Matrix Template

Influence of Stakeholders	Importance of Stakeholders				
		Unknown	Little/No Importance	Some Importance	Significant Importance
	Significant Influence	C		A	
	Somewhat Influential				
	Little/No Influence	D		B	
	Unknown				

Appendix 5: Regulatory Mapping and Gap Analysis (Practice 2 Tool)

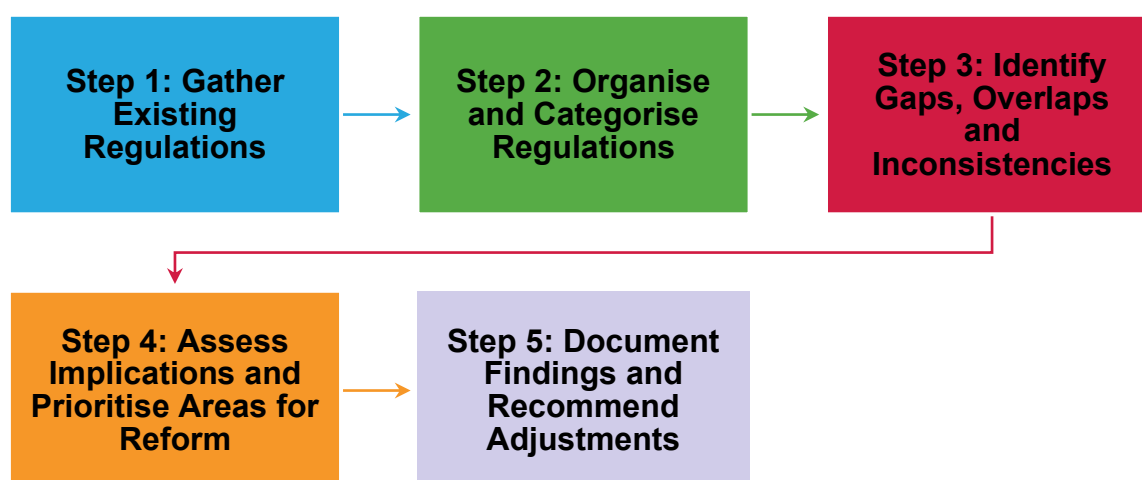
Overview

Identifying and assessing existing regulation across sectors or regulators. It assists in detecting overlaps, inconsistencies, gaps and areas where alignment or streamlining is needed.

When to Use

- Before introducing new regulation in an area that may already be governed by multiple frameworks.
- When undertaking regulatory reform, integration or simplification exercises.
- To assess coherence across economies
- As a foundation for aligning domestic frameworks with international standards

Step-by-Step Guidance



Step 1: Gather Existing Regulations

Compile all relevant regulations including primary and secondary legislations, standards, guidelines, codes or SOPs from across regulators and sectors.

Step 2: Organise and Categorise Regulations

Group regulations by policy theme or regulatory function (e.g. licensing, enforcement, reporting). Use a consistent structure to allow comparison across regulation.

Step 3: Identify Gaps, Overlaps and Inconsistencies

Analyse the mapped content to detect:

- **Gaps** (issues not regulated or left unclear)
- **Overlaps** (multiple regulators or regulation governing the same issue)
- **Inconsistencies** (contradictory regulation such as in definitions or procedures)
- **Outdated or redundant provisions**

Step 4: Assess Implications and Prioritise Areas for Reform

Evaluate the regulatory impacts such as confusion for businesses, compliance burden, enforcement challenges etc. Prioritise high-impact areas for follow-up action.

Step 5: Document Findings and Recommend Adjustments

Prepare a report outlining:

- Key findings
- Affected regulators
- Proposed actions (e.g. repeal, harmonise, update etc.)

This can serve as a foundation for inter-regulator coordination, RIA or alignment with international practices.

Practical Tips

- ❖ Collaborate with legal or policy departments and technical divisions across regulators.
- ❖ Consider using digital platforms or regulatory registries for easy mapping.
- ❖ Involve stakeholders to verify practical impacts of gaps or overlaps.

Regulatory Mapping Summary Table

Category/ Scope	Existing Regulation	Relevant Regulator/ Authority	Identified Gaps or Overlaps	Impact	Suggested Action

Appendix 6: Digital Consultation Platforms (Practice 3 Tool)

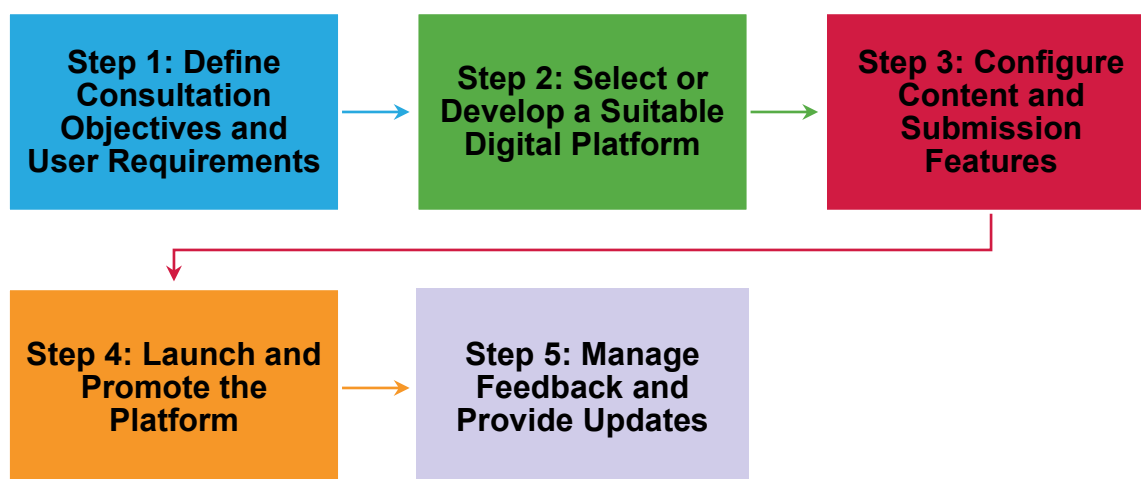
Overview

Centralised online systems where stakeholders can access and provide feedback on proposed policy or regulation, increasing transparency and participation.

When to Use

- When seeking feedback on proposed policy or regulation.
- For consultations requiring broad accessibility (e.g. economy-wide or cross-sector).
- To reduce manual processing and improve feedback management.

Step-by-Step Guidance



Step 1: Define Consultation Objectives and User Requirements

Clarify what types of consultations the platform will support (e.g. policy or regulation drafts, public dialogue, etc.) and who the users will be (e.g. government, industry, civil society, public, etc.). Identify technical and language accessibility needs.

Step 2: Select or Develop a Suitable Digital Platform

Choose whether to:

- Build a new system (custom or open source) or
- Use/adapt existing infrastructure (e.g. public consultation portal)

Ensure core features are included such as:

- Document access/download
- Feedback submission forms
- Administrative dashboard for regulators

Step 3: Configure Content and Submission Features

Upload policy or regulatory documents in accessible formats.

Configure submission tools:

- Structured forms (with guiding questions, dropdowns, etc.)
- Open text boxes for free-form feedback
- File attachment options (if needed)

Step 4: Launch and Promote the Platform

Announce the consultation via appropriate channels (media, email, ministry websites, etc.). Provide instructions on how to participate and deadlines for submission.

Step 5: Manage Feedback and Provide Updates

Assign responsible officers within organisation to monitor submissions, respond to technical issues and compile data.

Practical Tips

- ❖ Make the platform mobile-friendly and available in multiple languages where appropriate.
- ❖ Allow anonymous submissions with optional sign-in for tracking.
- ❖ Incorporate basic analytics (e.g. number of views, submissions by stakeholder type, etc).

Digital Consultation Platform Feature Checklist

Feature	Description	Purpose	Yes/No
Document Repository	Central space for uploading regulations, summaries, and explanatory notes	Ensures stakeholders have access to full context and supporting materials	
Feedback Submission Form	Structured form with guiding questions, dropdowns, and free-form text	Standardises responses for easier analysis while allowing open input	
File Upload Option	Stakeholders can upload supporting documents	Enables detailed or technical responses (e.g. evidence, data or legal opinions)	
User Sign-in (Optional)	Secure sign-in for stakeholders who want updates or track submissions	Enhances user engagement and enables tailored communication	

Anonymous Submission Option	Allows feedback without requiring identification	Encourages wider participation of impacted stakeholders	
Progress Timeline	Visual display of consultation stages and deadlines	Improves transparency and helps manage stakeholder expectations	
Search and Filter Tools	Enables users to browse consultations by date, sector, or topic	Enhances accessibility and usability of the platform	
Multilingual Support	Allows content to be viewed and submitted in more than one language	Ensures all can engage appropriately	
Public Comment Display (Optional)	Displays submitted comments (fully or selectively)	Encourages dialogue and supports transparency	
Real-Time Analytics Dashboard (Admin Use)	Tracks number of submissions, types of respondents, response rates	Helps regulators manage, analyse and report feedback efficiently	
Automated Acknowledgement & Notifications	Confirms receipt of submissions and updates on final outcomes	Builds trust and keeps stakeholders informed	
Consultation Summary Publishing Tool	Allows for publishing Consultation Reports or summary reports	Closes the feedback loop and demonstrates accountability	
Accessibility Features	Screen reader compatibility, adjustable text size, colour contrast	Ensures platform is usable by persons with disabilities	