

## Short Course in Regulatory Governance

Friday 2nd September 2011  
NovaUCD, Belfield, Dublin 4

# Outline

## What is the course about?

Regulation has become a core tool of contemporary governance, and a central requirement of many business activities. Many staff working in regulatory roles in government, businesses and NGOs have detailed knowledge of how their particular regulatory regime works but would benefit from learning more broadly about the kinds of problems thrown up by regulatory governance and the range of different ways in which problems may be resolved across different sectors. This one day short course provides a general introduction to cutting edge thinking about both problems and solutions in contemporary regulatory governance, drawing on knowledge across a wide range of regulatory regimes in Ireland and beyond, and deploying a problem-oriented approach to learning. It will demonstrate the art and science of effective regulation.

## Who should take the short course?

The course is intended for public servants, regulatory affairs staff in businesses, professionals such as lawyers, accountants, compliance and tax specialists and staff in NGOs who are beginning to or who regularly work with regulation and who want to learn more about the bigger picture of contemporary regulatory governance.

### Questions to be addressed:

- What is the range of regulatory techniques available and what are their strengths and weaknesses?
- What are the main rationales for and explanations of contemporary regulation?
- How are regulatory rules made and what difference does it make to use different types, (for example detailed rules or principles) in terms of effectiveness of outcomes?
- What is the range of ways through which compliance with regulation is monitored and enforced and which are likely to be more effective?
- What are the challenges and opportunities for regulation presented by membership of the European Union?
- To what extent do political and judicial processes hold regulators accountable and are there alternatives?
- How can businesses, governments and NGOs contribute to making regulation better?

## Faculty:

The course will be led by Colin Scott, Professor of EU Regulation and Governance and newly elected Dean of the UCD School of Law and taught by internationally renowned academics, all of who currently teach on the Diploma in Regulatory Governance offered by UCD in conjunction with the Institute of Public Administration. The teachers involved are based in the disciplines of law, public administration and economics and between them have unrivalled experience of research and teaching in regulation and governance.

### Benefits of attending:

- Learn how to use regulation as an effective tool for solving policy issues
- Identify the most appropriate regulatory response to a particular policy issue
- Become more skilled at implementing effective regulation policies
- Find out how to enforce regulation successfully/with real impact
- Gain insight into how the EU will impact regulatory decisions
- Find out how you can contribute to making regulation better

# Programme schedule

8.45 - 9.15 Registration

9.15 - 10.00 **Understanding the Range of Contemporary Regulatory Techniques**

- Concepts of Regulation
- Regulatory Institutions
- Varieties of Regulatory Tools

**Professor Colin Scott**, EU Regulation and Governance, UCD, Director of the UCD Centre for Regulation and Governance and newly elected Dean of the UCD School of Law

10.00 - 10.45 **Rationales for Regulation**

- Economic models of market structure, conduct and performance
- Market failures and the economic rationales for regulation
- Economic Rationale for Competition Policy & Economic Regulation
- Review the development of Economic Regulation
- Impacts of Regulation & Key Economic Issues

**Professor Asiling Reynolds Feighan**, Associate Professor of Transport Economics, UCD

10.45 - 11.15 Coffee

11.15 - 12.00 **Making Regulatory Rules**

- Evaluating different ways of deploying rules in regulatory context
- Rules-based versus principles-based regulation
- The regulatory toolkit - alternative methods

**Dr Suzanne Kingston**, Barrister-at-Law, Irish Bar and the Bar of England and Wales

12.00 - 12.45 **Enforcing Regulation**

- Enforcement as Punishment
- Compliance-Based Approaches to Enforcement
- The Enforcement Pyramid

**Professor Colin Scott**, EU Regulation and Governance, UCD, Director of the UCD Centre for Regulation and Governance and newly elected Dean of the UCD School of Law

12.45 - 1.30 Lunch

1.30 - 2.15 **Regulating in Europe**

- The aim of the internal market
- The Lisbon Strategy, its failure and EU 2020
- New governance in the EU

**Professor Imelda Maher**, Sutherland Professor of European Law, UCD

2.15 - 3.00 **Regulatory Accountability and Regulatory Reform**

- Regulating regulators
- Reforming the regulatory environment
- Changing accountability regimes & demands

**Dr Muiris MacCarthaigh**, Research Division, Institute of Public Administration

# Speaker Biographies

## Colin Scott

Colin Scott is Professor of EU Regulation & Governance and Dean of the UCD School of Law. He studied law at the London School of Economics and at Osgoode Hall Law School in Toronto. Prior to his appointment at UCD in April 2006 he lectured at the University of Warwick and at the London School of Economics. Between 2001 and 2003 he was the Senior Research Fellow in Public Law at the Research School of Social Sciences, Australian National University. He is also a research associate of the ESRC Centre for the Analysis of Risk and Regulation (CARR), based at the London School of Economics and with which he had been associated since its creation in 2000.

He is Director of the UCD Centre for Regulation and Governance, established in 2010. He is a co-author of the Irish State Administration Database (2010). He was Programme Chair of ECPR Standing Group on Regulatory Governance Biennial Conference, 'Regulation in the Age of Crisis', held in Dublin in June 2010. He is a co-editor of the interdisciplinary journal Law & Policy. He was a Professor at the College of Europe, Bruges, from 2006-2009 where he taught on the interdisciplinary masters on European Law and Economic Analysis (ELEA). He was Vice Principal for Research and Innovation for the UCD College of Business and Law between 2006 and 2009. He is married with two children, one born in London in 1998 and the other in Canberra in 2002.

## Imelda Maher

Imelda Maher moved to UCD in 2006 having previously worked at the London School of Economics; the Research School of Social Sciences, Australian National University (where she was Director of the Centre for Competition and Consumer Policy); Birkbeck College, University of London; and Warwick University. She has also held Fellowships or visiting appointments at the Institute of Advanced Legal Studies, London; Sydney University School of Law and Lund University, Sweden.

She is a member of the Advisory Board of the Economic and Social Research Council Centre for Competition Policy, University of East Anglia. In 2008 she gave the general course lectures on economic governance at the Academy of European Law, European University Institute, Florence. She is a member of the editorial board of the European Law Journal and of the Irish Yearbook of International Law.

Professor Maher is academic director for the new UCD Sutherland School of Law building and programme coordinator for the LL.M. in European Law and Public Affairs.

## Aisling Reynolds-Feighan

Aisling Reynolds-Feighan is Associate Professor of Transport Economics at UCD. Professor Reynolds-Feighan has taught undergraduate and graduate courses in Microeconomics, Transport Economics, Econometrics and Urban and Regional Economics at UCD since 1989. She has delivered courses to the UCD's Schools of Economics, Business, Civil Engineering and Urban & Regional Planning.

Professor Reynolds-Feighan's research interests are in the areas of transportation and Regional Science, focusing on multidisciplinary comparative approaches to analysing strategies and organisation of transport industries in regulated and deregulated market settings. She regularly presents her research at international academic conferences such as the North American and European Regional Science Association annual meetings and publishes regularly in international refereed transportation research journals.

She is a member of the EU Transport (including Aeronautics) Advisory Group for FP7. Professor Reynolds-Feighan has acted as consultant to the European Commission, OECD, US Department of Transportation, Irish Department of Public Enterprise/Department of Transport and several other public and private sector agencies in Ireland. She has been

awarded research grants/contracts by IRCHSS, the European Commission, INTERREG, the Environmental Protection Agency, Urban Institute Ireland, Foundation for Fiscal Studies and the Economic and Social Research Institute.

## Suzanne Kingston

Suzanne is a graduate of Oxford University (BA in Law) and the University of Leiden, the Netherlands (LL.M. in European Community Law, Ph.D.). She served as a référendaire (legal adviser) in the cabinet of Advocate General Geelhoed at the European Court of Justice, Luxembourg from 2004-2006. Prior to this, she practiced EU law at the Brussels office of the US law firm, Cleary Gottlieb Steen & Hamilton (2002-2004) and was a stagiaire at the European Commission (DG Competition)(2001-2002).

She has lectured at UCD since 2007 and has published widely in a variety of fields of EU law, including EU competition law, EU environmental law, EU taxation law and EU human rights law. Her most recent publication, Greening EU Competition Law and Policy, is forthcoming from Cambridge University Press (October 2011).

She has been an affiliated lecturer in law at Cambridge University and a visiting lecturer at the University of Leiden and Queen's University, Belfast, and in March 2011 was Visiting EUCE Research Fellow at Osgoode Hall Law School, Toronto. She is frequently invited to speak on EU-related issues at international and domestic conferences.

Suzanne is a barrister at the Irish bar and appears, inter alia, on behalf of Ireland and the European Commission before the EU courts.

## Dr Muiris MacCarthaigh

Muiris works in the Research Division of the Institute of Public Administration (IPA). Before joining the Institute in 2003, Muiris completed his PhD in the School of Politics and International Relations at UCD. His dissertation was published in 2005 as a monograph titled Accountability in Irish Parliamentary Politics. He has retained a strong involvement in legislative studies and is editor (with Maurice Manning) of the recently published textbook The Houses of the Oireachtas: Parliament in Ireland. He is the sole author of an introductory text to Irish government and public administration titled Government in Modern Ireland, and has co-edited (with Katy Hayward) a book on the changing nature of Irish politics and society titled Recycling the State: The politics of adaptation in Ireland. He is currently working on a book (with Eoin O'Malley) on Cabinet Government in Ireland.

Within public management research, his principal field of expertise concerns the autonomy and accountability of public sector agencies, and in this work he collaborates with research teams from across Europe as part of a European Science Foundation funded network (COST-CRIPPO). The most recent publication arising from this work is a book titled Autonomy and Control of State Agencies: Comparing States and Agencies (Palgrave 2010) of which he is co-author. For 2009-10 has been engaged as a post-doctoral researcher with the Geary Institute at UCD, working on the IRCHSS-funded Mapping the Irish State project which resulted in the launch of the Irish State Administration Database ([www.isad.ie](http://www.isad.ie)).

Since joining the Institute, Muiris has completed several commissioned research and consultancy projects for Irish, European and international organisations, involving a variety of quantitative and qualitative research techniques. He has also organised national and international conferences and seminars on a wide range of public management and research topics. He is a reviewer for several international journals and publishing houses, and is the incoming editor of Administration, the journal of the Institute of Public Administration.



## UCD Centre for Regulation and Governance

The UCD Centre for Regulation and Governance was established in 2010 to further enhance a strong track record of interdisciplinary research in the field and well-established international engagement with major academic centres internationally.

A distinctive feature of the Centre's research internationally is a focus on the issue of governance capacity, nationally in Ireland, comparatively with other small states, and in transnational and international governance regimes. A particular focus of the research is on the limits to the autonomous capacity of government and growing evidence of engagement with the governance capacity of firms, NGOs, and organized social interests. Related to issues of diffusion in regulatory capacity there is a need to better understand the conditions of legitimacy for emergent governance regimes which are often at some remove from conventional forms of democratic accountability.

Analytically the centre will focus on mechanisms through which policy objectives are authoritatively established and implemented. Regulation is not confined to conventional governance mechanisms of 'hierarchy' or governmental power. Market disciplines such as competition policy and tax instruments are widely used; so also is governance through networks of public and private actors.



UCD Commercial Law Centre  
UCD School of Law

## UCD Commercial Law Centre

Situated in the School of Law, the Centre is a forum which provides for a unique complementary relationship between University College Dublin, and the legal and business communities designed to promote expertise in national and international issues of commercial law and practice.

### The Centre's functions are:

- To promote seminars, conferences and courses on national and international commercial law developments
- To discharge the CPD function of UCD Law School

<b>Chairman:</b>	Mr Justice Peter Kelly
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“The use of practical examples and the dynamics of a mixed group of participants from different sectors really adds value to the learning experience.”

# Booking Form

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Please Read Carefully: A minimum of 48 hours cancellation notice is required if cancelling your place at this seminar. You may make substitutions at any time. Please notify us of changes. Cancellations without required notice will carry the full course fee.

## BOOKING FORM - PLEASE COMPLETE USING BLOCK CAPITALS

Please reserve  place(s) on the programme for the following:

1. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

2. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

3. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

4. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

5. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

6. Mr/Ms \_\_\_\_\_

Position \_\_\_\_\_

Company/Firm \_\_\_\_\_

Address \_\_\_\_\_

E-mail \_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

**Course Fee:** €400 per person (including refreshments & lunch)  
10% deduction for two or more delegates attending from the same  
company/firm when booking on the same booking form.  
€250 for trainee solicitors & barristers with less than five years practice.

I enclose cheque for € \_\_\_\_\_  
made payable to "Commercial Law Centre, UCD"

Credit Card Payment (Please use Credit Card Authorisation below)

Please invoice me

## CREDIT CARD PAYMENT AUTHORISATION

I hereby authorise UCD Commercial Law Centre to be paid the sum of € \_\_\_\_\_  
using my credit card, details of which are provided below.

### Card Type:

MasterCard  Visa  American Express  Other (Please specify) \_\_\_\_\_

Cardholder Name: (Please Print) \_\_\_\_\_

Card Number:

Valid From: (mm/yy)   /        Expiry Date: (mm/yy)   /

CVV Code: (Last three digits positioned on the back of the Credit Card on the signature panel)

Cardholder Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_