Chapter 3

Regulatory Reform in the Sewerage Works Approval Process in Malaysia

Punita Nook Naidu

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CHAPTER 3

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Punita Nook Naidu
Regulatory Expert and Practitioner

[1] Background

The water services industry in Malaysia is regulated by the National Water Services Commission (SPAN). Established in 2007 through the Suruhanjaya Perkhidmatan Air Negara Act 2006 (Act 655), SPAN is tasked to regulate water services through the enforcement of the Water Services Industry Act 2006 (Act 654). Malaysia's water services industry refers to all aspects of water treatment systems, treated water distribution systems, and sewerage systems. Prior to SPAN, the state governments controlled the water resources, raw water treatment and treated water distribution in the respective states while the federal government was in charge of the sewerage sector.

In Malaysia, 70% of the population is connected to sewerage treatment plants largely funded by private real estate developers. The installation of sewerage infrastructure is mandatory for developers before they can obtain approvals or certificate of fitness to occupy the properties. Upon completion, testing, and commissioning, the sewerage assets must be handed over to the government at no cost for operation and maintenance. Due to the nature of this funding, private developers seek options to reduce the costs of sewerage infrastructure and recover full capital costs from property buyers.

More often than not, cheaper options and cost-cutting exercises impact on the selection of sewerage infrastructure sites, design process, and construction works, as well as equipment and materials used. To ensure that the general quality of sewerage infrastructure is not sacrificed, stringent multilevel approval procedures were established administratively in 1996.

These procedures, later documented in *Malaysia Sewerage Industry Guidelines Volume 2: Sewerage Works Procedures*, were used until July 2013 under the Sewerage Services Act 1993. Since 2008, SPAN has used those familiar procedures so as not to disrupt operations of the industry. Furthermore, because SPAN is confident about the comprehensiveness of the methods it uses, it does not see the urgency of strategically reviewing the existing methods and their suitability in the present environment.

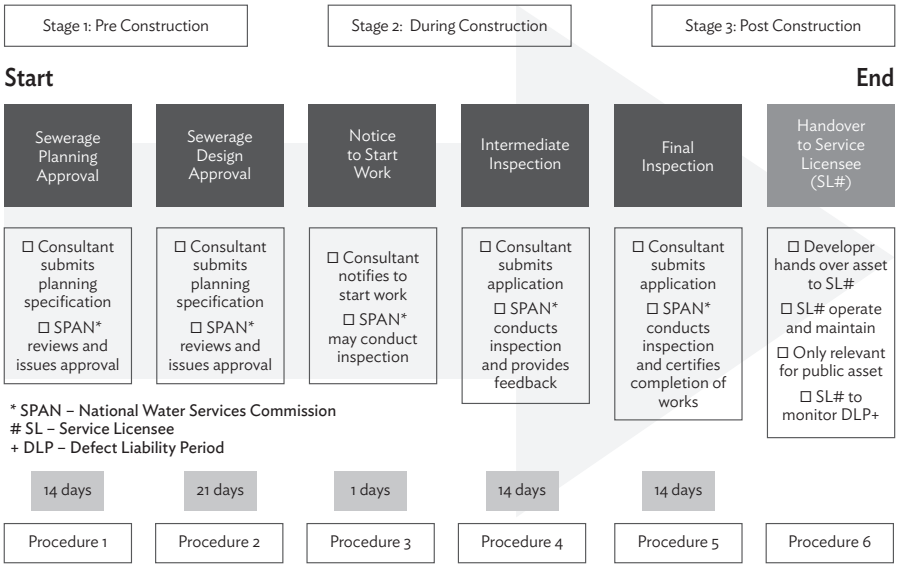
[2] Introduction

SPAN routinely engages stakeholders on various platforms to understand the challenges and impacts of the regulations. Although real estate developers and consultants have frequently raised issues regarding the approval procedures, most of these have been managed on a case-to-case basis, as it has been assumed that the complaints by developers arise from their desire to not comply with the requirements or are attempts to further cut the cost of sewerage infrastructure.

In response to similar complaints, the Malaysia Productivity Cooperation (MPC), in 2011, initiated a study on all related approval permits for the construction industry. This was intended to improve Malaysia's ranking in the overall index of 'Ease of Doing Business' to enhance competitiveness at the international level.

The MPC initiative gave industry players another platform to voice their frustrations and grievances. In response to the issues raised, SPAN undertook an evidence-based study through a task force to show, through facts, that the existing sewerage works approval procedures are the most appropriate for Malaysia. The task force's vision for this study was to establish transparent, uniform, practical, and enforceable sewerage works approval procedures in accordance with the provisions of Act 654. Figure 1 shows the ideal flow of sewerage works approvals. In reality, however, applicants have to submit multiple applications at each stage until the application is deemed to be satisfactory.

Figure 1: Ideal Flow of Sewerage Works Approvals



Source: Punita Nook Naidu and Nurul Ashikeen Kamaruzaman (SPAN).

Using 'Quick Scan' to determine the root cause of the problem, the task force found that the problem statement had, since the start, been erroneously framed as 'The quality of sewerage infrastructure left much to be desired' (Figure 2). However, the brainstorming session that had sought to root out the cause of the problem revealed that none of the reasons relate to sewerage works approval procedures as raised by stakeholders. To address the stakeholders' concerns, the problem statement was reframed as 'The quality of sewerage works approval process is not producing the desired results'. Once done, several main causes of the new problem statement emerged.

The task force then embarked on a survey mission to gather and analyse the stakeholders' feedback and experiences. This exercise took time, as it required the task force members to rid themselves of prejudices and avoid being influenced by ingrained assumptions. The stakeholders selected as the task force's collaborative partners were those who provided feedback with daring and generosity. Through intimate and extended engagement, the task force gained the stakeholders' trust and confidence and were able to convince the latter of their sincerity in conducting this study. With the task force members gaining a better understanding of the stakeholders, working towards a single agenda to establish transparent, uniform, practical, and enforceable sewerage works approval procedures became an easier job. With a special bond and a high level

Figure 2: Redefining the Problem Statement

PROBLEM STATEMENT: The quality of sewerage infrastructure left much to be desired			
No	Primary Reason	Secondary Reason	Tertiary Reason
1	Under investment in public sewerage infrastructure by (federal) government		
2		Lack of public body to oversee public investment in sewerage infrastructure	
3	Ineffective enforcement?		
4		Challenges collecting sewerage capital contribution (SCC)	
5			Developers only willing to pay under certain circumstances; otherwise they have limited incentive to contribute
6	Developer has insufficient incentive to deliver quality sewerage system		
7		Tariff is too low	
8			Inadequate mechanism to collect the tariff
9			Public do not see the advantages (benefit) of paying the tariff

PROBLEM STATEMENT: The quality of the sewerage works approval process is not producing the desired results			
No	Primary Reason	Secondary Reason	Tertiary Reason
1	It is too bureaucratic		
2		Inefficient procedures	
3			Too many layers/ approval stages required without adding value
4			Reviews are based on formalistic rather than substantive issues/ aspects of the submission
5		Time consuming	
6			Multiple requirements, forms and checklists
7			Tradition (doing it as it has always been done)
8			Physical interactions required at each stage of approval process (not only site inspections)
9			Consultants (designer, planner, draftsperson) are poorly prepared for inspections because they are paid little by developers

Source: Punita Nook Naidu and Iwan Nazri Mohd Nordin (SPAN).

of confidence established with the task force members, the stakeholders could now securely share their views about the inner workings of the industry and issues of integrity that had never been talked about before.

At the end of the first stage of the study, the task force concluded that the then-existing procedures could not resolve the problem of low quality of sewerage infrastructure. Moreover, those procedures were deemed unfair to industry players who were performing their job responsibly and ethically, while unable to prevent unscrupulous industry players from committing offences repeatedly. While requiring a lot of interactions between applicant and approver, those procedures could not bring sufficient value or results nor could they provide the desired platform or facilitate in enabling enforcement actions.

The problems that triggered the additions of new requirements and procedures were never resolved despite the perceived improvement in the approval process. For instance, even if issues related to quality of construction and to structural failures could not be resolved through the approval process, additional procedures and requirements were still imposed without a systematic analysis. In most cases, the persons or entities that caused the issues would get away with no actions taken against them while more processes, requirements, and control mechanisms were imposed on the whole industry.

In addition, as the procedures were administratively imposed, approvers wielded a wide range of discretionary powers in interpreting the approval procedures, thus creating confusion and dissatisfaction amongst industry players.

This mechanism of sewerage works approval has been in use for about 15 years and has been deeply entrenched at all operating levels. Hence, knowing and understanding the challenges is the first step in solving the problem to transform the industry as it requires behavioural change as well. To physically drive the transformation agenda, it is critical to obtain buy-in from stakeholders who have the most influence in providing the necessary support to see this initiative through. The task force gained the support of the Chief Executive Officer of SPAN to turn the situation around. This endorsement gave the group a mandate to pursue the matter in a practical sense with the intention of implementing the stated outcome.

[3] Sewerage Works Approval Transformation Initiative

The findings of the first study were the beginning of the sewerage works approval transformation (SWAT) programme. The first minilab — an intense brainstorming and intimate engagement session — to initiate SWAT was held in early 2013 to review and draft the new sewerage works approval procedures. To prepare for the minilab, the task force explored best practices from local sectors and other countries, which included a risk-based system, building codes, one-stop-shops and online services. It was decided that a multi-pronged approach be implemented in phases to transform the sewerage works approval procedures.

3.1 Design of the SWAT Minilab

The task force designed a framework to guide discussions and collect feedback from the minilab, which was constructed so the participants could lay foundations throughout various levels of discussions. The fundamental principles established were used as the basis to determine the sewerage works approval procedures. The step-by-step approach was critical in helping the participants discuss and arrive at consensus at each level. This method helped the task force hold the participants accountable for the decisions they had made during the earlier stages of the minilab.

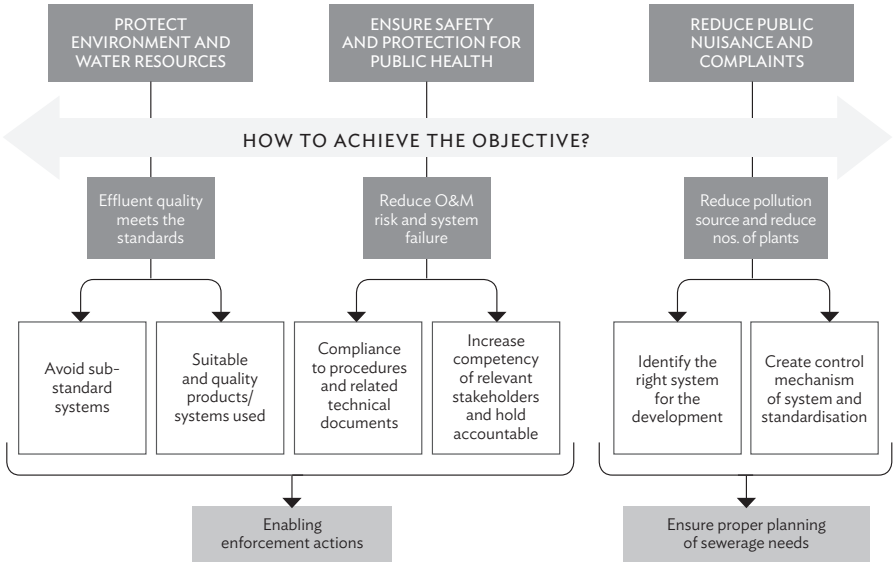
Twenty SPAN officers participated in the minilab. They were selected to ensure the group had a mix of diversified experience and represented various departments and regional offices. The participation was limited to SPAN officers to avoid arguments and conflicts with external stakeholders. Hence, the discussions amongst SPAN officers were candid, transparent, and less defensive.

The participants were divided into two groups. Both groups deliberated on the same topics and presented their findings. This approach motivated the groups to compete in delivering the expectations at each level. The groups challenged each other to defend their findings and eventually came to a consensus at every level of the deliberation. The methodology created ownership of the output of deliberation and reduced denials when the final output was derived.

3.2 Deliberation of the SWAT Minilab

The minilab deliberation began with a reflection on Section 45 (1) of Act 654 which states that '[n]o person shall construct, alter, modify, disconnect or close up a water supply system, sewerage system, septic tank, individual internal sewerage piping or common internal sewerage piping unless the relevant plans or specifications which requires the approval of the Commission have first been approved in writing by the Commission'. The deliberation of this section helped to establish the true purpose of this clause. The output of the session is shown in Figure 3.

Figure 3: Results of Reflection on Section 45 (1) To Discover its Objective

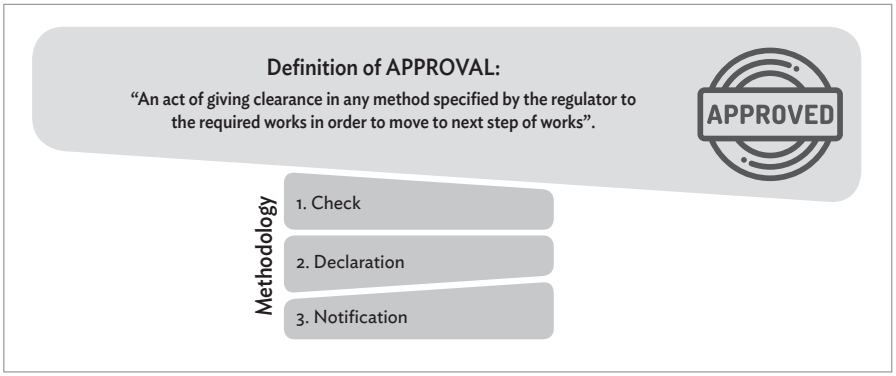


Source: Punita Nook Naidu and Nurul Ashikeen Kamaruzaman (SPAN).

It was followed by an exercise to determine how to achieve the objective of Section 45 (1). Eventually, the observation made from this exercise showed that the ultimate objective of Section 45 (1) has nothing to do with the number of approval procedures used. Rather, the objective was to have a mechanism that would enable enforcement actions in the event of non-compliance and facilitate proper planning of sewerage infrastructure.

The minilab participants further dissected Section 45 (1) by defining and describing all the relevant terms. These were later used to deliberate on and develop the risk-based approval method. After defining 'approval', the minilab identified various approval methodologies such as those based on detailed checking, declaration of applicants, and through notifications, as shown in Figure 4. Each approval method was described in detail and the accountability of the stakeholders such as SPAN's appointed approvers, and submitting persons in relation to various types of approval methodology was specified. Different approval methodologies shifted the dynamics and degree of accountability across the stakeholders. This segment of deliberation was crucial in creating awareness amongst the SPAN officers of how much accountability they are willing to assign to themselves in the various stages of sewerage infrastructure implementation.

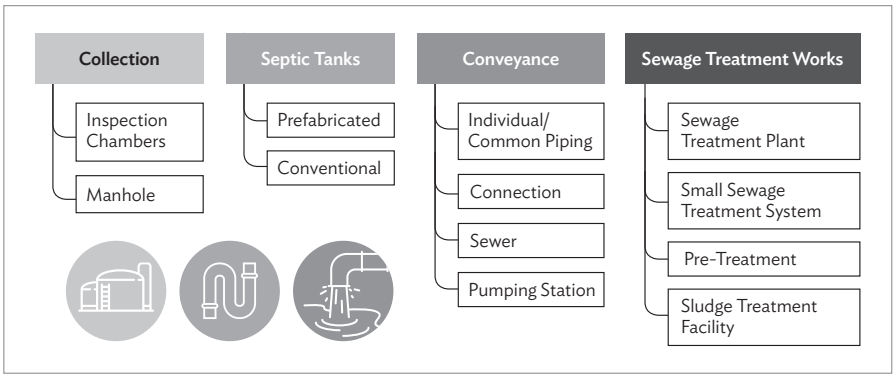
Figure 4: Definition of Approval and the Methodology



Source: Punita Nook Naidu and Nurul Ashikeen Kamaruzaman (SPAN).

Prior to this exercise, SPAN officers and their appointed approvers had the notion that the professional submitting persons were accountable despite the former's involvement during the design and construction stage through the issuance of technical comments on the work performed by the latter.
The minilab also deliberated and described the types of infrastructure (Figure 5) and types of works (Figure 6) as provided for in Section 45 (1).

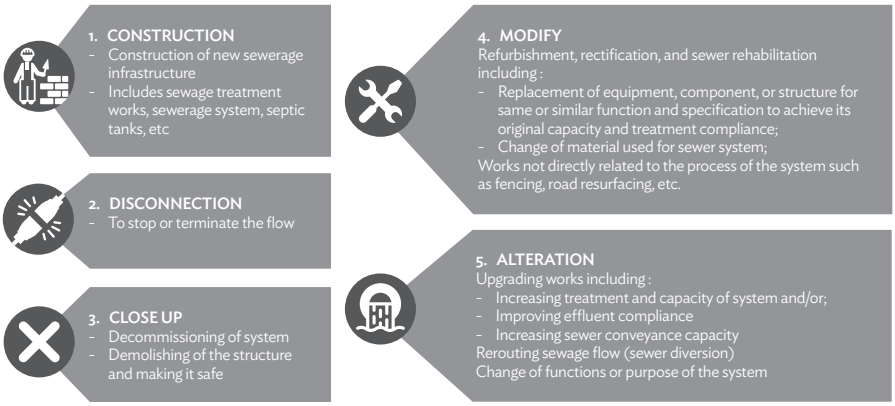
Figure 5: Types of Sewerage Infrastructure



Source: Public Consultation Paper, 18 June 2013, Sewerage Works Approval Transformation (SPAN).

The description of sewerage works and categorisation into the relevant groups were used to determine the suitable approval procedures. The detailed categorisation of all the components of Section 45 (1) set the foundation for guiding the minilab participants to perform a risk analysis for practicality and relevance of procedures to be imposed to transform the approach that had been used since 1996.

Figure 6: Types of Sewerage Works

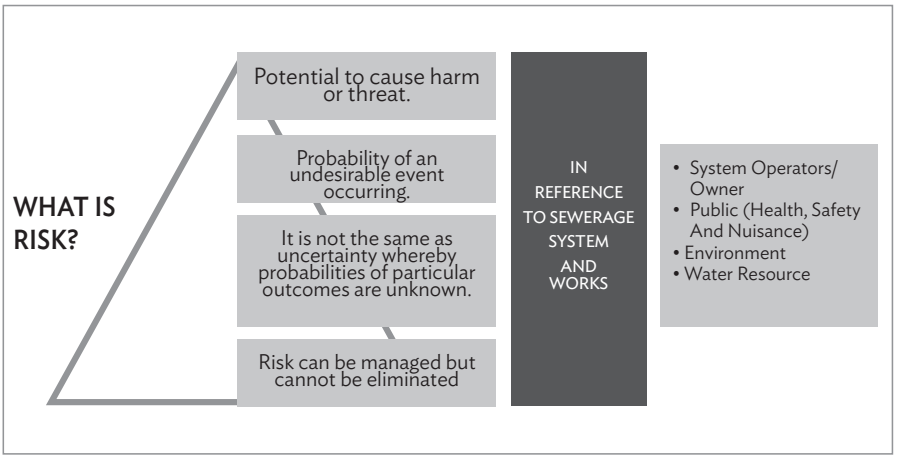


Source: Public Consultation Paper, 18 June 2013, Sewerage Works Approval Transformation (SPAN).

3.3 Outcome of the SWAT Minilab

After establishing the fundamental principles of the sewerage work approvals and the foundations on the ultimate objective, the minilab designed the risk matrix of sewerage work approval procedures by priming the participants to understand and become aware of what is considered as risk as articulated in Figure 7. The participants then determined the stakeholders causing the risk or being impacted by it, the risks associated with the procedures, and the risks associated with the approvals issued. Prior to the risk-based model, the procedures used were immaterial to the type of works and infrastructure.

Figure 7: Definition of Risk



Hence, all works and infrastructure were considered high risk. However, as shown in Figure 8, most of the works and infrastructure had been categorised according to the risk-based model. The analysis shows that the majority of applications submitted for approval actually fall in the lower-risk category based on a scale of 1 (lowest risk) to 5 (highest risk).

Figure 8: Risk Matrix for Sewerage Works Approval Procedures

	Public						Private							
	Sewerage Infrastructure													
List Of Works	Connection	Sewer	Pumping stations	Sewage treatment plant	Small sewage treatment system	Sludge treatment	Inspection chambers, Individual/ common piping, Connection	Sewer	Pumping station	Sewage treatment plant	Small sewage treatment system	Sludge treatment	Pre-treatment	Septic tanks
Construction	1	2	5	5	1	5	1	2	3	3	1	3	3	1
Alteration	1	2	5	4	1	4	1	2	3	3	1	3	3	1
Disconnection	1	2	4	3	1	N/A	1	2	3	3	1	N/A	2	1
Close up	1	2	3	3	1	3	1	2	3	3	1	3	2	1

Note: Risk Scoring (at scale of 1 to 5)	
1	Least risk: Very low impact, confined and localized harm/threat
2	Slight risk: Low impact, limited spread of harm/threat
3	Moderate risk: Reasonably impactful, harm/ threat extended beyond localize limit
4	High risk: High impact, wide spread harm/threat
5	Very high risk: Very high impact, wide spread harm/threat and difficult to manage

	Public						Private							
	Sewerage Infrastructure													
List Of Works	Connection	Sewer	Pumping stations	Sewage treatment Plant	Small Sewage Treatment System	Sludge treatment	Inspection chambers, Individual/ common piping, Connection	Sewer	Pumping station	Sewage treatment Plant	Small Sewage Treatment System	Sludge treatment	Pre-treatment	Septic tanks
Construction	5	5	5	5	4	5	5	5	5	5	5	5	5	4
Alteration	5	5	5	5	4	5	5	5	5	5	5	5	5	4
Disconnection	5	5	5	5	4	5	5	5	5	5	5	5	5	4
Close up	5	5	5	5	4	5	5	5	5	5	5	5	5	4

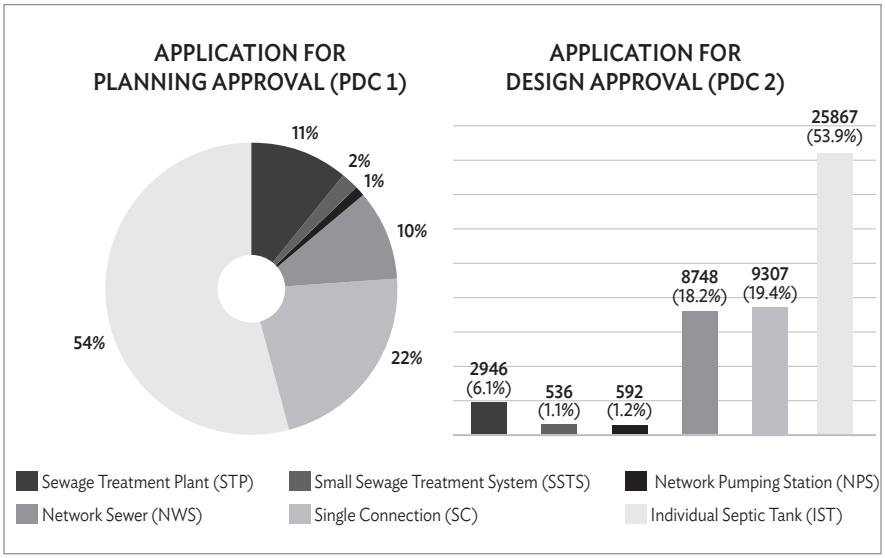
Current Approval mechanism has the same procedure fo all type of sewerage infrastructure and works irrespective of size orcriticality

Source: Public Consultation Paper, 18 June 2013, Sewerage Works Approval Transformation (SPAN).

Seventy-eight percent of sewerage planning applications and 74% of sewerage design application are for infrastructure and works belonging in the 'least risk' category (1). About 62% are applications for final inspection as shown in Figure 9 and Figure 10. Hence, any improvement in the lowest risk category is a quantum leap in eliminating bureaucracy in the process and reducing unnecessary regulatory burdens.

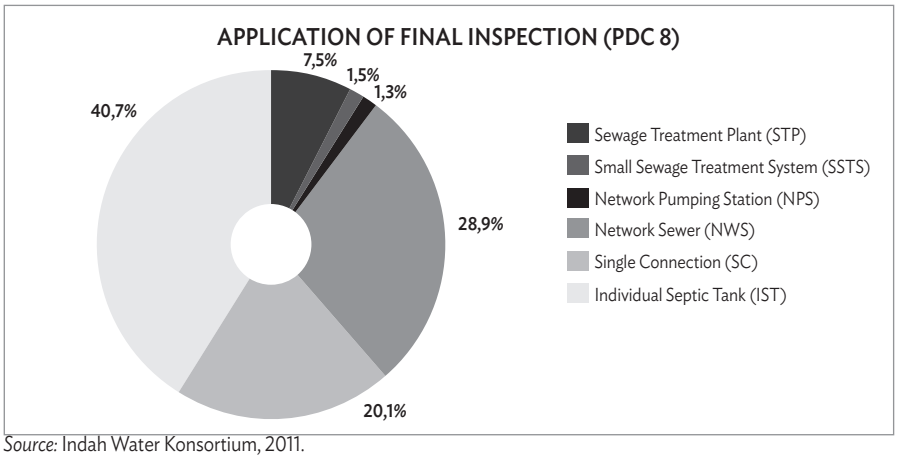
This transformation will free resources currently locked behind the desk-processing application, which can then be mobilised for monitoring and enforcement works. The new procedure established using the risk-based matrix was expected to cause a paradigm shift in eliminating bureaucracy in the process (Table 1).

Figure 9: Number of Sewerage Planning and Design Applications



PDC = planning design and construction (the original approval procedure); SWAT = sewerage works approval transformation.
Source: Indah Water Konsortium, 2011.

Figure 10: Number of Sewerage Applications for Final Inspections



Source: Indah Water Konsortium, 2011.

Table 1: Results of Sewerage Works Approval Transformation

Sewerage Works Approval Process	Original Procedure	Low Risk Segment	Improvement %
No. of Procedures	25	2	92
Ideal Application Processing Time	94 days	21 days	78
No. of Documents Prepared by Approvers	9	3	67
No. of Documents by Applicants	138	13	90
Approvers' Operating Cost	RM 560.00 per application	RM 148.75 per application	73
Applicants' Operating Cost	RM 1,862.90 per application	RM 1,021.40 per application	45

Source: Punita Nook Naidu and Mohd Roslee Mahyudin (SPAN).

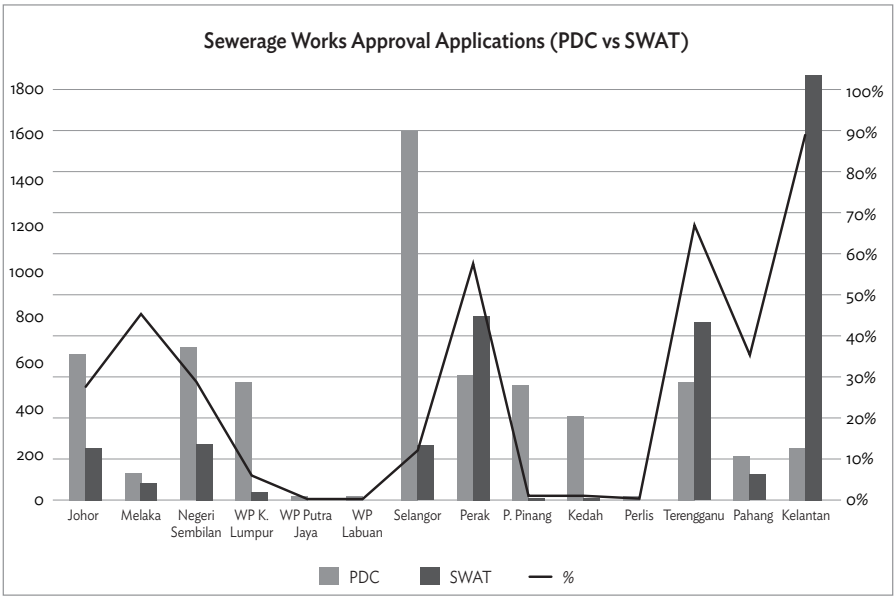
With bureaucracy's part removed, the annual cost savings for approvers and applicants are RM 4.3 million and RM 8.8 million, respectively. The most impressive feat in this transformation is that each approving officer will be freed of 14 working days in a year. Hence, the unlocked resources could be used for other functions that create better value.

3.4 Implementation of the SWAT - Low-risk Segment

The recommendations derived from the findings of the minilab were brought to public consultation in June 2013. However, while the consultation was ongoing, a 2009 rule based on the former approval procedures was gazetted in July 2013. Meanwhile, the results of the public consultation were unanimously in favour of the SWAT recommendations. To circumvent the gazetted rules, SPAN decided to start implementing the new procedures for the low-risk segment by developing the necessary checklists, forms, and guidelines. SPAN also organised nationwide road shows to create awareness amongst approvers and stakeholders such as consultants and developers through their respective member associations. It also made available relevant information through its own and stakeholders' websites. Posters and brochures to create awareness were printed and distributed to the approvers and other stakeholders for circulation.

It had been anticipated that the uptake rate of using the new procedure would skyrocket within the first few months of its launching in early 2014. The task force monitored the progress on the uptake rate on a monthly basis. The monitoring results, however, were shocking, with the uptake rate averaging below 30%. The targeted or planned numbers were not being met. In some states, as shown in Figure 11, no submission for sewerage works using the new procedures was made despite the benefits they could deliver.

Figure 11: Uptake Rate of the Transformed Procedure in 2014 across States



PDC = planning design and construction (the original approval procedure); SWAT = sewerage works approval transformation.
Source: Punita Nook Naidu and Mohd Roslee Mahyuddin (SPAN Water Konsortium, 2011)..

3.5 Assessment of the First Phase of SWAT Implementation

The task force regrouped to develop strategies in understanding the ground sentiment and improve the uptake rate of the new procedures. The results showed that despite going through proper channels to establish an evidence-based approach to develop this method and having the full support of SPAN's board, their influence on the actual ground operations was not as anticipated. For this assessment, the task force engaged randomly selected applicants who had used the original instead of the new procedures. After assuring these applicants that the specifics of information they would provide would not be revealed or shared with approvers, the task force obtained feedback that led to an understanding of the inner circle operations at the ground level.

The feedback showed that about 50% of the applicants were not fully aware of the existence of the new procedures. The assessment also revealed that most of the applicants in the low-risk segments are very small firms, with some operated

through single ownership, and are rarely members of any association. SWAT's engagements and consultations prior to the implementation of SWAT had been with representatives of various associations.

A quarter of the applicants assessed stated they had been discouraged by the approvers to use the new procedures as the latter anticipated problems during the final clearance stage. The task force had underestimated the power play at ground level. With the procedures simplified and the empowerment of the professionals through self-regulation removed, the approvers' significant influence and control in the approval process have likewise waned. The sense of losing power is an emotional issue for the approvers and has a significant impact on their perceived social standing in the industry. That explains the shift in relationship dynamics amongst the task force, a fraction of SPAN officers, and approvers. The task force was facing hostility internally at the operational level (SPAN) and externally (approvers).

The rest of the feedback showed the applicants' personal preference for the original method due to their familiarity with it. Further analysis revealed that approval processes are controlled by middle persons or 'runners' who are neither project owners nor submitting persons (professionals). These industry players use to their advantage the complexities of the procedures to function as conduits between approvers and applicants. Hence, the simplified processes do not benefit them. The 'runners' are considered powerful in their own right as they can influence approvers and applicants through their long-established relationships.

3.6 Rejuvenation of the Implementation Phase

After the assessment, the task force sent emails to small-scale firms to create awareness of the SWAT initiative. This sparked interest and created a buzz amongst the recipients. A special email channel was created to respond to and clarify inquiries either via email or telephone. The promotional season for the SWAT initiative was extended, which included SPAN, approvers, and associations representing stakeholders.

The task force also met with approvers nationwide not only to gather support for the initiative but also to explain and clarify matters. During those visits, SWAT banners and brochures were strategically placed for all applicants.

The task force held closed-group sessions with developers through their associations as the latter have significant influence in deciding if runners are necessary in facilitating the approval processes.

Pretending to be developers in the low-risk segment, the task force also made phone calls to approvers' offices to seek advice on the process of obtaining approval. They found out that some approvers still preferred the older procedures. This information was shared with the approvers' top management in the expectation that this would enable mechanisms that would mandate approvers to support the new procedures. The approvers' effort, however, proved to be insufficient.

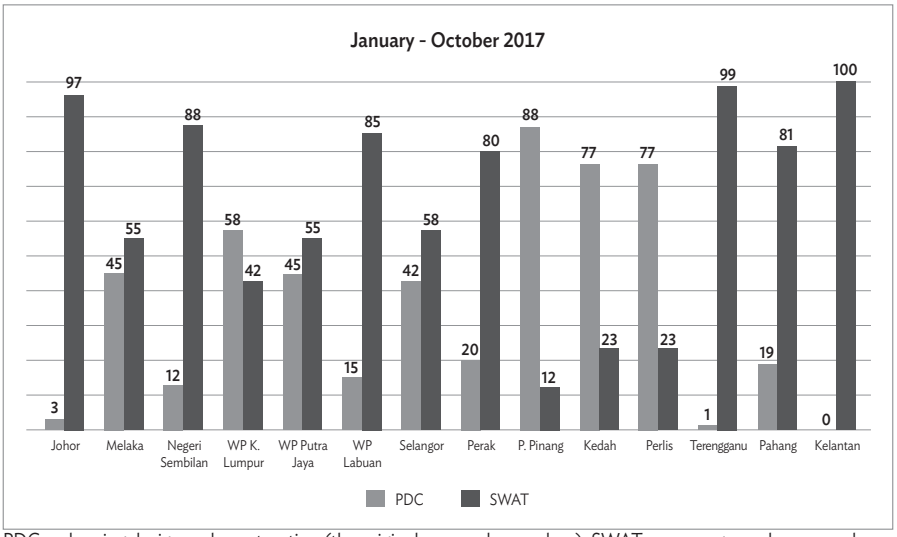
To build up the pressure to transform, the task force organised a second nationwide tour with the state-level approvers, with the Malaysian Anti-corruption Agency participating to create awareness amongst approvers and SPAN officers on anti-corruption laws, corrupt practices and their implications, as well as integrity matters. It was expected that the approvers would foresee the risk associated with complex procedures and responsibilities associated with power.

The renewed efforts and initiatives raised the voluntary uptake rate of new procedures to 65% on average. In Johor, Terengganu, and Kelantan, almost 100% of the applications in the low-risk segment are using the new procedures (Figure 12). Yet, three states (Perlis, Kedah, and Pulau Pinang) were still below the average uptake rate in the first year the SWAT initiative was implemented.

3.7 SWAT Initiative Today

The SWAT initiative is successful and has been used to promote reforms in other agencies. The SWAT experience has showcased possibilities of regulatory reforms despite challenges. SPAN has since amended the agreements with approvers to incorporate financial penalties in the event of non-compliance with the terms of contract, which include failure to meet the expected level of service

Figure 12: The Sewerage Works Application Pattern for 2017



PDC = planning design and construction (the original approval procedure); SWAT = sewerage works approval transformation.
Source: Punita Nook Naidu and Iwan Nazri Mohd Nordin (SPAN).

in processing applications. The financial penalty is a motivation for approvers to leverage the ease of new procedures.

The sewerage works approval procedures for the low-risk segment through voluntary participation have been in operation since 2014. The technical and operational issues that surfaced during their implementation have been gathered, analysed, and addressed. These data have been used in improving the second phase of SWAT, which includes the medium-risk and high-risk segments of approvals. The engagement and public consultation for the second phase have been completed. The necessary actions for a mandatory total transformation are currently underway. Some of the key actionable plans include amendment to the rules, development of technical documents as reference tools, development of suitable inspection mechanisms and tools, and leveraging technology through the development of an online sewerage works approval system.

[4] Lessons Learnt and Recommendations

Regulatory reforms should be based on the principles of good governance and, thus, should be participatory, consensus-oriented, transparent, responsive, effective and efficient, equitable, and inclusive. This ensures the reforms are justifiable and sustainable in the long term. In theory, a good governance approach for regulatory reforms is a perfect idea and a virtuous concept but extremely challenging. Although countries have made good governance a top priority in the decision-making process at all levels of government administration, only a few have come close to achieving a good governance approach in totality.

4.1 Purpose

The motivation for regulatory transformation must be clear and transparent to gain the confidence of stakeholders. It is important not to simply introduce regulatory reforms as an academic exercise, which requires the reforms to be relevant and practical. The proposals for reforms must be based on actual science that includes comprehensive data gathering and analysis promoting predictability and reducing uncertainty. In the case of the SWAT initiative, it is crucial to establish and advocate that the procedures are neither regulatory objectives nor outcomes. The unnecessary regulatory burdens or bureaucratic interference must be minimised by adopting good governance to develop sewerage works approvals that are transparent, practical, uniform, and enforceable.

4.2 Reform Drivers - People and Science

The support and encouragement team will be useful in managing the hostile environment during the initial stages of implementation, which is likely to happen in any type of regulatory reform project. The regulatory reform agenda should be based on evidence or facts from a critical analysis of the collected data. Science is objective and removes emotional bias. Results of data analysis must be rigorously questioned and tested to reduce margins of error.

4.3 Practicality

It is common for the decision-making process to take more time when the approach used is more transparent and consultative. Regulators are held responsible for analysing feedback and responding to the decision-making process. It is critical for the regulators to assess each initiative to determine the extent of the good governance methodology that must be used in the regulatory decision-making processes. Regulators must be practical in addressing constraints to avoid allotting too many resources in the mechanism of achieving the decision rather than the decision itself. Other significant challenges and constraints are interference by lobby groups, lack of participation of certain stakeholders, and insufficient resources. Hence, incremental reforms are preferred as a better option than reforms implemented in one go. Furthermore, extended delays or updates from the regulators on the consultation exercise could be perceived as lack of interest or unwillingness to take action.

4.4 Monitoring Mechanism

The monitoring aspect of the implementation phase is critical as a mechanism to check the desired output against actual results. A monitoring plan must be established before implementation. While observing the implementation phase requires patience, frequent assessments are essential in addressing the challenges and realigning targets and action plans. Monitoring is a proactive method to predict issues that are likely to surface. This can be followed up with necessary action plans to pre-empt new issues.

4.5 Competency and Knowledge Development

Developing the competency levels and knowledge of all parties involved in the regulatory reform projects is vital for the proper implementation and success of reforms. During the initial stages of designing regulatory reforms, there is likely to be a lack of maturity and understanding by all the stakeholders, including the regulators themselves.

The regulators may face a competency gap in identifying and utilising suitable tools, especially activities that seek and provide feedback, data analysis, and regulatory impact analysis. While on-the-job learning is a common solution for most regulatory agencies, appropriate training should be planned and executed to enable strategically assigned personnel to acquire expertise for specific purposes.

Similarly, advancing stakeholders' competency and knowledge in the methodologies of regulatory reform will facilitate the progress of reform projects. Stakeholders will need the necessary experience and exposure in the regulatory reform exercises before they can provide valuable and relevant feedback.

4.6 Systematic Engagement

The engagement process is used to improve transparency, responsiveness, accountability, and accessibility of the regulatory reforms from the beginning and to obtain buy-in from the stakeholders. An effective engagement process provides valuable information that can be used to design effective regulatory or non-regulatory solutions. Engagement enables informed decision-making and improves the accountability of the public service.

To ensure stakeholders are effectively engaged in the regulatory reform agenda, various techniques should be adopted. Some may require one-on-one engagements or focus group discussions (in small groups of similar stakeholders), which can be time-consuming compared to public consultations. This engagement method, however, is effective in obtaining authentic feedback without being influenced by irrelevant issues, which is common during consultations. Different stakeholders may require different forms of engagement, depending on the stages of the project. It is essential to identify the objective of engagement and the techniques best suited to its implementation, before any engagement is carried out.