



Mexico

Indicators of Regulatory Policy and Governance 2021





Overview and recent developments

In Mexico, the General Law of Better Regulation enacted in 2018 modernised the regulatory policy in the country. It updated the former oversight body by creating the National Commission for Better Regulation (CONAMER). It added provisions to strengthen the mandatory use of RIA and stakeholder engagement, and established new provisions to carry out *ex post* assessment of regulations that generate compliance costs.

The practice of RIA in Mexico encompasses the use of threshold tests to perform analyses proportional to the expected impact of the regulation, and specialised assessments such as effects on competition, risk management, trade, and consumer's rights, amongst others. Stakeholder engagement is employed routinely in several of the regulatory management tools, notably in later stages of the RIA process, and in *ex post* assessment exercises. Mexico could promote the use of early stage consultation in rule making.

In order to enhance the contribution of RIA and stakeholder engagement to regulatory quality and wellbeing, Mexico could perform more sophisticated, and to the extent possible, more

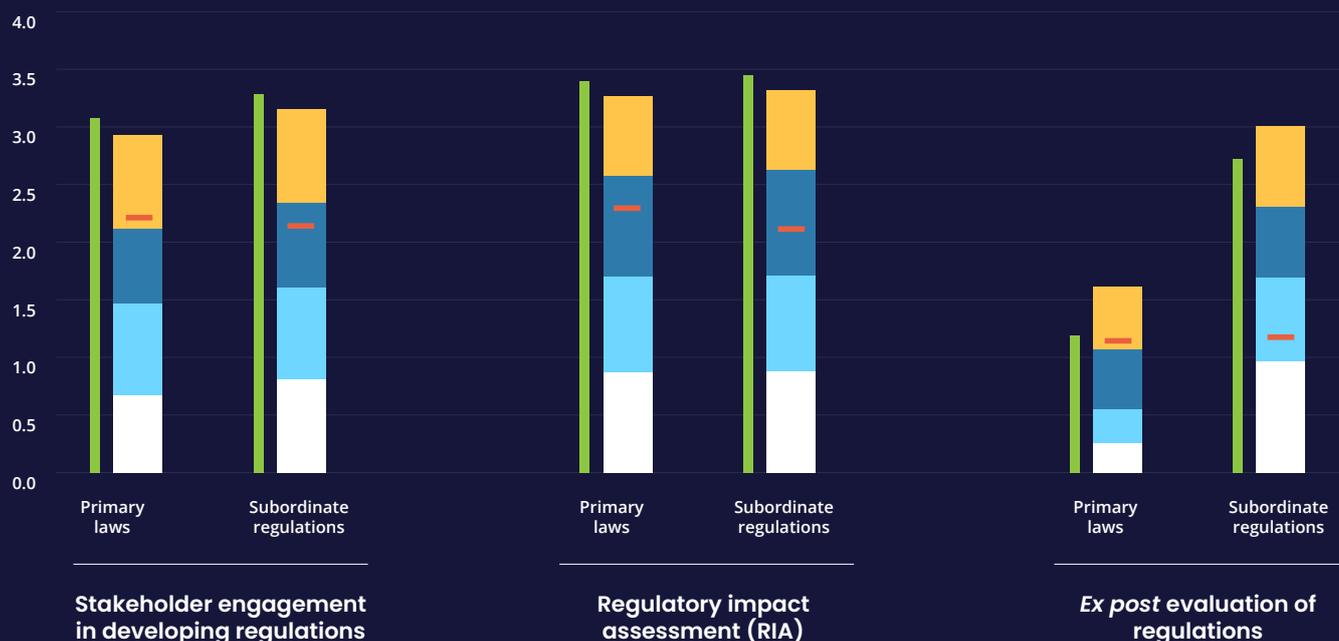
independent assessments of their implementation and effectiveness. The results of these exercises may provide insights to also boost the use of *ex post* assessment tools.

CONAMER has technical and operational autonomy, but remains hierarchically subordinated to the Ministry of Economy. CONAMER's attributions and mandate include advice and support to implement regulatory management tools, as well as the scrutiny of RIAs and other better regulation obligations by regulators and line ministries. The General Bureau of Standards of the Ministry of Economy has the responsibility of supervising the development of technical regulations, including the consideration of international standards and practices. The draft technical regulations must then follow the general RIA process overseen by CONAMER.

Indicators presented on RIA and stakeholder engagement for primary laws only cover processes carried out by the executive, which initiates approximately 6% of primary laws in Mexico. There is no formal requirement in Mexico for consultation and for conducting RIAs to inform the development of primary laws initiated by parliament.

Indicators of Regulatory Policy and Governance (iREG): Mexico, 2021

● Methodology
 ● Systematic adoption
 ● Transparency
 ● Oversight and quality control
 ■ Country total, 2018
 — OECD average, 2021



Notes: The more regulatory practices as advocated in the [OECD Recommendation on Regulatory Policy and Governance](#) a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (6% of all primary laws in Mexico). Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/iereg>.

Mexico: Transparency throughout the policy cycle



Inform the public in advance that:

A public consultation is planned to take place	Never
Regulatory impact assessment (RIA) is due to take place	Yes
Ex post evaluations are planned to take place	Never



Consult with stakeholders on:

Draft regulations	All
Evaluations of existing regulations	Some



Publish online:

Ongoing consultations*	Some
Views of participants in the consultation process	Yes
RIAs	All
Evaluations of existing regulations	Yes



Policy makers use:

Interactive website(s) to consult with stakeholders	Yes
Website(s) for the public to make recommendations on existing regulations	Yes



Policy makers provide a public response to:

Consultation comments	Yes
Recommendations made in ex post evaluations	Never

* Publish on a single central government website.

Note: The data reflects Mexico's practices regarding subordinate regulations initiated by the executive, since in Mexico primary laws are rarely initiated by the executive.

Source: Indicators of Regulatory Policy and Governance Survey 2021, <http://oe.cd/iereg>.

