



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

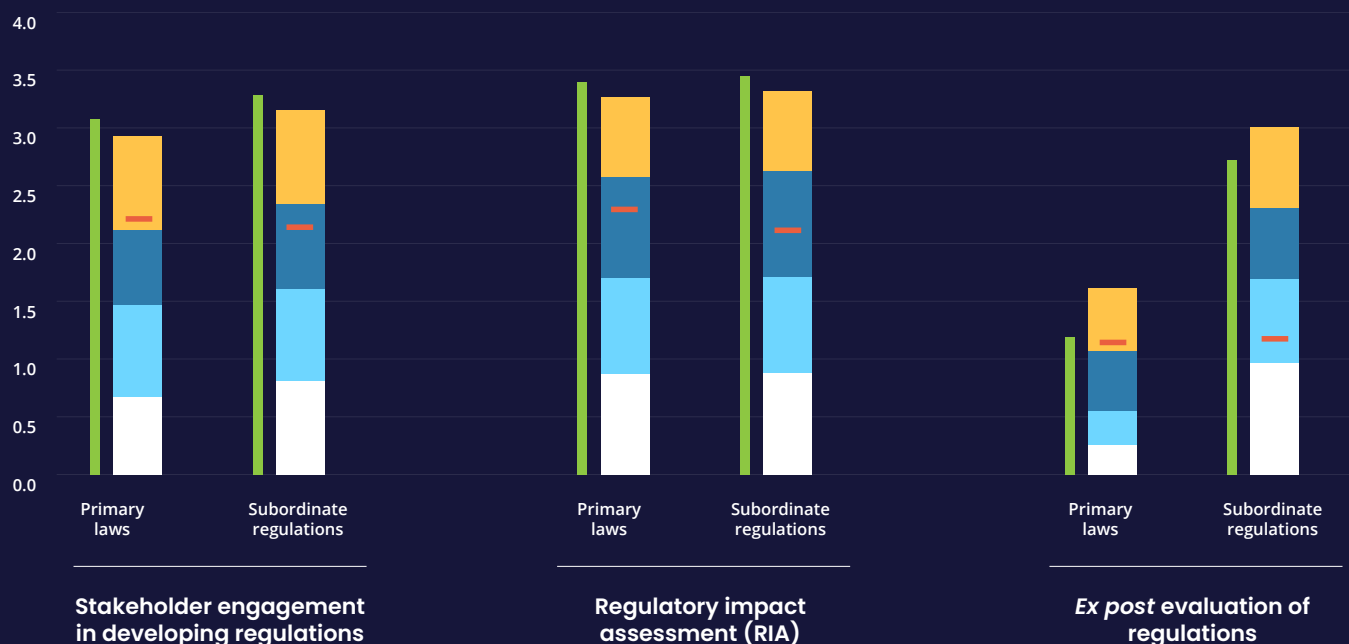
independent assessments of their implementation and effectiveness. The results of these exercises may provide insights to also boost the use of *ex post* assessment tools.

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.

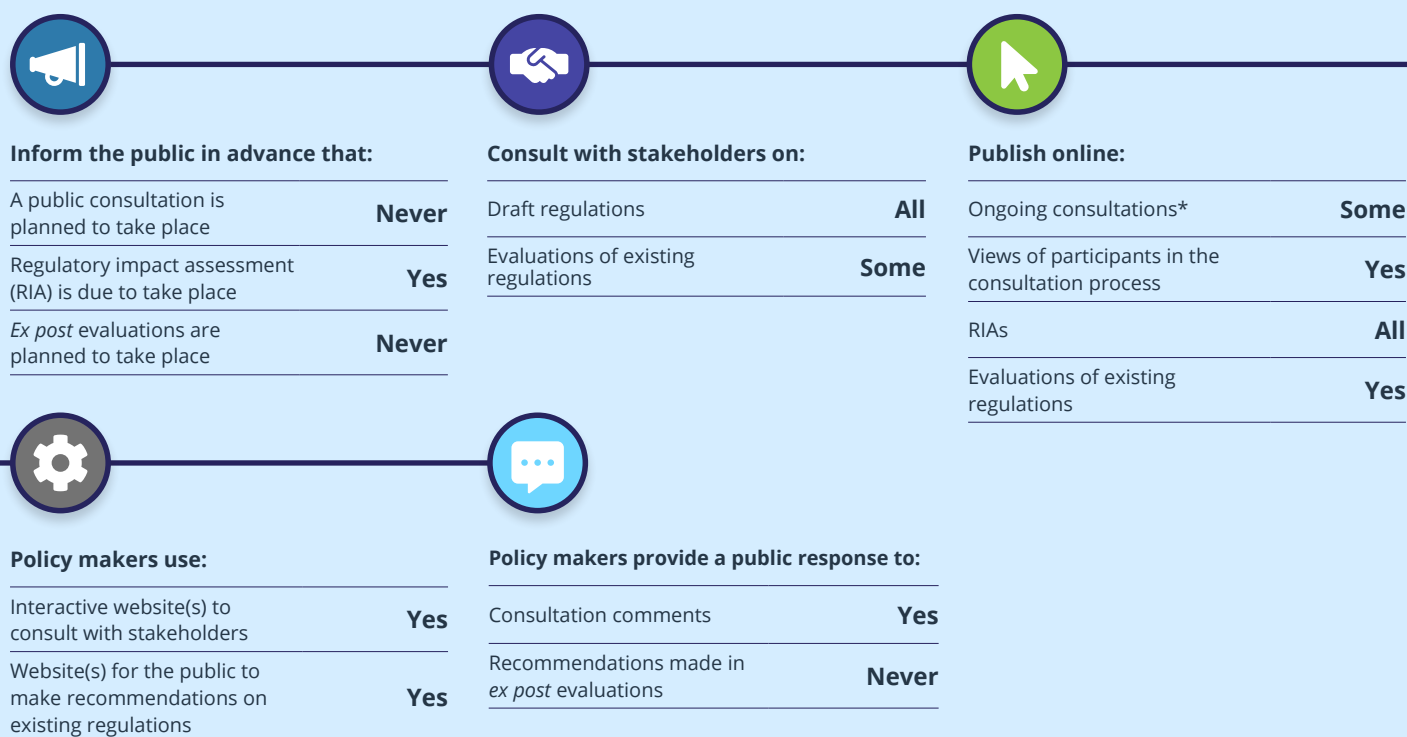
Indicators of Regulatory Policy and Governance (iREG): Mexico, 2021

● 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



* 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>.



THE OECD REGULATORY INDICATORS SURVEY AND THE IREG COMPOSITE INDICATORS

The data presented in the 2021 Regulatory Policy Outlook are the results of the 2014, 2017 and 2021 Indicators of Regulatory Policy and Governance (iREG) surveys.

The iREG survey investigates in detail three principles of the 2012 OECD Recommendation of the Council on Regulatory Policy and Governance: stakeholder engagement, regulatory impact assessment (RIA) and *ex post* evaluation. Three composite indicators were developed based on information collected through the surveys for these areas. Each composite indicator is composed of four equally weighted categories:

- **Systematic adoption** comprises formal requirements and how often these requirements are conducted in practice;
- **Methodology** presents information on the methods used in each area, e.g. the type of impacts assessed or how frequently different forms of consultation are used;
- **Oversight and quality control** reflects the role of oversight bodies and publicly available evaluations; and
- **Transparency** comprises information which relates to the principles of open government e.g. whether government decisions are made publicly available.

The data underlying the composite indicators reflect practices and requirements in place at the national level of government, as of 1 January 2021. The indicators for stakeholder engagement

and RIA relate to regulations initiated by the executive, while the indicator on *ex post* evaluation relates to all regulations. Whilst the indicators provide an overview of a country's regulatory policy system, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform. A full score on the composite indicators does not imply full implementation of the Recommendation. To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of sensitivity analysis are available publicly on the OECD website (<http://oe.cd/ireg>).

Related links:

- [Regulatory Policy Outlook 2021](#)
- [Indicators and underlying data and methodology](#)
- [2012 Recommendation of the Council on Regulatory Policy and Governance](#)
- [OECD Measuring Regulatory Performance Programme](#)
- [OECD work on regulatory policy](#)

Contact:

Measuring Regulatory Performance programme
mrp@oecd.org