

COMPETITION LAW

REGULATORY IMPACT ANALYSIS - RIA

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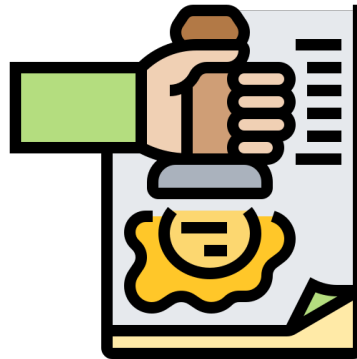
SYLLABUS

- Definition of RIA.
- Regulatory Quality Control Function.
- Regulation of RIA in Peru

Definition of Regulatory Impact Analysis

"[T]he process that allows a prior, systematic and comprehensive analysis to identify, evaluate and measure the likely results, benefits and costs of different solution alternatives (regulatory and non-regulatory) of a public problem, taking into consideration the identification and analysis of risks, in order to adopt the best intervention alternative based on evidence."

- Supreme Decree No. 063-2021-PCM



By regulation, we mean a set of legal rules that determine the participation of people or companies in a market, sector or economic or social activity

Regulatory Impact Analysis Steps



Problem Definition

**Definition of the Objectives of
the Evaluated Policy**

Regulation Alternatives

Impact Assessment

Adequacy of the Regulation

Monitoring and Evaluation

RIA in the Peruvian Legal System



- Legislative Decree No. 1448.
- OECD recommendations.
- Regulation that develops the Institutional Framework that governs the Regulatory Quality Improvement Process and establishes the General Guidelines for the application of the Ex-Ante Regulatory Impact Analysis.
- Manual for the application of the Ex-Ante Regulatory Impact Analysis.

RIA in the Peruvian Legal System

"Normative provisions of a general nature, when they establish, incorporate or modify rules, prohibitions, limitations, obligations, conditions, requirements, responsibilities or any requirement that generates or implies a variation of compliance costs for companies, citizens or civil society that limits the granting or recognition of rights for the optimal development of economic and social activities that contribute to integral development, sustainable, and social welfare".

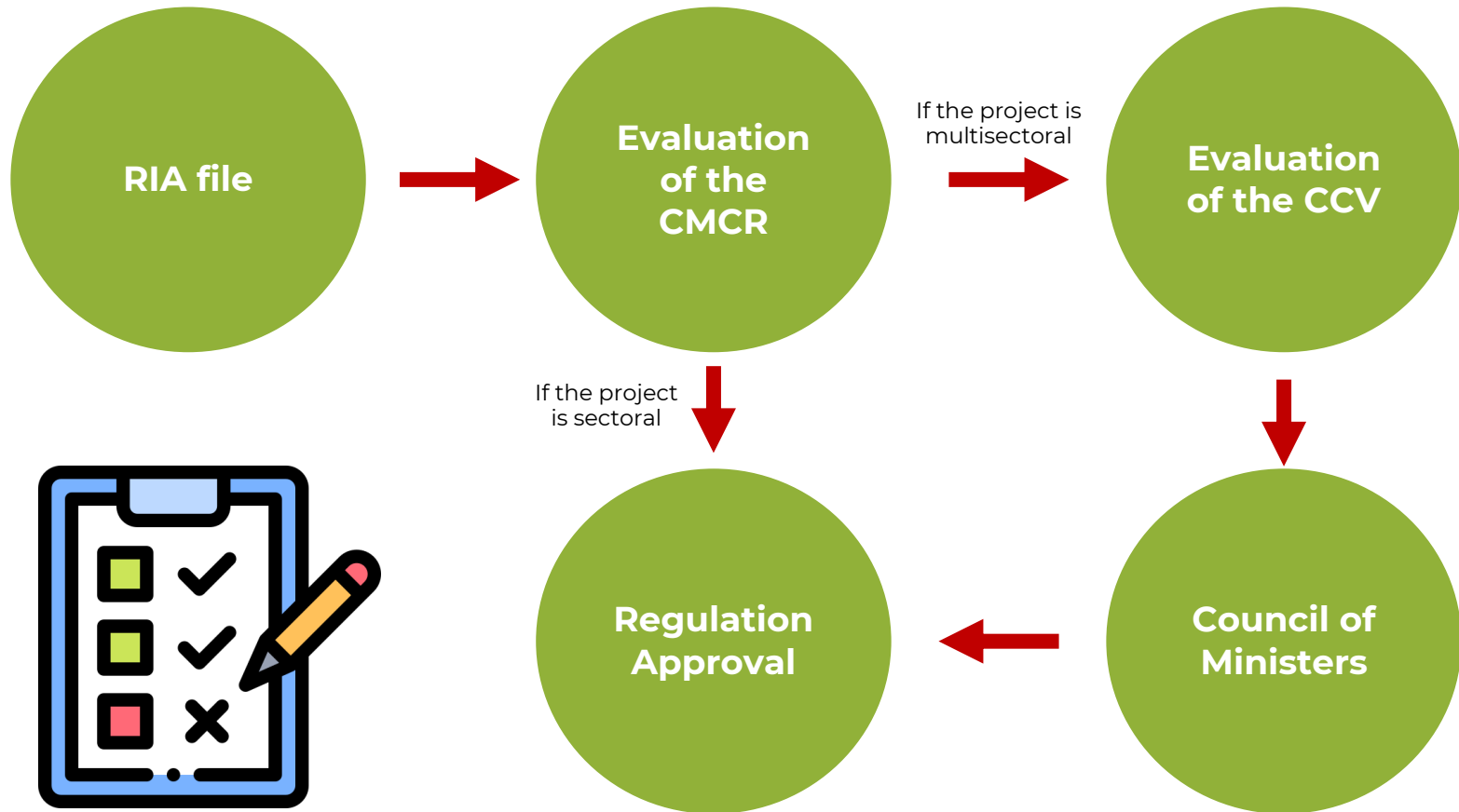


**All Entities of
the Executive
Branch - First
Phase of
Implementation**

**Supreme
Decrees, Draft
Laws,
Legislative
Decrees**

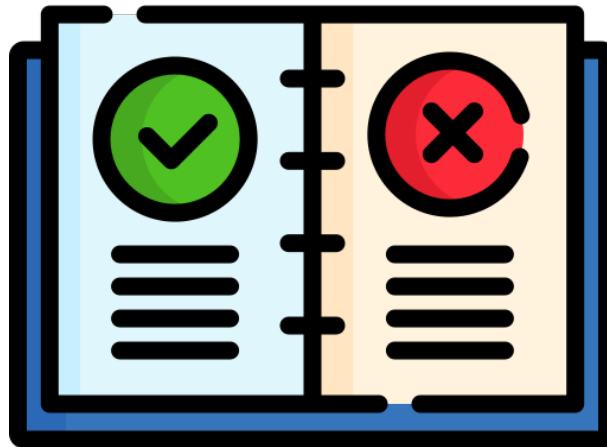
**Eighteen (18)
exceptions (Art.
28 of the RIA
Regulations).**

RIA in the Peruvian Legal System



Conclusion

RIA is a tool that will allow us to evaluate the effects, alternatives and costs of a regulatory proposal before it enters into force. Although we are still in its first phase of implementation, we are on the right track towards a general improvement of regulatory quality by the Peruvian system.



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