



## Regulatory Quality Analysis as a Regulatory Improvement Tool

# Regulatory Quality Instruments

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## Legislative Decree No. 1448 – Tools for Regulatory Improvement (2018)

Regulatory  
Quality  
Analysis  
(RQA)

Administrative  
simplification

Regulatory  
Impact Analysis  
(RIA)

Costs of  
regulation  
and  
formalities

# Regulatory Quality Analysis

- The analysis is focused on the review of administrative procedures by ministries and public agencies of the Peruvian Executive branch.
- A comprehensive, gradual and continuous process of analysis of the standard provisions establishing administrative procedures, with the aim of:
  - i) Identification, reduction and/or elimination of administrative procedures that are unnecessary, unjustified, disproportionate, redundant or not appropriate to the General Administrative Procedure Law (LPAG), or regulations with force of law.
  - ii) Identification and reduction of administrative burdens at any administrative procedure
- There are two modalities: (i) revision of existing administrative procedures; and (ii) revision of draft regulations creating or modifying administrative procedures (ex-ante).
- The analysis is based on the principles of legality, effectiveness, necessity and proportionality.


### Legislative Decree No. 1310 (2016)

The entities of the executive branch are obliged to implement the RQA.



### Legislative Decree No. 1452 (2018)

The LPAG was amended, making the RQA mandatory in the administrative procedures to be created.



### Legislative Decree No. 1446 (2018)

The Administrative System for the Modernization of Public Management promotes the improvement of regulatory quality.



### Legislative Decree No. 061-2019-PCM

Promulgation of RQA's regulations.



## Benefits of the RQA



Promotes competitiveness and invigorates the economy.



Avoid unnecessary costs for citizens and businesses (savings of time and money).



Strengthens the capacities of public servants to develop better regulations.



Prevents corruption by increasing transparency and avoiding arbitrariness in the handling of administrative procedures for citizens.



Access to updated, orderly, complete and truthful information, which allows for a proper monitoring and control.

Source: "Regulatory Quality in Peru: Advances and future agenda". Prepared by the Secretariat of Public Management of the PCM (2021).

## Results of the review of the stock of administrative procedures through the RQA

The review process through the RQA began in September 2018 and was completed in 2019. During this period:

- ▶ **6 supreme decrees** were issued ratifying administrative procedures approved by the Council of Ministers.
- ▶ More than **10 000 reviews** were conducted for the **2432 administrative procedures** that entered the process.

The results of the *ex-post* RQA:

- ▶ Removed administrative procedures impact approximately 4 million applications from individuals, businesses, non-profit organizations and others. In addition, **73% of procedures** removed had an impact on micro, small and medium-sized enterprises (MIPYME).
- ▶ The application of the RQA allowed a reduction in the administrative burden that implied a reduction of **S/286.3 million** that favor individuals, companies and other agents of society.
- ▶ **For the first time, the stock of procedures of the Executive Power is known** and, from this, decisions can be made to make the State more efficient and meet the needs of society.
- ▶ **Peru improved its global performance** in the Global Competitiveness Report in the regulatory burden indicator, **going from 133rd place (in 2015) to 128th (in 2019)**.

### FACTS:

**1439** (59%) validated administrative procedures.

**734** (30%) administrative procedures eliminated<sup>2</sup>.

**1302** requirements eliminated and simplified.

Source: "Regulatory Quality in Peru: Advances and future agenda".  
Prepared by the Secretariat of Public Management of the PCM (2021).

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