

Costa Rica

Overview and recent developments

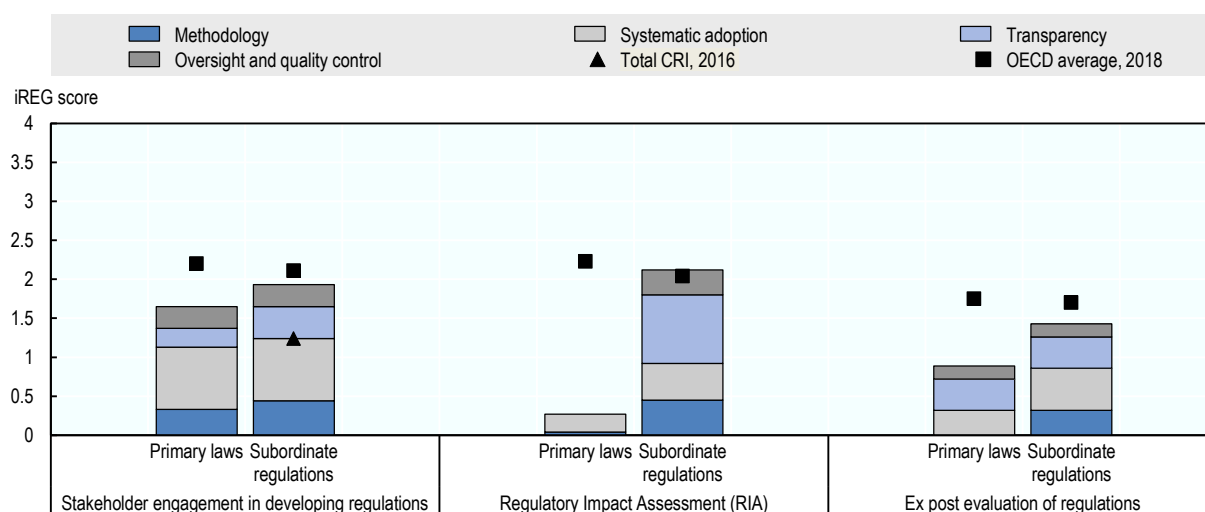
The regulatory policy reform agenda is strongly linked to the National Strategy on Simplification and Better Regulation 2014-2018 (*Estrategia Nacional de Simplificación de Trámites y Mejora Regulatoria*) which chiefly focusses on red tape reduction mechanisms. In this sense, regulatory management tools like stakeholder engagement, RIA and *ex post* evaluation have been established to improve the quality of administrative procedures and reduce red tape. The strategy is tied to the government's efforts to strengthen competitiveness and to foster the functioning of and access to markets. Following a reform of Law 8220 on Protection from the Excess of Requirements and Administrative Procedures in 2016 the Preliminary Control System (SICOPRE) was implemented. The SICOPRE is a centralised webpage (controlprevio.meic.go.cr) that enhances the transparency of RIAs and public consultations by making them publicly available and allowing for comments to which regulators respond. Having set the building blocks, Costa Rica would benefit from broadening the scope of its regulatory policy agenda to go beyond administrative procedures, and communicating with stakeholders on the progress made so far. For example, SICOPRE is a big step forward but could be more user-friendly to engage with a wider range of stakeholders.

Indicators presented on RIA and stakeholder engagement for primary laws only cover processes carried out by the executive, which initiates approx. 37% of primary laws in Costa Rica. The Legislative Assembly has put in place processes different from those used by the executive by which public consultation is sought and, in the case of some regulation, or by explicit demand of a deputy, they carry out economic and legal impact assessments of law proposals. There is no formal requirement in Costa Rica for conducting RIAs to inform the development of primary laws initiated by parliament.

Institutional setup for regulatory oversight

Institutional responsibility for regulatory policy is spread amongst three main units. The central body mandated with promoting the regulatory agenda in Costa Rica is the **Better Regulation Unit**, in charge of overseeing the evaluation of subordinate regulation *ex ante* and *ex post*; and, the **Quality Unit**, mandated with overseeing the process of developing technical regulation. Both are located at the Ministry of Economy, Industry and Trade (MEIC). The third unit in charge of overseeing regulatory management is the **Unit of Laws and Decrees** in the Legislative Assembly which scrutinises laws for legal quality and controls that public hearings are carried out for all primary laws and economic impact assessments for some primary laws.

Indicators of Regulatory Policy and Governance (iREG): Costa Rica, 2018



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 (37% of all primary laws in Costa Rica). Data for 2016 are only available for the indicator for stakeholder engagement in developing subordinate regulations.

Source: Indicators of Regulatory Policy and Governance Survey 2017, Indicators of Regulatory Policy and Governance (iREG) for Latin America 2016; <http://oe.cd/ireg>.

StatLink <https://doi.org/10.1787/888933815528>

Location of regulatory oversight functions: Costa Rica

| Regulatory oversight functions | | Centre of government | Ministry of Finance, Economy or Treasury | Ministry of Justice | Other ministries | Non-departmental body | Parliament | Office of the Attorney General | Supreme audit institution | Part of the judiciary |
|--|------------------------|----------------------|--|---------------------|------------------|-----------------------|------------|--------------------------------|---------------------------|-----------------------|
| Quality control of... | RIA | | ● | | | | | | | |
| | Stakeholder engagement | | ● | | | | | | | |
| | Ex post evaluation | | | | | | | | | |
| Identifying policy areas where regulation can be made more effective | | | ● | | | | | | | |
| Systematic improvement of regulatory policy | | | ● | | | | | | | |
| Co-ordination of regulatory policy | | | ● | | | | | | | |
| Guidance, advice and support | | | ● | | | | | | | |
| Scrutiny of legal quality | | ● | ● | | | | | | | |

Notes: ● indicates that a given regulatory oversight function is covered by at least one body in a particular location. Data present the situation as of 31 December 2017 and do not reflect changes that may have taken place in 2018.

Source: Survey questions on regulatory oversight bodies, Indicators of Regulatory Policy and Governance Survey 2017, <http://oe.cd/ireg>.