



Argentina

Indicators of Regulatory Policy and Governance Latin America 2023

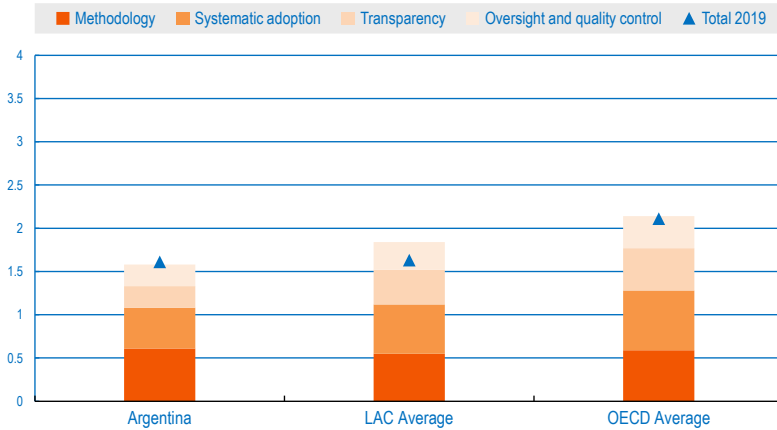
Argentina's regulatory policy framework remains in its early stages, with no additional substantial improvements over the recent years, and a focus on administrative simplification. While Argentina has some legal instruments that promote the use of Cost-Benefit Analysis (CBA) and stakeholder engagement for the development of some of their subordinate regulations, implementation has stalled. The coordination of existing regulatory policy initiatives was previously managed by two bodies, the Legal and Technical Secretariat and the Group of Regulatory Policy; however, even though they still have the mandate, both bodies have not been operational in the current administration. Moving forward, Argentina would benefit from having a functioning coordination and oversight mechanism to consolidate and articulate the current isolated regulatory quality efforts and promote a more widely adoption and consistent use of already established better regulation tools for developing their regulations.

Argentina has focused its efforts on administrative simplification and burden reductions. Over the past four years some ministries have simplified and digitalised some of their administrative processes. For instance, the Ministry of Innovation together with the Ministry of Employment digitalised more than 100 administrative processes motivated by the demand of digital services created by the COVID-19 pandemic. The Ministry of Innovation also introduced a digital stamp, which shows the date and time of government's electronic signatures to increase transparency in legal procedures.

In line with existing requirements, policy makers engage with stakeholders for the development of some administrative regulations and legislative proposals brought forward by the executive. Some ministries have developed their own internal guidelines for engaging with stakeholders, however, there are no overarching guidelines that instruct all policymakers on how to conduct their consultations. Some ministries, such as the Ministry of Energy and Ministry of Transport, carry out consultations for their draft regulations through their institutional portals. The government has a centralized interactive website in place for public consultations where all entities of the public administration can post their draft regulations for stakeholders to provide feedback, and where regulators can respond to stakeholders' comments; however, not many regulators use it to conduct their consultations.

Since 2017, Decree 891 promotes the use of Cost-Benefit Analysis for the development of subordinate regulations. While policy makers are encouraged to conduct CBA, it is not carried out frequently in practice. The introduction of mandatory CBA would be a step towards producing evidence-based regulations, which should be in turn further developed into a fully-fledged RIA system that takes account of different types of impacts in a holistic way.

Indicators of Regulatory Policy and Governance (iREG) for Stakeholder engagement in developing subordinate regulations, 2022



Note: The more regulatory practices as advocated in the OECD Recommendation on Regulatory Policy and Governance a country has implemented, the higher its iREG score.

Source: Indicators of Regulatory Policy and Governance for Latin America 2019 and 2022, <http://oe.cd/ireg-lac>

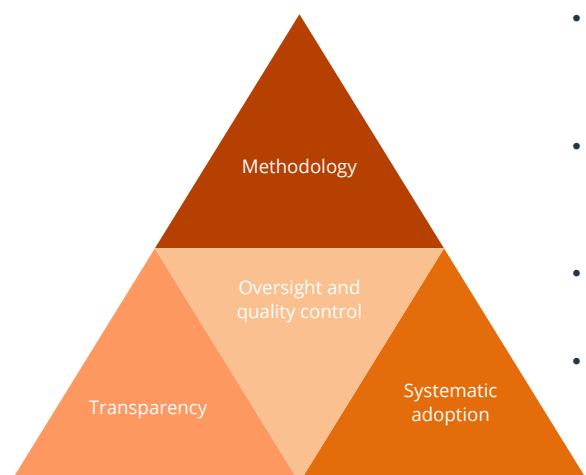
Snapshot of Regulatory Policy Framework, 2022

| Institutional settings | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|---|---|---|------------|---------------------------------|--------------------------------|-----|-------------------------------|-----|----|----|---------------------------------------|--|--|---|--|-----|--|-------|--|
| Regulatory policy promoting regulatory quality Yes Legal instrument: Decreto de buenas practicas en materia de simplificacion | Regulatory oversight body Yes Responsible for: Stakeholder engagement ✓ Regulatory impact assessment ✓ Administrative simplification ✓ Ex post evaluation ✗ | | | | | | | | | | | | | | | | | | | | | |
| Requirement to conduct: | <table border="1"> <thead> <tr> <th>Stakeholder engagement</th> <th>Regulatory Impact Assessment</th> <th>Ex post evaluation / Admin simplification</th> </tr> </thead> <tbody> <tr> <td>For some subordinate regulations</td> <td>Never</td> <td>No</td> </tr> <tr> <td>Written guidance available on:</td> <td></td> <td>Administrative simplification</td> </tr> <tr> <td>Yes</td> <td>No</td> <td>No</td> </tr> <tr> <td>Better regulation in practice:</td> <td></td> <td>Administrative simplification conducted in the last four years</td> </tr> <tr> <td> Early stage: For some subordinate regulations Late Stage: For some subordinate regulations </td> <td>Conducted to inform the development of regulations</td> <td>Yes</td> </tr> <tr> <td></td> <td>Never</td> <td></td> </tr> </tbody> </table> | Stakeholder engagement | Regulatory Impact Assessment | Ex post evaluation / Admin simplification | For some subordinate regulations | Never | No | Written guidance available on: | | Administrative simplification | Yes | No | No | Better regulation in practice: | | Administrative simplification conducted in the last four years | Early stage: For some subordinate regulations Late Stage: For some subordinate regulations | Conducted to inform the development of regulations | Yes | | Never | |
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| For some subordinate regulations | Never | No | | | | | | | | | | | | | | | | | | | | |
| Written guidance available on: | | Administrative simplification | | | | | | | | | | | | | | | | | | | | |
| Yes | No | No | | | | | | | | | | | | | | | | | | | | |
| Better regulation in practice: | | Administrative simplification conducted in the last four years | | | | | | | | | | | | | | | | | | | | |
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| | Never | | | | | | | | | | | | | | | | | | | | | |
| Available online: | <table border="1"> <thead> <tr> <th>Consultations conducted online</th> <th>Ongoing consultations published on a central consultation website</th> <th>RIA</th> <th>Regulations to be drafted, reformed or repealed</th> </tr> </thead> <tbody> <tr> <td>Frequently</td> <td>Yes, some ongoing consultations</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table> | Consultations conducted online | Ongoing consultations published on a central consultation website | RIA | Regulations to be drafted, reformed or repealed | Frequently | Yes, some ongoing consultations | No | Yes | | | | | | | | | | | | | |
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| Frequently | Yes, some ongoing consultations | No | Yes | | | | | | | | | | | | | | | | | | | |

Source: Indicators of Regulatory Policy and Governance for Latin America 2022, <http://oe.cd/ireg-lac>.

The Indicators of Regulatory Policy and Governance (iREG) for Latin America 2023 provide an up-to-date overview of regulatory systems in selected Latin American and Caribbean (LAC) countries, by which they develop, implement and evaluate regulations. The indicators partially cover three principles of the [2012 OECD Recommendation on Regulatory Policy and Governance](#): 1) stakeholder engagement; 2) regulatory impact assessment (RIA); and 3) *ex post* evaluation and administrative simplification.

The composite indicator on stakeholder engagement for developing regulations measures the adoption of good practices to engage with interested parties when developing new regulations, including different methods and openness of consultations as well as transparency and response to comments received. It consolidates information into four equally weighted categories.



- Systematic adoption records formal requirements and how often and at what stage in the rulemaking process these requirements are conducted in practice.
- Methodology gathers information on the methods used to engage with stakeholders, e.g. forms of consultation and documents to support them.
- Oversight and quality control records the role of oversight bodies and publicly available evaluations of the consultation system.
- Transparency records information from the questions that relate to the principles of open government, e.g. whether consultations are open to the general public and if comments and responses by authorities are published.

The LAC iREG is based on the results of the 2015, 2019 and 2022 Indicators of Regulatory Policy and Governance Survey jointly conducted by the OECD and the Inter-American Development Bank (IDB) and the OECD iREG Survey 2021. The survey gathers information from 7 countries for 2015, 10 countries for 2019 and 11 countries for 2022 in Latin America and the Caribbean, with a particular focus on stakeholder engagement. The data underlying the composite indicator reflect practices and requirements put in place at the national level of government, as of 31 October 2022.

Whilst the indicators provide an overview of a country's regulatory 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.

Further analysis based on the LAC iREG and other indicators to benchmark government performance in the region can be found in the [Government at a Glance - Latin America and the Caribbean 2024](#) publication.

An in-depth analysis of regulatory practices amongst OECD countries including composite indicators in the areas of stakeholder engagement, RIA and *ex post* evaluation can be found in the [OECD Regulatory Policy Outlook 2021](#).

LINKS

[Indicators and underlying data](#)
[Regulatory policy in Latin America and the Caribbean](#)
[Regulatory Policy Outlook 2021](#)
[OECD work on regulatory policy](#)
[Government at a Glance - Latin America and the Caribbean 2024](#)

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