



Dominican Republic

Indicators of Regulatory Policy and Governance Latin America 2023

Since 2021, the Dominican Republic has a new law on Better Regulation and Administrative Simplification, which considerably advances its better regulation framework. The law establishes mandatory Regulatory Impact Assessment (RIA) for the development of all subordinate regulations, expands on how and when consultations with stakeholders should be conducted, and establishes mandatory *ex post* evaluations. It also requires regulators to publish their regulatory agenda twice a year, listing regulations that will be enacted, modified or repealed. The regulation for application of the new law, enacted in 2022, establishes the processes that policy makers should follow to implement the newly adopted tools. The implementation of these new legal requirements is the next necessary step for a comprehensive regulatory policy.

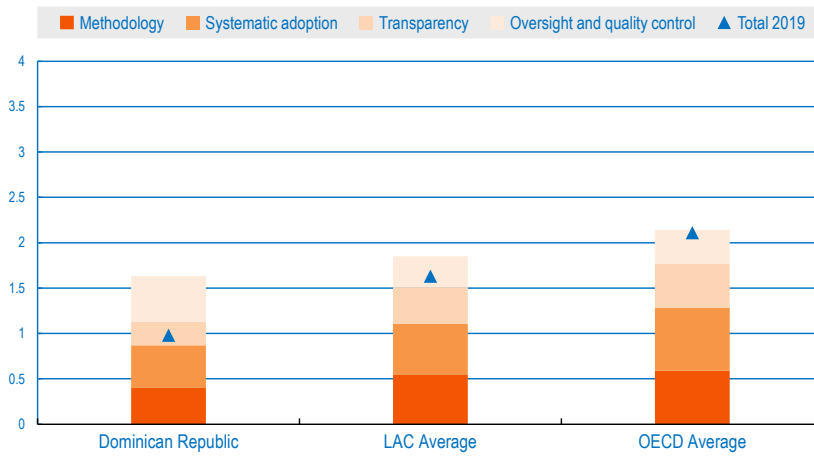
While the Constitution of the Dominican Republic establishes that policy makers should guarantee stakeholders an opportunity to be heard for the development of subordinate regulations, stakeholder engagement is not yet systematically undertaken in practice. The new law establishes a 20 to 45 days-period for consultations on all draft subordinate regulations, depending on the complexity of the proposal. However, consultations inform the development of only some subordinate regulations and are not conducted early in the policy making process. Those policymakers that do engage with stakeholders for the development of regulatory proposals, normally invite stakeholders to participate through the ministry's website, social media or newspapers. Most consultations are conducted either by receiving written comments from stakeholders or through physical or online meetings with the general public. Some economic regulators also hold formal consultations with selected groups or industry stakeholders. The new law establishes for all consultations to be published and conducted in a centralised portal, but it is yet to be implemented. Likewise, regulators are now required to respond to received comments during consultations and consider them for the development of new regulations, and its implementation is pending in practice.

The new legal framework requires policy makers to conduct RIAs for the development of all subordinate regulations. It distinguishes between proposals of significant impact, for which policymakers should conduct a complex RIA, and proposals requiring a simplified RIA. The Ministry of Public Administration has developed RIA guidelines that regulators across government should follow to ensure a standardised and consolidated practice.

The Dominican Republic also introduced new requirements to conduct *ex post* evaluations of existing regulations. Policymakers are now required to conduct *ex post* evaluations for existing regulations five years after their enactment and determine whether they are meeting their set objectives. As with RIA, the Ministry of Public Administration is mandated with creating a gradual plan for conducting *ex post* evaluations considering priority sectors of the economy. In addition, the Dominican Republic continues with its administrative simplification efforts through the Zero Bureaucracy program, which aims at gradually simplifying administrative processes.

The Dominican Republic has centralised the co-ordination and oversight of its regulatory policy. The Ministry of Public Administration has now the mandate to promote and oversee the quality of consultations, RIAs, administrative simplification process and *ex post* evaluations, as well as co-ordinate its implementation.

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>

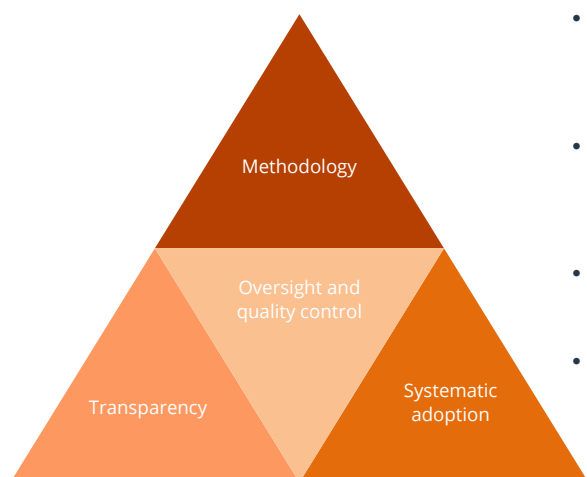
Snapshot of Regulatory Policy Framework, 2022

Institutional settings													
Regulatory policy promoting regulatory quality Yes Legal instrument: Ley 167-21 de Mejora Regulatoria y Simplificación de Trámites	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 all subordinate regulations</td> <td>All subordinate regulations</td> <td>Ex post evaluation Yes</td> </tr> <tr> <td>Written guidance available on:</td> <td>Yes</td> <td>Administrative simplification Yes</td> </tr> <tr> <td>Better regulation in practice:</td> <td>Conducted to inform the development of regulations Never</td> <td>Administrative simplification conducted in the last four years Yes</td> </tr> </tbody> </table>	Stakeholder engagement	Regulatory Impact Assessment	Ex post evaluation / Admin simplification	For all subordinate regulations	All subordinate regulations	Ex post evaluation Yes	Written guidance available on:	Yes	Administrative simplification Yes	Better regulation in practice:	Conducted to inform the development of regulations Never	Administrative simplification conducted in the last four years Yes
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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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