

## **NINTH SUMMIT OF THE AMERICAS**

### **DECLARATION ON GOOD REGULATORY PRACTICES**

The governments of the signatory countries, seeking to:

FACILITATE inclusive economic growth, trade, and investment;

PROMOTE accountability and build confidence in democratic governance;

ENHANCE regulatory processes;

IMPROVE the quality of regulations;

PROVIDE transparency to the public and traders;

ENCOURAGE innovation and strengthen regional competitiveness;

CREATE a more sustainable and equitable economic future for everyone in the Americas; and

ACKNOWLEDGING that transparency and other good regulatory practices provide benefits to our citizens and our economies and recognizing the value of using these practices in our regulatory processes and throughout the full regulatory life cycle,

Express our intention to advance this Declaration on Good Regulatory Practices through the following actions and practices:

1. Adopt or maintain laws, decrees, regulations, guidance, and other policies to ensure central government agencies use good regulatory practices;
2. Ensure an open, transparent, and participatory regulatory process, including by making regulatory information understandable and freely available online;
3. Conduct public consultations for proposed regulatory actions in a transparent and inclusive manner; allow adequate time for interested persons to submit comments, accounting for the complexity or possible impact of the proposed regulation; and give consideration to comments received;
4. Give reasonable notice of planned regulatory actions and work to prepare and publish prospective regulatory agendas;
5. Engage all interested persons in the regulatory process, including micro-, small-, and medium-sized enterprises, workers' organizations, and underserved communities and individuals, such as women, minorities, and Indigenous populations;

6. Make available sufficient detail about a specific regulatory action to inform those that may be affected, including by making compliance information available online and publishing the text of the regulation, any regulatory impact analysis, and an explanation of the regulation and its objectives;
7. Base regulatory decisions on publicly accessible high-quality data, evidence, available technical information, and an assessment of risk, where appropriate;
8. Support internal coordination among central government agencies with the aim of producing better regulatory outcomes and regulations consistent with international trade obligations, including the World Trade Organization (WTO) *Agreement on Technical Barriers to Trade* and *Agreement on the Application of Sanitary and Phytosanitary Measures*;
9. Use, as appropriate, relevant international standards, guides, and recommendations as mechanisms of good regulatory practice to avoid unnecessary obstacles to trade;
10. Adopt or maintain mechanisms or guidance to conduct reviews of regulations in effect to determine whether new information or other changes justify modification or repeal;
11. Use appropriate tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations; and
12. Identify and assess alternative approaches, as appropriate, that can minimize economic burden, promote competitiveness, and facilitate trade.

To advance these actions and practices, we intend to include good regulatory practice provisions in trade agreements, promote awareness of these principles with regulatory authorities, and communicate with stakeholders on opportunities created by their greater use.

We intend to work together in the WTO and other fora, as appropriate, to increase recognition of the importance of good regulatory practices in furthering regulatory cooperation and promoting regulatory compatibility to facilitate trade, investment, and economic growth, and support post-COVID-19 recovery. We intend to assess progress made in these actions and practices by the end of 2023.

We affirm that advancing these actions and practices neither limits a country, consistent with its international obligations, from achieving its public policy objectives at the level of protection it considers appropriate nor from determining the appropriate method of implementing actions and practices set out in this Declaration within the framework of its own legal system and institutions.