



Inmetro

Ministry of Development

Brazilian Government

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# **Seminar on Good Regulatory Practices**

## **The Brazilian Guide on Good Regulatory Practices**

**Alfredo Lobo**

Director of Quality, Inmetro, BRAZIL

Geneva, 18<sup>th</sup>, March, 2008

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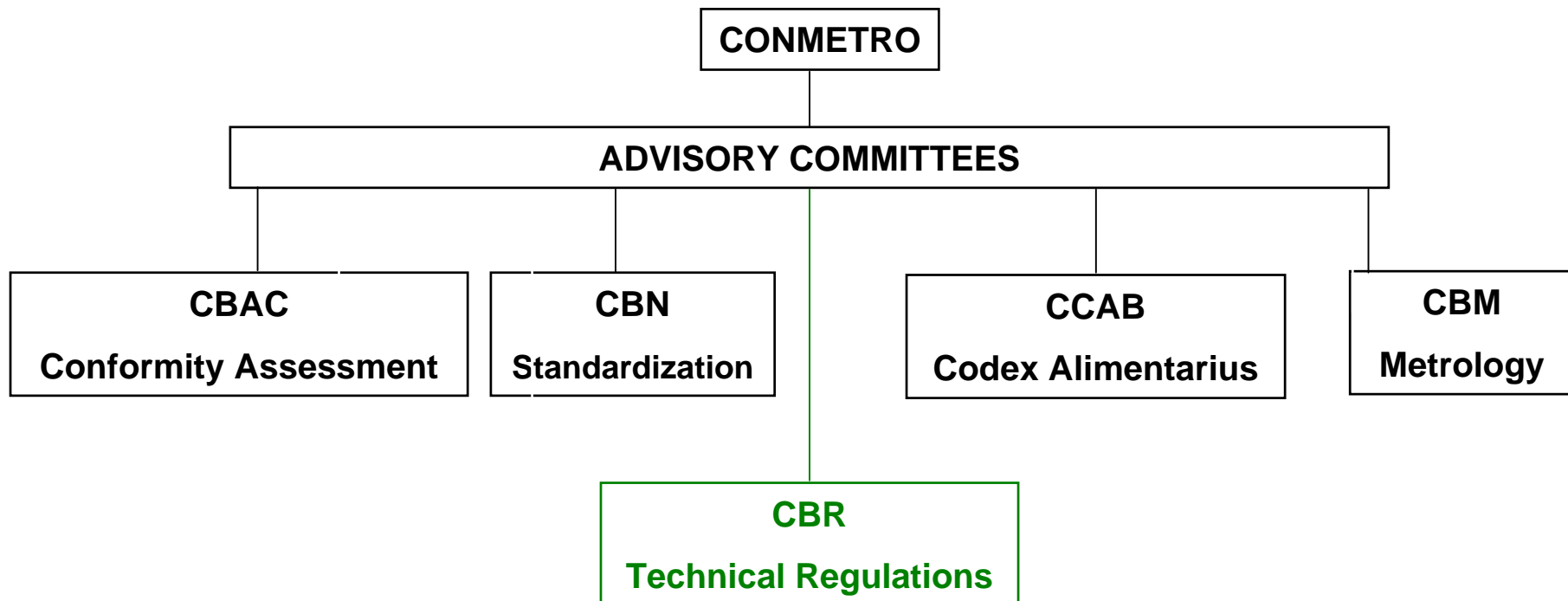
# Brazilian Guide on Good Regulatory Practices

## - Approach -

- Organization and management
- Objectives
- References used
- Relevant topics
- Dissemination and implementation Plan

# Brazilian Guide on Good Regulatory Practices

## - SINMETRO Framework -



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# Brazilian Guide on Good Regulatory Practices

## - Objectives -

- To facilitate the implementation of international, multilateral, regional and bilateral agreements, considering the Brazilian signatory position, aligning with the international regulatory practices;
- To contribute on the promotion of a major integration among Brazilian regulatory authorities;
- To contribute to harmonization, consistency and coherence in regulatory practices adopted by Brazilian authorities;
- To contribute to improvement and incentive of technical standards adoption in the elaboration process of technical regulations;
- To contribute to the international recognition of conformity assessment practices adopted in Brazil; and
- To act as an effective instrument for Brazilian industrial and foreign trade policies, promoting the innovation, the social, economical and technological development of Brazil, therefore, facilitating the its international insertion.

# Brazilian Guide on Good Regulatory Practices

## - Elaboration Process -

### ➤ Participation:

- The effective participation on the elaboration of the national guide on GRP:
  - 14 central government agencies, among 27 existing agencies.

### ➤ Main actions:

- Consultancy for the text elaboration (a well-known professional in this area)
- Workshop (counting on the central government regulatory authorities participation)
- Four meetings to reach the consensus
- Final workshop (to analyze and discuss the comments received from the stakeholders)
- Conmetro approval

### ➤ Process Period:

- July /2006- December/2007

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## - References used -

- ✓ ISO/IEC - Using and referencing ISO/ IEC standards for technical regulations, 2007;
- ✓ WTO Agreements (TBT, SPS, TRIPS, GATS);
- ✓ OECD - Guiding Principles for Regulatory Quality and Performance and the OECD Reference Checklist for Regulatory Decision-Making, 1995;
- ✓ EU - Mandelkern Group on Better Regulation: Final Report., 2001 and other EU publications;
- ✓ APEC - Information Notes on Good Practice for Technical Regulation, 2000.

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## - Relevant Topics -

### SUMMARY

1. Introduction
2. Scope
3. Terms, definition and acronyms
4. References
5. General Principles on Good Regulatory Practices
- 6 Technical Regulation: Structure and Content
  - 6.2 Application
  - 6.5 Conformity Assessment Procedures
  - 6.6 General & Transitory Provisions
- 7 Technical Regulation: Elaboration
  - 7.2 Risk Impact Assessment on the Regulation
  - 7.3 Evaluation of the Relationship with the Legislation and Agreements
  - 7.5 Notification, Consultation and Public Sessions

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# **Brazilian Guide on Good Regulatory Practices**

## **- Relevant Topics -**

### **8 Technical Regulation Adoption**

#### **8.1 Approval & Publication**

#### **8.2 Proceedings in Urgent Situations**

### **9 Technical Regulation Implementation**

#### **9.1 Preliminary Cares**

#### **9.2 Implementation Period**

#### **9.3 Assisted Implementation**

#### **9.4 Common Technological Base (the required infrastructure)**

#### **9.5 Inspection**

#### **9.6 Market Surveillance Practices**

### **10. Final Considerations**

#### **10.1 Stakeholders Participation**

#### **10.3 Critical Analyses**

#### **Annex A – Legislation X Regulation X Standardization**

#### **Annex B – The Conformity Assessment Procedure Choice**

#### **Annex C – Impact Assessment, Considerations and Examples**

#### **Annex D – Risk Analyses, Method Example**

#### **Annex E – Inspection and other Market Surveillance Practices**



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# The Brazilian Guide on Good Regulatory Practices

## - Dissemination and Implementation Plan -

- High level Meetings: The CBR Chairman relationship with Regulatory Agencies authorities;
- Guide publication, in Portuguese, Spanish and English;
- Folder publication;
- Material for dissemination actions: folder, presentation (slides set) and the Brazilian Guide;
- Research form;
- Workshop for the regulatory agencies staff;
- Capacity building activities;



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