

The Spanish National Markets and Competition Commission (CNMC) recommends that public administrations apply behavioural economics to improve regulation and supervision.

- This branch of economics focuses on individual behaviour and provides tools that public authorities can use.
- It enables the design of more effective regulations and public policies, as well as it enhances the efficiency of markets.
- Behavioural economics is already employed in many countries whose institutions have specialised units in this field.

Madrid, 15 September 2025.- Public administrations often fail to consider how individuals actually make decisions when designing regulations and public policies. In its Study on Behavioural Economics ([E/CNMC/002/23](https://www.cnmc.es/E/CNMC/002/23)), the CNMC advocates using this discipline to create policies that are more effective, simpler, and more respectful of individual freedom.

Inertia, information overload, or cognitive biases frequently influence citizens when responding to administrative procedures, using public services, or complying with regulations.

Behavioural economics tools

Nudges are a useful tool that can improve public policies by encouraging behavioural changes at low cost. Examples include default options on forms, reminders and notifications, message framing, or social norms.

By contrast, unnecessary obstacles (*sludge*), such as lengthy or poorly structured forms and communications written in overly technical and/or inaccessible language, complicate citizens' lives and diminish the effectiveness of public action. Some companies also employ them to achieve their objectives. When misused, they can be harmful, non-compliant, and are then referred to as dark patterns.

International situation

In Spain, there is scope to incorporate behavioural economics into regulation, mirroring the experience of international institutions and other countries in our environment which have already successfully integrated behavioural economics into their public policies. In some cases, they have established specialised units (nudge units) that typically provide advice on problem diagnosis, public policy design, impact assessment, or results analysis, as well as doing training and sharing of experiences.

Recommendations

- **Create an institutional framework for behavioural economics** in the Spanish Public Administration, through initiatives such as:
 - Establishing behavioural economics units.
 - Establishing a network of behavioural experts within public administrations.
 - Enhancing human capital of public administrations in behavioural economics.
 - Participating in international forums on behavioural economics and adopting best practices.
- **Incorporate behavioural economics in regulation and public policies** at all stages:
 - Systematically integrating it into regulatory and public policy design processes.
 - Including behavioural assessment in regulations, procedures and guides for public policy evaluation, the development of support and guidance tools for public administrations, encouraging experimentation and developing a sandbox, the prevention and removal of sludge within the administration, and the promotion of transparency and data availability to facilitate policy evaluation.
- **Include behavioural economics into market supervision** by reinforcing prevention and raising awareness about behavioural compliance.
- **Promote collaboration among supervisory and regulatory authorities in this area.**

The CNMC is the independent regulatory authority that ensures and promotes effective competition for the benefit of consumers and users. This study was carried out within the framework of its competition advocacy functions.

Related content:

- [E/CNMC/002/23](#) Study on behavioural economics for efficient regulation and supervision.
- [Q&A](#) on the Study on behavioural economics for efficient regulation and supervision.