



Session 2: Creating Regulatory Quality Frameworks: The Characteristics of a Regulatory Quality Initiative

The Danish experience

Signe Jensen – 28 September 2010



Making regulation in Denmark

1. Policy area requiring change identified – input can come from politicians, special committees, citizens, etc.
2. Legislation put on annual legislative programme
3. Draft legislation prepared – most often an open process involving inputs from various external parties
4. Draft legislation submitted for *public hearing* – the hearing must also be made available on the web.
5. External comments fitted into draft legislation
6. Draft legislation presented to parliament
7. First, second, and third readings in parliament, followed by committee meetings, where draft is subject to thorough discussion and questioning



Legislative planning is embedded within the constitution's article 38

On the opening day of the parliamentary year the prime minister has to:

- Present the state of the nation for the parliament (oral)
- Present a written account of the new laws which will be presented for the parliament within the parliamentary year. It's called the law programme.





Preparation of the law programme

- The Prime Minister's Office is responsible for preparing the law programme
- The objectives of the law programme are:
 - To give parliament an overview of the laws to be introduced within the parliamentary session
 - To make it possible for parliament to plan the parliamentary work
 - To coordinate the work of government



The initiation of the preparation of the law programme

- Early February: The Prime Minister's Office asks the ministries to prepare a list with the bills and reports which they plan to present for parliament in the coming parliamentary year.
- Early may: The lists have to be completed. The lists are based on a template which has similarities with the Impact Assessment.

The template

impact assessment –
in a extremely
light version:

- Very brief and simple
- Covers all aspects of the real/full IA

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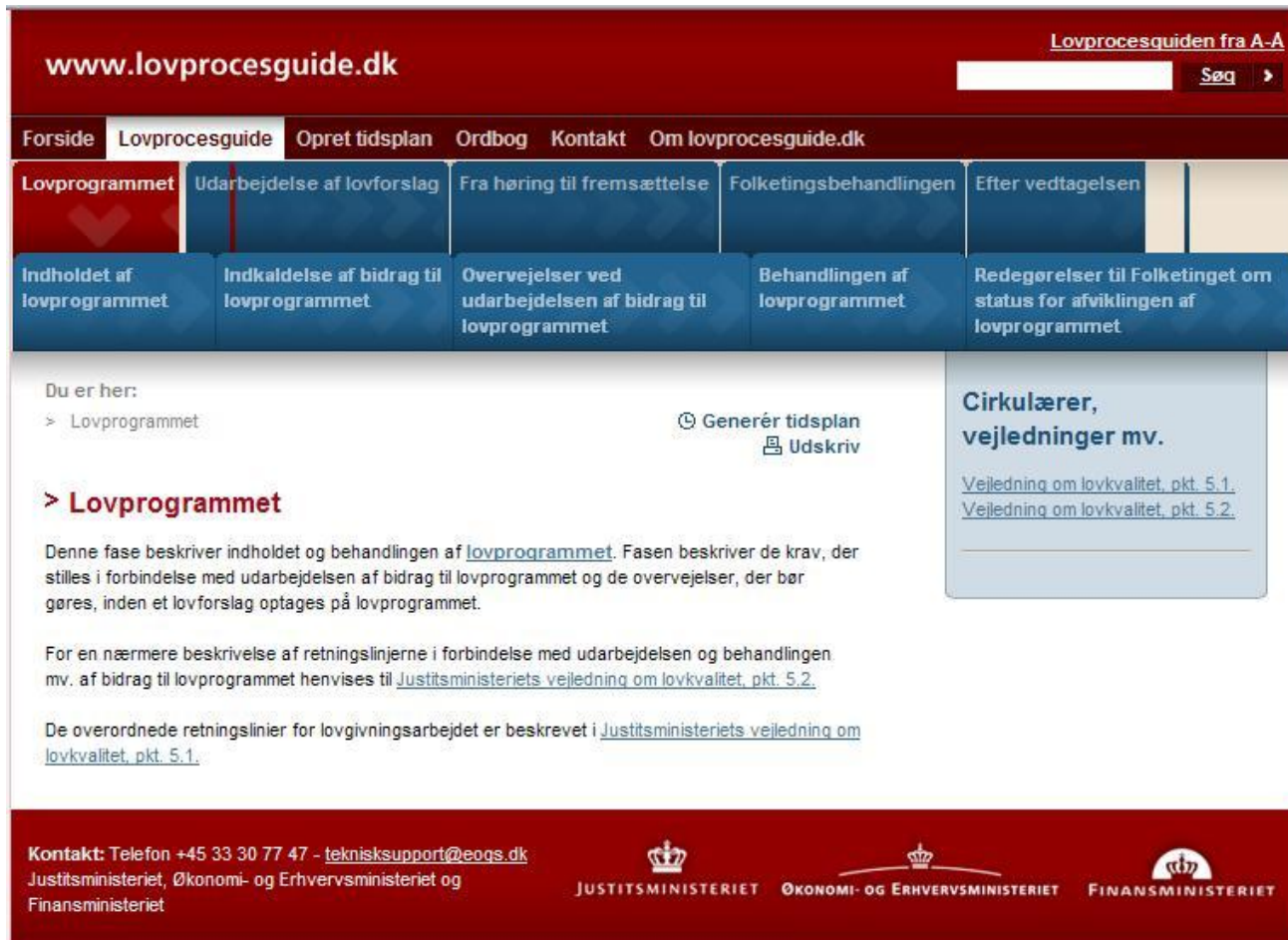


Elements in the template

1. Title, a short description of the law (3-6 lines), and a date for when the law will be presented for parliament
2. Consequences for the public finances and administration
3. Consequences for the private sectors' finances and administrative burdens
4. Consequences for the citizens' administrative burdens
5. Environmental consequences
6. Possible other consequences
7. The relationship to EU law
8. Does the proposed law involve state subsidies?
9. The law's relationship to the ministry's laws and to the other ministries' laws
10. The law's relationship to the other new proposed laws
11. Alternative regulation possible?
12. Ex-ante measurement underway?
13. Other remarks

Many things to report on and keep track of...

A web tool supports the law writers



The screenshot shows the homepage of the Danish Law Process Guide (Lovprocesguide.dk). The interface is in Danish and features a navigation menu with options like 'Forside', 'Lovprocesguide', 'Opret tidsplan', 'Ordbog', 'Kontakt', and 'Om lovprocesguide.dk'. A search bar is located in the top right corner. The main content area is divided into several sections, including 'Lovprogrammet', 'Udarbejdelse af lovforslag', 'Fra høring til fremsættelse', 'Folketingsbehandlingen', and 'Efter vedtagelsen'. A sidebar on the right contains links to 'Cirkulærer, vejledninger mv.' and 'Generér tidsplan'. The footer includes contact information for the Justitsministeriet, Økonomi- og Erhvervsministeriet, and Finansministeriet.

www.lovprocesguide.dk Lovprocesguiden fra A-A

Søg

Forside Lovprocesguide Opret tidsplan Ordbog Kontakt Om lovprocesguide.dk

Lovprogrammet Udarbejdelse af lovforslag Fra høring til fremsættelse Folketingsbehandlingen Efter vedtagelsen

Indholdet af lovprogrammet Indkaldelse af bidrag til lovprogrammet Overvejelser ved udarbejdelsen af bidrag til lovprogrammet Behandlingen af lovprogrammet Redegørelser til Folketinget om status for afviklingen af lovprogrammet

Du er her:
> Lovprogrammet

[Generér tidsplan](#)
[Udskriv](#)

> Lovprogrammet

Denne fase beskriver indholdet og behandlingen af [lovprogrammet](#). Fasen beskriver de krav, der stilles i forbindelse med udarbejdelsen af bidrag til lovprogrammet og de overvejelser, der bør gøres, inden et lovforslag optages på lovprogrammet.

For en nærmere beskrivelse af retningslinjerne i forbindelse med udarbejdelsen og behandlingen mv. af bidrag til lovprogrammet henvises til [Justitsministeriets vejledning om lovkvalitet, pkt. 5.2](#).

De overordnede retningslinier for lovgivningsarbejdet er beskrevet i [Justitsministeriets vejledning om lovkvalitet, pkt. 5.1](#).

Cirkulærer, vejledninger mv.
[Vejledning om lovkvalitet, pkt. 5.1](#)
[Vejledning om lovkvalitet, pkt. 5.2](#)

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Justitsministeriet, Økonomi- og Erhvervsministeriet og Finansministeriet

JUSTITSMINISTERIET ØKONOMI- OG ERHVERVSMINISTERIET FINANSMINISTERIET



Review of the list – finalisation of the law programme

- The lists are reviewed by a group of permanent secretaries from the Prime Minister's Office, The Ministry of Business and Economic Affairs, The Ministry of Finance, etc.
- The group of permanent secretaries focuses on whether:
 - The laws are in line with the government's general economic policies and other central political objectives including the 25 percent reduction target for the companies admin burdens
 - The proposed time for the introduction of the new bills allows a thorough process and scrutiny in parliament?
 - Finally the group evaluates the relationship between different laws
- October: The Prime Minister presents the law programme for parliament



The law programme and the admin burden reduction programme

For the Division for Better Business Regulation the law programme is an extremely useful tool:

- We receive a preliminary version of the programme in May
- It functions as a monitoring tool / early warning system
 - Does an ex-ante measurements based on the SCM methodology have to be completed (takes approx. two months)
 - Have the ministries missed declaring some potential new burdensome laws



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