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**FICHES DE DONNÉES PAR PAYS  
COUNTRY FACTSHEETS**

**33ème session du Comité de la gestion publique, 6-7 avril 2006  
33rd session of the Public Governance Committee, 6-7 April 2006**

For further information, please contact / Pour de plus amples informations, veuillez prendre contact avec Andrea Uhrhammer, Tel: + 33 1 45 24 78 32; email: [andrea.uhrhammer@oecd.org](mailto:andrea.uhrhammer@oecd.org)

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## AUSTRALIA

### Workchoices

On 27 March 2006 the Australian Government introduced a modern workplace relations system. The new system will:

- establish the Australian Fair Pay Commission to protect minimum and award classification wages;
- enshrine minimum conditions in legislation for the first time;
- introduce the Australian Fair Pay and Conditions Standard to protect workers in the bargaining process;
- simplify the agreement making process at the workplace;
- provide modern award protection for those not covered by agreements;
- ensure an ongoing role, for the Australian Industrial Relations Commission;
- better balance the unfair dismissal laws; and
- introduce a national system of workplace relations

Further information can be found at [www.workchoices.gov.au](http://www.workchoices.gov.au).

### Connecting Government

A website to support better whole of government working was launched in August 2005. This builds on the approaches outlined in a Management Advisory Committee report on Connecting Government released earlier that year (available at [www.apsc.gov.au](http://www.apsc.gov.au))

### Building future capability

In October 2005 the Management Advisory Committee, the forum of Secretaries and Agency Heads that advises the Australian Government on matters relating to the management of the Australian Public Service (APS), released its latest report, *Managing and Sustaining the APS Workforce*. The report identified the challenges the APS faces in continuing to attract, retain and develop the people it needs, and suggests a range of actions that will help agencies to respond. These include systematic workforce planning, effective processes for attracting and recruiting new staff, smarter approaches to graduate recruitment and development, learning and development opportunities to ensure new APS employees have the required skills and capabilities, promotion of opportunities for mobility and exchange for those employees who need them, strategies to ensure the increasingly diverse career needs, and investing in identifying and developing the future leaders of the APS. For further information go to [www.apsc.gov.au/mac](http://www.apsc.gov.au/mac)

At the same time MAC released a statement to the Senior Executive Service: *One APS – One SES*, which outlined the common expectations of the SES. These included that they be champions of the APS Values, model collegiality, excel in the SES Capability Framework characteristics, and be committed to self-development.

## **Managing the political/administrative interface**

In March 2006 the Australian Public Service Commissioner launched *Supporting Ministers, Upholding the Values: A Good Practice Guide*. The guide examines broad good practice principles associated with establishing the roles and responsibilities that define interactions between Australian public servants and Ministers and their advisers. It also identifies particular issues that present challenges to APS staff from time to time that might call for more specific guidance at the agency level. It has been written against a background of change in interactions between public servants and Ministers' offices at the Commonwealth level. It draws on analysis undertaken as part of an evaluation conducted by the Commission, consultations with agencies, and discussions with key staff involved in working with Ministers and their offices.

## **New Programmes**

The Australian Public Service Commission is working to build the capability of APS leaders by implementing a new suite of programmes for senior officers. These programmes will be based on the business needs of agencies and provide opportunities for participants to define their contribution to the Australian Public Service, understand their role as part of the cadre of the Senior Executive Service, develop their capacity to respond to emerging issues, including whole of government imperatives; and strengthen their ability to manage themselves in a changing, devolved environment.

Programmes will be shaped around the Commission's Integrated Leadership System as a framework for capability development for individuals and agencies. Access further information at: [ils@apsc.gov.au](mailto:ils@apsc.gov.au)

## **State of the Service Report 2004-05**

The *State of the Service Report 2004-05* was tabled in Parliament on 30 November 2005 in accordance with the *Public Service Act 1999* (the Act) requirement that the Public Service Commissioner prepare an annual report to Parliament on the state of the Australian public service (APS).

The report outlined four critical challenges for the APS as a whole. The challenge of *building trust in the APS* requires the APS Values framework set out in the Act to operate effectively in practice, requiring senior leaders to establish a supportive and professional culture and to lead by example in balancing the Values when making decisions. The ageing demographic and changing skill profile of the APS workforce provides the backdrop to the second challenge—*building the capability for the future*. Agencies need to ensure they are competitive in the labour market and have strategies in place to develop and retain high quality employees. To meet the third challenge—*attracting and retaining Aboriginal and Torres Strait Islander employees and people with a disability*—it is essential that APS agencies act quickly and constructively to turn around the declining trend of employment for these groups and increase the number of employees from these two demographic categories. Finally, to *ensure a whole of government capability*, it is necessary to develop the skills and structures to work productively across agencies, with other jurisdictions and non-government organisations (both private and not-for-profit), and to engage with citizens.

For further information go to [www.apsc.gov.au](http://www.apsc.gov.au).

## AUSTRIA

### Outcome focused performance management:

The development and implementation of an **outcome focused performance management** system for all departments, combining responsibilities for resources and output/outcome represents one of the main challenges. First steps include the preparation and implementation of a new public administration budget law which focuses on:

- **outcome:** - of utmost importance is the benefit for citizens and tax payers like public safety, reduction of criminal rate as well as of casualties in connection with traffic-accidents etc.
- **efficiency:-** on all levels of public administration – using the positive experiences with the flexibility clause like efficient resource-management, highly motivated employees and administrative services of very high quality. Also high flexibility through the use of global-budgeting combined with an according incentive-system increases efficiency to a great extent.
- **transparency:** - meaning clear cut aims and according responsibilities, well structured and a reader-friendly layout of the budget law itself and the depending documents. Last but not least a constant flow of up to date information about results and the achievement of set goals is considered to be indispensable.
- **gender equality:** - The key objective is to eliminate inequalities and promote gender equality through out the Public Service.
- **truthful picture of the financial situation:** - orientation towards international standards of public accountancy as well as easier comparison of public accountancy with private accountancy should enable the administration to get a better insight into this highly complex matter.

### Dialogue with citizens:

Key examples of the main approaches used across the government sector to assess citizens' expectations of, and satisfaction with, public services and policies:

At federal level a **survey** was conducted on the consumer satisfaction, requests and wishes raised by the citizens towards the public administration by an external institution in 2004. The results were compared with previous surveys. Generally citizens think that public authorities give today by far a better impression than they did some years ago. The Austrian EU-Presidency proposes the continuation of the European Consumer Satisfaction Project by getting an overview of the different – currently used - consumer satisfaction instruments. The aim would be to prepare the grounds for the framework of an EU-pilot project on that matter.

In the field of **consultation mechanisms** there is a variety of instruments used to get into contact with citizens and civil society organizations at all levels of public administration. Some examples of citizen involvement in Austrian public administrations are the following:

- “**YAP - Young rights Action Plan**“ includes a range of activities to make Austria more friendly towards children and young people. The starting point for this initiative was the UN general assembly in New York in 2002, where international measures relating to this topic were set out. The goal was the generation and implementation of a systematic concept of children’s rights. Over 20.000 children and young people participated in achieving this goal by submitting suggestions.
- “**Vision Rheintal**” (“**Vision Rheinvalley**”) tries to foster the cooperation between 29 communities in Vorarlberg in order to create a common understanding on interregional topics such as social and cultural development, structure of settlements and mobility, landscape, business location, common infrastructure as well as regional communication. At think tanks, regional meetings, panels, excursions and cultural events citizens are able to participate in the establishment of the vision.
- The aim of the **Security Partnership Oberdöbling/Vienna** is the creation of a dialogue between the local police and interested citizens, in order to find joint solutions to local problems as well as to raise the safety feeling of the local population. Regular consultation mechanisms include among other things a regular’s table, a safety festival and social networks.
- The **Local Action Plan Education and Employment Munderfing** shows how a community is able to creatively use its organisational scope. A network between companies, political parties, public administration and educational institutions as well as external partners was established in order to initiate an exchange of experience and ideas. The network analyses the reasons for local labour market problems and develops and implements measures to match the qualification demand with the education of the local community.

## CANADA

### Revised Conflict of Interest Code

Upon swearing in his new Cabinet in February 2006, the Prime Minister released a revised *Conflict of Interest and Post-Employment Code for Public Office Holders*, which provides guidance to all public office holders in the discharge of their official duties and responsibilities. Revisions to the *Code* include:

- a five-year ban on former ministers, ministerial staff and senior public servants from acting as lobbyists to the Government of Canada, a ban which cannot be waived or reduced by the Ethics Commissioner;
- in terms of other forms of employment, new requirements that the Ethics Commissioner publish instances in which former public office holders have been granted a waiver or reduction of the post-employment restrictions;
- clarification of arrangements for blind management agreements to ensure that a public office holder can only meet the manager of the agreement with the approval of, and in the presence of, the Ethics Commissioner, and by making more stringent the exceptional circumstances in which the public office holder may intervene;
- clarification that reports and findings of the Ethics Commissioner are final and may not be overturned by the Prime Minister;
- clarification that trusts, and benefits flowing there from, are subject to the Code; and,
- clarification that the Ethics Commissioner may review complaints by members of the public that are brought to his attention by members of Parliament and that he may take such action as he deems appropriate.

For further information, see: [http://www.pm.gc.ca/grfx/docs/code\\_e.pdf](http://www.pm.gc.ca/grfx/docs/code_e.pdf)

### New Guide for Ministers

Upon swearing in his new Cabinet in February 2006, the Prime Minister released a new document entitled *Accountable Government: Guide for Ministers*, which sets out the core principles regarding the role and responsibilities of Ministers in

Canada's system of responsible parliamentary government. This is in effect a revised version of the previous *Guide for Ministers and Ministers of State*. Changes include:

- greater clarity on the relationship between exempt (political) staff and public servants;

- greater clarity on ministerial responsibility for the non-departmental organizations in a Minister's portfolio (accountable for overall effectiveness as opposed to day-to-day operations);
- elimination of the "three-line" voting system in Parliament, in favour of greater flexibility for MPs and Senators;
- signalling the creation of a Public Appointments Commission to ensure that competitions for Governor-in-Council appointments are widely publicized and fairly conducted;
- affirmation that all members of the Ministry are equal members of Cabinet, with full ministerial status; and,
- affirmation that Parliamentary Secretaries' chief role will be to support their Ministers in their House of Commons duties.

For further information, see: [http://www.pm.gc.ca/grfx/docs/guide\\_e.pdf](http://www.pm.gc.ca/grfx/docs/guide_e.pdf)



## CZECH REPUBLIC

You can find the basic information about public administration on web-sites: [www.mvcr.cz](http://www.mvcr.cz), [www.vlada.cz](http://www.vlada.cz), [portal.gov.cz](http://portal.gov.cz), [www.epusa.cz](http://www.epusa.cz).

Following progress was achieved during the period from November 2005 to March 2006 in the area of public administration in the Czech Republic:

### **1) Legislative measures:**

#### ***Information system in public administration***

The Act No. 81/2006 Coll., which replaces the current Act on Information Systems of Public Administration, came into force the 15<sup>th</sup> March 2006. The current Act used the normative technical regulations for managing the information systems of public administration. This Act could jar with the legal regulations relating to the duties of the territorial self-governing units, because it stipulates the obligation of municipalities and regions that were in their own competencies, in order to respect binding standards published in the Official journal (bulletin) of the Ministry of Informatics

Further this amendment incorporates the obligation to conform web pages of state administration and self-governing units in the way to make them accessible for disabled persons. The crucial improvement is the introduction of institute for emission verified outputs due to the information systems of public administration. The emission of verified outputs trough the information systems of public administration is a substantial progress in the direction of the better accessibility of information to citizens and of the administrative simplification. Such an output issued by accredited representative provider of certificated services or presented with the electronic mark (in electronic form, with electronic signature) has legal effects according the Act No. 227/2000 Coll., on Electronic Signature and Amendments of Some Other Acts.

#### ***Reconciliation on Administrative Perimeters of Territorial Financial Administration Organs***

The adoption of amendment (the Act No. 444/2005 Coll.) of the Act No. 531/1990 Coll., on Territorial Financial Organs was the significant step to the gradual unification of administrative perimeters of organs in the territorial public administration with administrative perimeters of municipalities with extended powers. The gradual unification is one of the priorities for the next development of territorial public administration.

Current financial offices in the municipalities with authorised municipal office would be conserved until their transformation on affiliates of financial offices in the municipalities with extended powers by the 1<sup>st</sup> January 2007. The aim is to achieve uniform and logical structure of the system of financial offices and the compatibility with current territorial administrative division.

### ***Conflict of Interests***

The Ministry of Justice in co-operation with the Ministry of the Interior, Ministry of Finance and Transparency International Czech Republic has worked on the "Draft Act on Conflict of Interests, on Control of Property Acquired in the Course of Holding an Office, on Incompatibility of Certain Office-Holding and on Amendments to Some Other Acts (the Act on Conflict of Interests)", which would replace the existing Act No.238/1992 Coll. This new regulation shall cover in a complex way the area of conflict of interests; enlarge the circle of persons, on which it shall be applied (e.g. senior state officials, judges, public prosecutors, state representatives in institutions such as the Czech Consolidation Agency etc., and their relatives). It shall include more accurate and wider obligations and restrictions for officials in public office and officials leaving public office. Furthermore, the new Act set up the compulsory declaration of personal interests, activities, property, income and gift for politicians and public officials at all levels of government. It is focused also on enlargement field of sanctions. The new Act was approved by the Senate in January 2006.

### ***The Act on public procurement and the Act on concession (shall come into force in august 2006)***

These Acts adopted by the Chamber of Deputies of the Parliament on March 14 2006, take over two new ES directions into the legal order of the Czech Republic. Furthermore, they abolish shortcomings of the current Act No. 44/2004 Coll., on Public procurement and all at once they take into account experiences from their practice application. Both of them are based on the principals of transparency and administrative simplification.

### ***Amendment of Act on Municipalities, Act on Regions and Act on the Capital City of Prague***

In January 2006, the Chamber of Deputies of the Parliament approved an amendment to the abovementioned acts. The objective of this amendment was to remove basic shortcomings of valid legal arrangement that have a negative influence to execution of powers of municipalities and regions, especially in the field of supervision and control over their own (independent) and delegated competencies. Now it is being discussed in the Senate.

### ***Analysis of authorisation in laws***

The Ministry of the Interior is preparing review on fulfilment of measures defined in "Analysis of authorisation in laws, empowering municipalities and regions to issue their own law regulations (ordinances, by-laws)" approved by the Resolution of the Government of the Czech Republic No. 1624 of December 14 2005.

## **2) Organisational measures**

### ***Catalogue of activities of regional offices***

The Catalogue of activities of regional offices was created by the Ministry of the Interior in co-operation with some regional offices and other firms. The intention was to elaborate the list of all activities (operations) of the regional offices that has to be executed according to legal regulations. The main drift was the subsequent standardization of these activities and the creation of appropriate manual to advise how to put them into practice.

The Catalogue of activities presents also an important statistical contribution; henceforth it will facilitate the control of these activities and help to assess the expenses of executed activity.

The introductory version of the Catalogue of activities was published on website by SDZA application (SDZA = Administration System of Data Resources and Applications) in December 2005. The electronic form of the Catalogue is freely accessible for all citizens on website address [www.sdza.cz](http://www.sdza.cz).

***Promoting integrity and strengthening of ethical standards on regional and local level***

In January 2006 Ministry of the Interior published Czech version of OECD "Managing Conflict of interest in the Public sector: A toolkit". This material is going to be used for training of new representatives of local government who will be elected in November 2006.

***Initiative "Devote 10 minutes to improvement of regulatory environment in the Czech Republic"***

The Office of the Government has recently launched the initiative "Devote 10 minutes to improvement of regulatory environment in the Czech Republic". Through the questionnaire published on the website of the Office of the Government <http://reforma.vlada.cz/10minut> the general public, e.g. not only businesses, but NGO's or any other stakeholders may identify existing problems and send to the Office of the Government their comments to any valid legal regulations of the Czech Republic as well as to propose their concrete improvements. It is a long-term initiative officially supported by the Government of the Czech Republic and the first package of impetus will be taking into account in the Conception on Better Regulation in the Czech Republic 2007-2013, which is currently under preparation. Anyhow, it seems to be successful regarding almost 200 relevant replies received in a few days after the kick-off.

***Training of public officials***

The comparative analysis of training programs was developed for Roma co-ordinators from the regions and for Roma consultants from the municipalities with extended competencies including an alternative of the possibilities of their training continuation in a higher technical study at a Higher technical school. There have been prepared technical draft of a manual for: -personnel Science in Public Administration, - municipality secretaries, - a training program related to the problems of "human trafficking" for the officials of social departments in public administration. The attention was aimed also on technical and organisational provision of a training program for the personnel officers of the municipalities with extended competencies relating to the problem of the personnel activities management in the public administration according to the specification in the offer of a selection process to win a small order.

## DENMARK

In preparation for the 33th session of the Public Governance Committee on the 5<sup>th</sup> and 6<sup>th</sup> of April in Paris this paper summarizes Danish initiatives on public sector modernization that has taken place since the last country factsheet from November 2005.

### **Accrual budgeting**

As part of the modernization program for the public sector, the Danish government decided in 2003 to implement accrual accounting in both central and local government. In addition, the government in 2004 decided to complement this with a move to accrual budgeting for the central government sector.

For central government, the reform is primarily aimed at increasing efficiency by changing behavior at the micro level. In order to achieve better management information and financial incentives and more cost consciousness, the use of accruals is adopted not only on the accounting side, but on the budgeting side as well. However, infrastructure and heritage assets will still be treated on a modified cash basis.

The steering-philosophy of the accrual accounting and budgeting is thus to focus on use of resources and cost distribution. This indicates a new window of opportunity for performance management as it is now possible in the future to distribute cost on each activity and thereby obtain information that can be used in performance based budgeting.

The Ministry of Finance is currently after extensive pilot testing in the very busy process of implementing the budget side for approximately 150 state institutions. The current cash based proposal for the budget law will in this transition be technically transposed to an accruals based budget law, which will be finished on the 5<sup>th</sup> of Mai 2006. This will then form the bases whereupon the usual political negotiations will take place resulting in a budgetlaw for 2007 that can be passed by Parliament.

### **The Globalization strategy and an increased use of market-type mechanisms**

In March 2006 the Danish Government put forward a comprehensive strategy for globalization. The strategy consists of 333 initiatives and has the purpose to prepare Denmark for the challenges that follows with globalization.

One of the declared objectives for the globalization strategy is that Denmark by 2015 should be the most competitive economy in the world. An increased use of market-type mechanisms in the public sector is seen as an important mean to achieve this objective, and the globalization strategy contains several initiatives aimed at increasing the use of market-type mechanisms. Amongst these are:

- Regional and municipal public authorities will be obligated to invite tenders to perform public services that it is possible to contract out. The threshold for included services will start at DKK 500.000. This

- State, regional and municipal public authorities will be obligated to announce their intended purchases (both goods and services) at a public database.

### **Achieving Better Innovation in Public Institutions**

The Danish Government has a clear objective with regard to public innovation: Public institutions shall be the most innovative in the world. They must constantly focus on developing new ideas that can be transferred to better and cheaper services for the public and for private enterprises.

As a result have the Danish Government and the Danish Globalisation Council in cooperation launched the following two initiatives to achieve better innovation in public institutions:

- The innovative potential in the Danish public sector is to be measured. The Ministry of Finance will every year publish a review that prove the innovation capacity in selected public institutions, points at areas of interest and describes examples on successful public innovation. The initiative includes initially larger state institutions but will in the long run include public institutions at local and regional levels as well.
- A program on costumer/citizen driven innovation will be initiated with regard to both public institutions and private enterprises. The programme includes the establishment of a research environment for costumer/citizen driven innovation and projects on costumer/citizen needs and market tendencies.

### **Call for new action plan for reducing administrative burdens**

The standard cost measurement of the business regulation has been completed in Denmark. The result shows that the administrative costs for businesses amounts to 32.2 billion Danish Kroner (€ 4.33 billion) corresponding to 2.2 per cent of Danish GDP. 43 per cent of the administrative costs for businesses originate from EU or other international regulation.

The Danish government has decided to use the measurement as a starting point for asking the ministries with business regulation to make a new action plan. The measurement has rendered possible a focusing of the work of reducing administrative burdens in two senses. On the one hand it has been possible to differentiate between ministries with heavy and light business regulation. On the other hand it has been possible to detect the regulation in each ministry which places the heaviest burden on the businesses.

As part of the action plan the ministries with heavy business regulation will have to show how they will contribute to the government's goal of simplifying the regulation with up to 25 percent in 2010. These ministries will furthermore be asked to undertake systematic examinations of the 10 most burdensome regulations in each ministry. The ministries with light business regulation will only be asked to undertake systematic evaluations of a limited number of pieces of regulation.

To monitor, guide and coordinate the work with the new action plans a common project organisation between The Ministry of Finance and The Ministry of Economic and Business Affairs has been established.

## FINLAND

### **Handbook on Performance Management comes out this April.**

Ministry of Finance is publishing *Handbook on Performance Management* (publication series Governance and Accountability, 2/2006, Helsinki, Finland) in April 2006. The handbook can be used as a practical tool for both civil servants participating in performance management procedures and the executives of the ministries and agencies and the experts assisting them, who are in charge of performance agreement negotiations and the development of performance management procedures. This publication was published first in Finnish last year and now the English version is designed for the international public interested in performance management in administration.

Handbook on Performance Management covers the main principles of the Government performance management and accountability reform (2004), the application of the new budget provisions and good performance management practices in different administrative fields. The starting point for the performance-oriented thinking described in this handbook is that the results of operations in the public sector are weighed and estimated from the perspective of both societal advantages gained and efficient use of resources. Good results cannot be attained, even if the desired effects are produced, if resources are wasted or ineffectively used. Correspondingly, mere production efficiency is not enough for a good result; the quality of the outputs and the service capacity of the government agency in question must also be acceptable. The set of performance targets and indicators must thus be versatile and comprehensive enough to give a true and fair view of the operations and performance of ministries and government agencies.

Here are the main chapters of the publication:

- 1 Features of Public Administration in Finland
  - 2 Performance Management and Accountability in Administration
  - 3 Performance Targets and Basic Performance Criteria
  - 4 Presenting Performance Targets in the Budget and in the Operational and Financial Plan
  - 5 Contents and Targets of Performance Agreements
  - 6 Performance Measurement and Indicators
  - 7 Performance Reporting and Accounting by a Government Agency
  - 8 Handling the Final Accounts and Statement of the Ministry
  - 9 Accountability and how it works
  - 10 Evaluation and Impact Assessment
- Appendix: key performance concepts  
Useful links and reports

Contact information: if you want to get more information on the publication, please do not hesitate to contact the editors by e-mail: [performancemanagement@vm.fi](mailto:performancemanagement@vm.fi). The publication is also available in the Internet at <http://www.vm.fi/english>.

## FRANCE

Depuis le 1<sup>er</sup> janvier 2006, la réforme budgétaire est en œuvre : la Loi organique relative aux Lois de finances (LOLF) du 1<sup>er</sup> août 2001 entraîne une modification en profondeur de la gestion publique. A cette même date a été créée au sein du ministère des finances la Direction générale de la modernisation de l'Etat, chargée de la gestion publique, de l'administration électronique et des simplifications administratives, la Direction générale de l'administration est de la fonction publique restant chargée de modernisation de la gestion des ressources humaines, auprès du ministre de la fonction publique.

### 1. La modernisation de la gestion publique

#### 1.1. La réforme budgétaire au service de la performance

Une nouvelle architecture budgétaire est en place (avec des missions, des programmes et des actions). La gestion publique repose désormais sur la performance et les pouvoirs du Parlement sont renforcés grâce à une exigence de transparence dans l'utilisation de la ressource publique.

Le vote du budget porte désormais sur l'intégralité des dépenses et des recettes. Des projets et rapports annuels de performances sont attachés à chaque programme.

Dans la plupart des ministères, des Secrétaires généraux ont été nommés entre 2003 et 2005. Placés en position d'arbitres et chargés d'impulser les réformes au sein de leur administration, ils assurent la coordination des services et facilitent la mise en place de la LOLF.

La réforme budgétaire ne produira tous ses effets qu'à moyen terme. Elle s'accompagne dès à présent d'un certain nombre de chantiers de nature à moderniser la gestion publique : audits de modernisation, achats publics, politique immobilière, contrats de partenariat.

[www.minefi.gouv.fr/lolf/index1.html](http://www.minefi.gouv.fr/lolf/index1.html) (français)

[www.minefi.gouv.fr/lolf/16\\_1.htm](http://www.minefi.gouv.fr/lolf/16_1.htm) (anglais)

[www.minefi.gouv.fr/performance/loi/index.htm](http://www.minefi.gouv.fr/performance/loi/index.htm)

#### 1.2. Les audits de modernisation

Les audits de modernisation de l'Etat, lancés en septembre 2005, sont une démarche novatrice. Ils s'inspirent à la fois des bonnes pratiques développées à l'étranger - notamment au Canada et au Royaume-Uni - et des grands programmes d'audits lancés dans le secteur privé.

Les audits de modernisation visent à créer un mouvement continu de modernisation de l'Etat en identifiant à partir d'une analyse des modes de fonctionnement et des dysfonctionnements constatés, des pistes d'amélioration en proposant des solutions opérationnelles dans le domaine de la qualité et de la productivité des services.

Les audits visent à évaluer des procédures (télé-déclaration de l'impôt sur le revenu), mais également des fonctions (organisation des examens à l'Education Nationale) et des services (Police aux frontières à Roissy).

[www.performance-publique.gouv.fr/audit/audit.htm](http://www.performance-publique.gouv.fr/audit/audit.htm)

### **1.3. La politique immobilière**

La **stratégie immobilière** de l'Etat lancée en 2005 vise principalement à réaliser des gains de productivité dans l'administration, par une professionnalisation de la fonction immobilière.

La fonction d'Etat-proprétaire, jusque là mal identifiée, est confiée au Service France Domaine, opérateur immobilier de l'Etat, qui, au sein du ministère des finances, a vocation à être conseiller des administrations de l'Etat sur la pertinence de leurs projets de cessions, d'acquisitions ou de locations.

Depuis la loi de finances pour 2006, un compte d'affectation spéciale « Gestion du patrimoine immobilier de l'Etat » retrace, au sein du budget, en recettes, toutes les cessions immobilières de l'Etat et, en dépenses, la part des produits de cessions revenant au budget général et celle revenant aux administrations pour le financement de leurs dépenses d'investissement et de fonctionnement immobilier afin de financer leurs dépenses de relogement.

[www.minefi.gouv.fr/cessions/](http://www.minefi.gouv.fr/cessions/)

### **1.4. L'optimisation des achats de l'Etat**

En 2004 et 2005, six ministères volontaires ont établi un état des lieux et formulé diverses propositions en vue de développer la mutualisation, la standardisation et la professionnalisation de l'achat public.

Plusieurs mesures ont été prises : la réorganisation des services des achats dans certains ministères, la création de Centrales d'achat ministérielles (Finances), l'expérimentation de politiques d'achat ministérielles (Ecologie) ou sectorielles (produits éco responsables), le développement d'une politique d'achat spécifique dans le domaine automobile.

En 2006, il est prévu d'étendre ces mesures et de mettre en œuvre un plan interministériel de rationalisation des achats.

[www.minefi.gouv.fr/themes/marches\\_publics/index.htm](http://www.minefi.gouv.fr/themes/marches_publics/index.htm)

[www.marches-publics.gouv.fr](http://www.marches-publics.gouv.fr)

[www.colloc.minefi.gouv.fr/colo\\_struct\\_marc\\_publ/index.html](http://www.colloc.minefi.gouv.fr/colo_struct_marc_publ/index.html)

### **1.5. Le développement des contrats de partenariat**

En adoptant le 17 juin 2004 une ordonnance relative au contrat de partenariat, la France s'est dotée d'un nouvel outil qui s'inscrit à la fois dans la longue tradition française de l'association d'opérateurs privés à la réalisation de missions de service public, et dans le mouvement d'innovation marqué par le développement des partenariats public-privé en Grande Bretagne (PFI) et dans de nombreux autres pays européens. Le nouveau dispositif peut être mis en œuvre aussi bien par l'Etat et ses établissements publics que par les collectivités locales.

Trente-quatre projets d'investissement émanant de l'Etat sont en cours dans dix ministères, pour un montant de 6,2 milliards d'euros, et une quarantaine dans les collectivités territoriales.



La Mission d'appui aux partenariats public – privé (MAPP), placée auprès du ministre de l'économie et des finances, assiste les porteurs de projets, valide les rapports d'évaluation préalables lorsqu'ils émanent de l'Etat ou de l'un de ses établissements publics, développe les outils d'accompagnement et participe au parachèvement du cadre réglementaire.

[www.ppp.minefi.gouv.fr/](http://www.ppp.minefi.gouv.fr/)

## 2. Les démarches qualité et les simplifications administratives

### 2.1. Les démarches qualité

La Charte Marianne, charte générique de l'accueil des usagers, destinée à tous les services administratifs de l'État accueillant du public, vise à garantir la qualité de l'accueil sous ses différentes formes (physique, téléphonique, électronique, courrier). Elle repose sur cinq engagements clairement définis :

- un accès plus facile aux services publics ;
- un accueil attentif et courtois ;
- une réponse compréhensible aux demandes dans un délai annoncé ;
- une réponse systématique aux réclamations ;
- écouter pour mieux progresser.

La charte Marianne a fait l'objet d'une concertation menée avec les syndicats et les associations d'usagers, a été expérimentée en 2004 dans 6 départements et a été généralisée en janvier 2005 dans tous les services locaux de l'État. 1650 services de l'État ont à ce jour rendu public les engagements qu'ils prennent pour un meilleur accueil des usagers.

Il a été décidé que chaque service serait appelé à mesurer ses résultats et à interroger régulièrement ses usagers. En complément, un dispositif d'évaluation externe basé sur le principe des « usagers mystère » a été mis en place. Il a été généralisé à l'ensemble du territoire au cours de l'année 2005.

[www.minefi.gouv.fr/minefi/qualite/demarches.htm](http://www.minefi.gouv.fr/minefi/qualite/demarches.htm)

[www.minefi.gouv.fr/presse/dossiers\\_de\\_presse/budget/qualite\\_de\\_sevice/jfc0602101.php](http://www.minefi.gouv.fr/presse/dossiers_de_presse/budget/qualite_de_sevice/jfc0602101.php)

### 2.2. Les lois de simplification administrative

La priorité donnée par le Gouvernement aux simplifications administratives s'est traduite par le vote en 2003 et 2004 de deux lois de simplification suivies de cent ordonnances simplifiant de nombreux domaines du droit.

D'ores et déjà, 250 commissions, soit un tiers des commissions existantes, ont été supprimées, 2500 régimes d'autorisation administrative ou de déclaration ont été recensés, et un grand nombre de régimes existants supprimés ou simplifiés.

La future loi qui sera débattue en 2006, prévoit notamment la simplification des modalités de changement de régimes matrimoniaux, la dématérialisation du bulletin de paie et l'abrogation de plus de cent textes ou articles de lois intéressant tous les ministères.

### 2.3. La qualité réglementaire

A l'exemple de certains pays européens, et tout particulièrement des Pays-Bas, la France s'est fixé initialement un objectif de diminution du coût de la réglementation pesant sur les entreprises.

Cet objectif a récemment été étendu au coût des procédures pour les administrations elles-mêmes. En outre, en juin 2005, des indicateurs de mesure de la complexité pour la réglementation applicable aux citoyens ont été mis en place.

Actuellement, 2269 autorisations et déclarations concernant les entreprises et les particuliers ont été identifiées. L'objectif est de dresser un inventaire exhaustif et fiable. Au cours des années 2006 et 2007, près de 900 nouveaux régimes d'autorisations concernant les entreprises et 330 procédures concernant les particuliers seront étudiés.

L'objectif recherché sur 2006 et 2007 est une réduction de 20% des coûts nés des régimes d'autorisation et des diverses procédures.

## 3. L'administration électronique

Le Programme gouvernemental ADELE (administration en ligne) a organisé le développement de l'administration électronique en fonction de cibles (citoyens, entreprises, associations, collectivités). Outre les relations entre les usagers et les services de l'Etat, il a prévu la refonte des systèmes d'information des administrations ainsi que la réingénierie des processus.

[www.adae.gouv.fr/adele/index.html](http://www.adae.gouv.fr/adele/index.html)

### 3.1. Un plan d'action coordonné

La mise en œuvre du Plan d'action 2004-2007 s'appuie sur un **schéma directeur**, cadre cohérent de développement de projets qui

- facilite la mutualisation technique et financière des projets ;
- favorise et garantit l'interopérabilité des systèmes d'information ;
- synchronise les travaux et offre une visibilité à long terme ;

Le Schéma Directeur répond par ailleurs aux exigences de la réforme budgétaire inscrite dans la LOLF : il permet en effet de rationaliser les investissements, d'assurer leur pérennité et il contribue ainsi à la poursuite des objectifs de performance publique.

Le pilotage de la stratégie ADELE est conforté par l'utilisation de Mareva (Méthode d'Analyse et de Remontée de la Valeur), outil d'aide à la décision, destiné aux autorités politiques et aux responsables de projet, qui permettra l'évaluation préalable d'un projet et le suivi de sa mise en œuvre.

### 3.2. Le développement de nouveaux services

<http://adele.service-public.fr/guideparticuliers-260905.pdf>

➤ **Le changement d'adresse en ligne** permet aux citoyens d'informer, par une procédure unique, les services publics de leur choix de leur déménagement et de leur nouvelle adresse.

Le service opérationnel depuis mai 2005 est gratuit, la démarche est entièrement dématérialisée, et l'utilisation du service est libre et facultative. L'utilisateur choisit librement les administrations qu'il souhaite avertir de son déménagement. Les adresses saisies sont contrôlées à partir de référentiels anonymes de la Poste lors de la saisie du dossier.

Le service du changement d'adresse en ligne a été sélectionné comme application exemplaire dans le cadre de la prochaine Conférence européenne sur la Qualité pour les Administrations publiques dans l'Union européenne, qui se tiendra à Tampere (Finlande) du 27 au 29 septembre 2006.

[www.changement-adresse.gouv.fr/](http://www.changement-adresse.gouv.fr/)

➤ **L'état civil en ligne** est un service sécurisé qui permet aux citoyens d'effectuer une demande en ligne de copies ou d'extraits d'actes d'état civil.

Ce télé-service, qui s'appuie sur un partenariat Etat - collectivités locales, va permettre d'automatiser progressivement des procédures caractérisées par une volumétrie importante, soit 165 millions d'actes dans les mairies répartis comme suit :

- 70 millions d'actes de naissance
- 60 millions d'actes de décès
- 30 millions d'actes de mariage
- 5 millions d'actes de reconnaissance

Ce service sera opérationnel en juin 2006.

[www.service-public.fr/teleservices/teleservices-local.html](http://www.service-public.fr/teleservices/teleservices-local.html)

[www.acte-naissance.fr/DemandeActe/Accueil.do](http://www.acte-naissance.fr/DemandeActe/Accueil.do)

[www.diplomatie.gouv.fr/francais/etatscivil/demande\\_internet.html](http://www.diplomatie.gouv.fr/francais/etatscivil/demande_internet.html)

➤ **La dématérialisation des marchés publics** : une plateforme interministérielle d'automatisation des procédures de marchés publics a été développée ; elle est opérationnelle depuis le 1er janvier 2005. A ce jour, ce projet a concerné 2000 services acheteurs et 5000 utilisateurs.

Ce système, qui satisfait aux obligations du Code des marchés publics, répond à plusieurs objectifs :

- la réduction des délais et des coûts pour les achats publics (à hauteur de 5 à 10% de la dépense, soit 600 millions à 1,2 milliards d'€ par an)
- la modernisation de l'achat public
- l'optimisation des processus

[www.marches-publics.gouv.fr/](http://www.marches-publics.gouv.fr/)

[www.minefi.gouv.fr/daj/marches\\_publics/vademecum/vmdemat.htm](http://www.minefi.gouv.fr/daj/marches_publics/vademecum/vmdemat.htm)

➤ **Le serveur de formulaires** : la majeure partie des formulaires administratifs est aujourd'hui accessible sur internet et peut être téléchargée par les usagers. Cependant, dans la plupart des cas, le remplissage et le renvoi du formulaire à l'administration responsable ne peuvent se faire que par la voie traditionnelle.

Le projet de serveur de formulaires, lancé fin 2005, et opérationnel en septembre 2006, va mettre à la disposition de l'ensemble des services publics un système mutualisé permettant, à terme, la numérisation systématique des formulaires administratifs ainsi que la dématérialisation complète des procédures correspondantes.

Une plateforme commune offrira à l'utilisateur un point d'entrée unique vers les formulaires dont il a besoin. L'utilisateur pourra ensuite renvoyer le formulaire rempli sur cette plateforme, laquelle prendra en charge l'acheminement du document auprès du service compétent.

[www.service-public.fr/pro/teleservices/teleservices-prof.html](http://www.service-public.fr/pro/teleservices/teleservices-prof.html)

### **3.3. La promotion de normes et de standards communs : le Référentiel Général d'Interopérabilité et le Référentiel Général de Sécurité**

La stratégie d'administration électronique, qui permet d'améliorer et de simplifier les relations entre l'administration et les usagers, a également des incidences très importantes sur la modernisation du fonctionnement interne de l'Etat (RGI/RGS).

Les objectifs du Référentiel général d'interopérabilité (RGI) sont de :

- permettre l'interopérabilité des systèmes d'information des administrations ;
- fixer les règles techniques permettant d'assurer l'interopérabilité de tout un ensemble de moyens destinés à élaborer, traiter, stocker ou transmettre des informations faisant l'objet d'échanges par voie électronique avec une autorité administrative ;
- rationaliser et de pérenniser les investissements des administrations.

Adossé à un texte réglementaire, le RGI s'imposera aux principaux intervenants des administrations de l'Etat : décideurs, chefs de projets et experts en systèmes d'information. Le RGI constituera par ailleurs un cadre de référence pour les citoyens et les entreprises dans leurs relations avec l'administration.

L'interconnexion des systèmes, favorisée par le RGI, ne doit pas se faire au détriment de la sécurité. Dans ce souci, le **Référentiel Général de Sécurité** (RGS) spécifie l'ensemble des règles que doivent respecter les fonctions de sécurité (identification, authentification, signature...) pour chaque application.

Le RGI sera officialisé par arrêté au deuxième semestre 2006. Le RGS fera également l'objet d'un texte réglementaire d'ici la fin de l'année 2006.

[www.legifrance.gouv.fr/texteconsolide/AAFAU.htm](http://www.legifrance.gouv.fr/texteconsolide/AAFAU.htm)

## **4. La gestion des ressources humaines**

Le ministère de la fonction publique s'attache à donner un nouveau cadre à la gestion des agents de l'Etat en demandant à chaque ministère de mettre en place un schéma stratégique de gestion des ressources humaines, intégrant la gestion prévisionnelle des effectifs, des emplois et des compétences.

Le ministère de la fonction publique est engagé dans l'harmonisation des systèmes d'information assurant la gestion des agents et la collecte des données les concernant. Par ailleurs, un répertoire interministériel des métiers de l'Etat est mis en place.

#### 4.1. Le répertoire interministériel des métiers de l'Etat

De nombreux ministères, la fonction publique territoriale et la fonction publique hospitalière ont déjà des répertoires des métiers, certains d'entre eux depuis plusieurs années. Pour l'ensemble de la fonction publique de l'Etat, le ministre de la fonction publique a donc décidé en 2005 l'élaboration d'un Répertoire Interministériel des Métiers de l'Etat (RIME). Ce répertoire va être publié dans les prochaines semaines au terme d'une dernière phase de concertation avec les organisations syndicales. Il identifie et décrit plus de 230 emplois de l'Etat.

L'objet du RIME, outil de référence interministériel, est :

- d'assurer une meilleure transparence à l'égard des citoyens sur ce « que font les agents de l'Etat », et de mieux valoriser le travail effectué par ces derniers ;
- de rendre les besoins en compétences de l'Etat plus facilement appréhendables par le marché du travail et l'appareil de formation ;
- de favoriser une gestion dynamique des ressources humaines (GRH) :
  - en ajoutant une dimension qualitative à l'expression des besoins en personnels ;
  - en identifiant les emplois qui peuvent être communs à plusieurs ou à l'ensemble des ministères pour construire, par exemple, des parcours professionnels plus ouverts et plus riches.

Sont concernés par ce répertoire interministériel tous les emplois de l'Etat : les emplois occupés par les personnels titulaires, mais aussi ceux tenus par les contractuels, qu'ils soient civils ou militaires. Deux millions et demi de personnes sont concernées.

En tant qu'outil de connaissance, le RIME s'adresse à de nombreux utilisateurs :

- les citoyens et leurs représentants peuvent y trouver des éléments de transparence sur l'emploi public;
- les agents de l'Etat et des autres fonctions publiques peuvent avoir une vision plus complète et plus précise des emplois existants et orienter leurs carrières en conséquence;
- les organisations syndicales peuvent utiliser cet outil pour leurs réflexions sur l'emploi public;
- le marché du travail peut également repérer plus facilement les caractéristiques des besoins en emplois de l'Etat;
- l'appareil de formation initiale peut tenir compte des besoins en compétences exprimés;
- les ministères et les opérateurs publics peuvent élargir le champ de leur GRH;
- le ministère de la Fonction publique a à sa disposition un outil d'analyse et de prospective de l'emploi public.

[www.fonction-publique.gouv.fr/article389.html](http://www.fonction-publique.gouv.fr/article389.html)

[www.fonction-publique.gouv.fr/article548.html](http://www.fonction-publique.gouv.fr/article548.html)

#### **4.2. Le projet interministériel Systèmes d'information des ressources humaines (SIRH)**

Le projet interministériel SIRH (Systèmes d'information des ressources humaines) conduit par la DGAFP et la DGME dans le cadre du plan d'action de l'administration électronique, poursuit plusieurs objectifs complémentaires :

- accompagner les ministères dans l'évolution de leur SIRH et les aider dans la mise en œuvre de la GPEEC et de la LOLF ;
- harmoniser les SIRH des ministères, renforcer leur cohérence et leur interopérabilité, faciliter la consolidation nationale des informations et faire collectivement des économies de moyens ;
- mettre en place un infocentre pour consolider les informations issues des trois fonctions publiques et aider la DGAFP à piloter les politiques interministérielles et plus largement les politiques fonction publique.

Le projet comprend quatre chantiers :

- l'élaboration de référentiels communs afin de créer et entretenir une base des connaissances GRH de la fonction publique (à compter de 2003) ;
- établissement de spécifications fonctionnelles et techniques communes à tous les SIRH du secteur public (« noyau commun ») (à compter de 2004) ;
- la livraison d'une version "mutualisée" du noyau commun aux ministères qui n'ont pas encore choisi de progiciel de gestion intégré (ERP) (en cours) ;
- la mise en place d'un système décisionnel concernant les trois fonctions publiques (« Infocentre 3FP »). Il permettra de mettre à la disposition des ministères et des fonctions publiques territoriale et hospitalière des données cohérentes et des outils d'analyse performants leur permettant de développer leur démarche de GPEEC (en cours).

En 2006, la mise en place d'un "pôle interministériel de compétences SIRH" viendra compléter le dispositif.

[www.fonction-publique.gouv.fr/article387.html](http://www.fonction-publique.gouv.fr/article387.html)

## GERMANY

The Federal Government attaches great importance to the modernization of the state and administration. In June 2004 it decided to continue and further develop the government programme “Modern State – Modern Administration“, a programme comprehensively reforming the federal administration since 1999.

Under the umbrella of this programme the key elements “modern administrative management“, “reduction of bureaucracy“ and “e-government“ are pooled. They are the three pillars the strengths of which lie in their interrelationships: Together they form the viable substructure for further reforms and innovation in the public administration.

### **A. Modern administrative management**

The strategy of modern administrative management puts a stronger focus on the efficiency of administrative action and service orientation. Previous modernization tools are being reviewed and adapted in a targeted manner, particularly in terms of their impact. Modern administrative management focuses on four strategic fields:

The intention is to further enhance the **efficiency** in the use of budget funds and staff. In this process more and more microeconomic methods are being applied. **Personnel development** follows the new requirements on staff in a modern administration and has a motivating effect. The personnel management of the federal administration is optimized. A stronger focus is placed on the **effectiveness** of working processes. The effects are evaluated with the help of meaningful figures and indicators. The idea of service provision is given more consideration in administrative services by better incorporating the expectation and requirements of addressees.

The current report on the progress in the administrative management of the federal administration is available at [www.staat-modern.de](http://www.staat-modern.de) (English version).

### **B. Continuing the government programme on the reduction of bureaucracy and for better regulation**

In the 16th legislative period, the Federal Government will drive forward the reduction of bureaucracy and deregulation as well as the comprehensive modernization of the state and administration. For this purpose the new Federal Government will ease the burden of (excessive) growth-inhibiting regulations in particular on small and medium-sized companies by means of a comprehensive package of measures (“Small Companies Act“).

Federal law will continue to be adjusted in the future. New superfluous laws will be prevented by consistent regulatory impact assessments.

In order to facilitate the measurement of administrative costs and their reduction, the intention is to better record the financial burden placed on companies by requiring them to keep statistics and to comply

with proof, documentation and book-keeping standards in the future. The Federal Government will immediately introduce the standard-cost model (based on the example by the Netherlands) for objective measurements of bureaucratic burdens on enterprises. On the basis of these objective measurements, a concrete aim will be set for the reduction of administrative costs at the end of this legislative period. An independent body (council for the reviews of norms) will be set up at the Federal Chancellery to look after this process. This body will also review the necessity of federal legislative initiatives and associated administrative costs.

The intention is also to thoroughly look after law-making at European level and after the transposition of European law into national law at an early stage. Every bill implementing European law will in the future describe how it relates to legal provisions of the EU and how it has been implemented in other EU member states.

For further information see [www.staat-modern.de/-,10008/Buerokratieabbau.htm](http://www.staat-modern.de/-,10008/Buerokratieabbau.htm).

### C. e-Government in Germany

The federal e-Government initiative **BundOnline 2005** was successfully concluded by the end of last year, now providing more than 440 services of the federal ministries and agencies online.

The original objective of 376 services was surpassed, since during the course of the initiative since 2001 more services that could be provided online were identified.

114 agencies, among them 15 federal ministries took part in the initiative. The services are provided for citizens (265 services), enterprises (244 services) and administrations (200 services), many services provided for more than one of the target groups.

A broad variety of services is online, e.g. from patent applications, statistical services for enterprises to e-auctions of the federal customs authority to name but a few.

Besides central components such as an e-Payment Platform, a content management system, a forms server and a component for data security were provided by the central coordination unit in the Federal Ministry of the Interior and “one for all” services, developed by one agency are shared with others.

For more information see [www.wmsbundonline.de](http://www.wmsbundonline.de) or the central portal [www.bund.de](http://www.bund.de).

Now the focus is on guaranteeing the sustainability of the reached achievements.

Preparations for the launch of a new eGovernment Strategy for the Federal Government are under way.

At the same time the integration and development of cross-level government as well as the promotion of eGovernment in the federal states and municipalities is of paramount importance. The joint eGovernment strategy of the Federal Government, the federal states and the municipalities **Deutschland-Online** is currently refocused and a new **Action Plan** will be launched this spring.

For more information see [www.deutschland-online.de](http://www.deutschland-online.de).

For further information you can also contact the E-Government Unit in the Federal Ministry of the Interior: [it1@bmi.bund.de](mailto:it1@bmi.bund.de)



## HUNGARY

The Parliament adopted the law on electronic freedom of information. The law serves to strengthen democracy by making the state more transparent, by ensuring access to data of public interest, and by promoting legal security. It increases the trust of citizens in the institutions of the state and municipalities, and contributes to the simplification of bureaucratic procedures. The law is a significant step towards strengthening society's control over the public sphere.

The primary goal of the law on electronic freedom of information was the establishment of the legal environment required to create a transparent state. The law therefore prescribes the list of specific data of public interest which must be published on the Internet; the publication of draft bills, laws, and - partially - the anonymous form of court decisions; and finally, the creation of a search system that makes the published data searchable and retrievable. The law also puts an obligation on ministries and municipalities to provide a forum on their websites where users can express their opinion regarding the draft bills published on the Internet, thus allowing citizens to participate in the legislative process in an immediate manner.

In order for legal security to be enforced it is not enough that the Hungarian Official Journal is freely accessible to everyone, for in many cases one act modifies several other acts, possibly taking effect on different dates, which makes the legal system incomprehensible for the citizen. Therefore the law contains a provision on the creation of the Electronic Collection of Effective Laws, which shall contain the effective text of all laws in force on a given calendar day in a unified structure.

The law on electronic freedom of information enters into force in several steps. The Electronic Collection of Effective Laws became operational as of 1 January, 2006. On the same day the obligation of electronic publication for major public administrative bodies entered into force, and draft bills and laws must be also published on the Internet by that time.

County municipalities and the municipalities of cities with a population of over 50 thousand inhabitants must publish their data as of 1 January, 2007; by the same date, the Supreme Court must publish its rulings in anonymous form.

The obligation of municipalities of settlements with a population below 50 thousand and of other organs performing public duties to publish their data in electronic form will start as of 1 July, 2008.

## ITALY

### **Inclusive decision making processes, Cantieri programme, Department of Public Administration**

#### *The Cantieri programme*

The Cantieri<sup>1</sup> programme, launched in 2002, is part of a broad range of activities designed to promote innovation and good practice in public administration to improve the efficiency, quality and results achieved by public policy and the delivery of public services. Five priorities for change have been identified which guide the activities of the Cantieri programme. Cantieri seeks to support public administrations to:

1. Develop a streamlined administration able to respond to the needs of citizens and businesses
2. Add value for citizens through better policy-making
3. Manage change effectively
4. Create an environment to support improvement
5. Build networks as a resource for change.

The activities of Cantieri centre around four key approaches;

- Creating the context for effective innovation
- Building and disseminating knowledge and good practice
- Developing a community of innovators, and
- Developing leadership for change.

The Cantieri programme has an active process for disseminating knowledge developed through the learning laboratory process using a series of **modular workshops** known as the “**cantieri d’innovazione**”. Public agencies interested in applying the featured practices or approaches in their own organisation attend these workshops during which they learn more about the subject and use the handbooks produced by Cantieri to work through their own project for innovation. Further support is provided through **personalised consultancy and advice**, access to a range of **on-line tools** and participation in **informal networks or online fora** to discuss issues and experiences with others.

Themes covered in the 2003-4 round of workshops included measuring customer satisfaction, women and leadership, developing a positive organisational climate and sponsorship.

The current round of workshops features themes such as: social accountability reporting, communication strategies, organisational frameworks for improved service delivery and inclusive decision-making processes.

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<sup>1</sup> In Italian, the term “cantieri” means a building site. This reflects the approach adopted by the Cantieri programme which sees innovation, not as a set of one-off initiatives, but as an ongoing process of organisational development which enables public administrations to evolve constantly to respond to the needs of stakeholders and achieve better results. Innovation is never a finite process, it is always work in progress.

In their first two years of operation the “cantieri d’innovazione” have attracted 3.726 participants from approximately 1.800 public administrations.

### ***Inclusive decision-making processes***

Inclusive decision-making processes involves individuals from different institutions with the aim of assuring that all parties commit themselves in the undertaking.

The Cantieri programme has introduced this line of activities with the purpose of developing the necessary competences for civil servants to design, manage and, at last, make function an inclusive decision-making process.

During 2005, more than 100 public administrations have participated in the activities of the Cantieri programme on this issue. Of these, 29 administrations have realized projects for including various stakeholders in the decision-making processes.

A first stage has concerned several training initiatives on the instruments and methodologies for realising inclusive decision-making processes. Afterwards, knowledge acquired this way has been applied to developing new projects inside the participating administrations, counting also on the help of a pool of experts.

The different projects developed on the issue of inclusive decision-making processes refer to:

- Social policies
- Local development and strategic planning
- Urban requalification and environment protection
- Regulatory evaluation
- Healthcare
- Design of information systems.

### **Further information**

[www.cantieripa.it](http://www.cantieripa.it)

## JAPAN

### 1. The Public Comment Procedure

The Revised Administrative Procedure Law, which includes the legislation of the Public Comment Procedure, was passed on 22nd June 2005, and was promulgated on 29th June 2005. The revised law is enforced on 1st April 2006.

The revised law includes the following contents:

- a. Ministries and Agencies must publish draft Cabinet Order or draft Ministerial Order, etc., and receive the comments from the public during a period of more than 30 days;
- b. When the public comment period is not more than 30 days, Ministries and Agencies must publish the reason; and
- c. Ministries and Agencies must consider the comments submitted from the public and publish the submitted comments, the result of the consideration of the Ministries and Agencies, and the reason of the result.

### 2. Policy Evaluation System

Since April 1, 2002, under the "Government Policy Evaluations Act" and the "Basic Guidelines for Policy Evaluation", each administrative organization has prepared a mid-term basic plan and an annual implementation plan to conduct its own policy evaluations. All the organizations have prepared and published their evaluation reports.

As three years have passed in April 2005 since the taking effect of the Act, its enforcement status has been reviewed in accordance with Article 2 of provisions of the Act, and this has led to a revision of the Basic Guidelines as a necessary measure geared towards the improvement and enhancement of policy evaluation.

Main points of revision of the Basic Guidelines are

- thorough application of evaluation process to important cabinet policies,
- improvement of quality of evaluation,
- fulfilment of accountability to general public.

Ministry of Internal Affairs and Communications (MIC), which is responsible for complementing self-evaluations by Ministries, also conducts evaluations to ensure uniformity and comprehensiveness of Government policies. MIC has published twelve evaluation reports by March 2006.

It also engages in activities to ensure the objective and strict implementation of policy evaluations by Ministries, which include review focusing on proper implementation and improvement in the quality of evaluations.

## KOREA

### 1. New Developments in Organization Management

- a) Introducing the "team" system in government agencies for the first time

MOGAHA abolished the conventional vertical hierarchy system (office - bureau - division) and introduced a new horizontal system (Headquarters-team).

The organization structure was changed to a horizontal 3-stage system (team member - chief of team - chief of headquarters) from the former 5-stage system (member - section chief - director of division - director-general of bureau - Assistant Minister), thus accelerating the decision-making process.

- b) Real-time Performance Management & Compensation through the Integrated Administration Innovation System

MOGAHA is in the process of establishing an integrated administration innovation system which will combine the customer management system that automates the execution process and the performance-based compensation system that measures the accomplishment levels from the BSC standpoint. Simple memo-based reporting, and e-reporting system and working patterns have been radically improved to allow promptness and efficiency.

- c) Development of the Government Innovation Index (GII)

The Korean government developed the GII, a web-based tool to measure the level of innovation achieved in the public sector in 2005. By applying the index, public organizations can ascertain their levels of innovation, recognize their weak areas, then develop action plans to fortify their innovation capacities.

### 2. New Developments in the prevention of corruption

The Korean government enacted the Code of Conduct for Public Officials (CCPO) in 2003 as a means of preventing conflicts of interest. Additional steps have been taken to improve its conflicts-of-interest management mechanism, as evidenced by the revision of the Public Service Ethics Act and the introduction of a blind trust system in 2005.

- a) Registration and Disclosure of Personal Assets

Senior public officials and people whose public duties and responsibilities are considered particularly important are required under the PSEA to register not only their incomes and assets, but those of their parents, spouses and children. Also, those person must report on any change in the incomes and assets every year. Matters on the incomes and assets registered by high-ranking officials of Grade 1 must be inserted in an official gazette or a public bulletin, and their stock transactions are subject to registration.

- b) Introduction of the Blind Trust System

High-ranking officials can abuse their public position, authority or access to information to increase the prices of their stock holdings. Korea introduced a “Blind Trust System” in 2005, requiring senior officials to either sell their stocks which are over KRW 30million (about \$30,000) in value or put them in bank trust accounts. Once entrusted with designated financial institutions, the stocks will be out of reach of the officials who are required under the PSEA to disclose their incomes and assets.

c) Protection and Reward system for whistleblowers

Korea protects whistleblowers against detrimental action taken in reprisal for their reporting of corruption. Those who retaliate against whistleblowers may be subject to a fine or imprisonment. Also Korea grants rewards to whistleblowers of up to KRW 2,000million (about \$2,000,000) if their reporting of corruption results directly in recovering or increasing revenues or reducing costs of public agencies.

### ***3. New Developments in Public Procurement***

To enhance the effectiveness and transparency in public procurement, Korea has focused on the digitalization of procurement procedures. In 2002, Korea launched the Government e-Procurement System (GePS) and mandated that all government organizations (including regional governments) use the system for processing any competitive bids related to procurement.

The public Procurement Service (PPS) has made efforts to enhance the stability of the system, improve convenience for users, and upgrade its contents in the operation of GePS. Public organizations and suppliers who use GePS have been provided with necessary information on bidding and award through mobile phones and PDA since 2004. Particularly, a wireless e-bidding service has been provided via PDA to businessmen with high mobility since 2005. In 2006, the number of items available in the online shopping mall will double to 150,000 and an ontology-based smart search service will be provided in the product information system. In addition, PPS ensured its service quality by obtaining BIS 15000, the International IT Service Standard in order to enhance the stability of GePS.

\*Contact: Ms. Jong-Hee Oh, Ministry of Government Administration and Home Affairs

TEL: +82-2-2100-3414, FAX: +82-2-2100-4190, e-mail: ojheh99@mogaha.go.kr

## LUXEMBOURG

### **Evolutions récentes et expériences innovatrices : Le cas du secteur public luxembourgeois**

Les principaux objectifs du programme de modernisation du secteur public luxembourgeois sont inscrits dans l'accord de coalition gouvernemental de 2004. Ces 'grands' objectifs sont notamment la promotion de la gouvernance électronique et la continuation de la réforme administrative. Dans le domaine de la réforme administrative, les actions actuelles tendent à promouvoir une gestion de l'organisation plus rationnelle et plus axée sur la qualité. Les projets concrets en cours sont l'introduction d'une approche qualité dans l'administration publique par la mise en œuvre du modèle d'autoévaluation CAF, l'amélioration de la formation professionnelle continue des fonctionnaires par une prise en considération plus spécifique des besoins en formation des différents postes de travail, la promotion d'une gestion des ressources humaines plus performante et plus motivante par l'introduction d'entretiens réguliers avec les agents publics ainsi qu'une revue de la structure organisationnelle par l'introduction du système SIGEP (Système intégré de la gestion du personnel).

Le but de ces actions est de favoriser une gestion publique, qui est plus centrée sur la compétence, l'efficacité et l'efficience sans pour autant abandonner les valeurs clés du secteur public telles que la neutralité, l'impartialité, la légalité et le respect de l'intérêt général.

Le suivi de ces différents projets est garanti par un groupe de travail, qui rassemble les différents chefs de projets. Ce groupe se réunit toutes les deux semaines sous l'autorité du chef d'administration. Puis, la cohérence et la coordination de tout le programme de modernisation sont assurées au plus haut niveau par le 'Comité de Coordination pour la Modernisation de l'Etat' qui est placé sous l'autorité du Gouvernement en conseil et qui est présidé par le Ministre de la Fonction publique et de la Réforme administrative.

Il est à noter qu'au Luxembourg, le programme de modernisation du secteur public se caractérise par une approche pragmatique, dont le but n'est pas la mise en œuvre d'une refonte globale de toute l'organisation du jour au lendemain, mais plutôt la promotion d'une organisation plus flexible et plus efficace à travers un changement progressif et à *petits pas*. Par conséquent, le rôle du Ministère de la Fonction publique et de la Réforme administrative, qui est le principal acteur dans le domaine de la réforme administrative, ne consiste pas à octroyer un programme de réforme aux différents ministères, mais plutôt à sensibiliser et à motiver les administrations à améliorer leurs pratiques de gestion publique en leur fournissant le support nécessaire.

L'approche consensuelle de la réforme du secteur public au Luxembourg s'est avérée efficace dans le sens, qu'elle n'a pas encore suscité des sentiments de frustration et de démotivation excessifs de la part des agents publics. Cependant cette mise en œuvre paisible du programme de modernisation s'explique aussi par le fait, que jusqu'à présent au moins, aucun changement radical affectant directement les droits et les conditions d'emplois des fonctionnaires n'a été introduit !

## MEXICO

### Comprehensive Service Centres (CIS)

Comprehensive Service Centres have stood out as an innovative model that fosters improvement in public services and promotes citizen participation. This model has facilitated direct communication between citizens and authorities in order to put forward complaints and suggestions and carry out actions for improvement based on their opinion.

The main attributes of these centres are:

- Personalized, immediate attention: The CIS have personnel in the modules for information, consultation and attention to formalities, as well as a telephone line and electronic media that facilitate attention to users.
- Friendly treatment: Personnel are trained to provide warm treatment to citizens which can be perceived as of the starting process of the procedure; they welcome the citizen, show interest in his request and provide information with kindness and respect.
- Flexibility in the formality and/or service: Formalities are carried out in a single service area, reinforcing communication between the areas responsible for the service and incorporating new systems for attention, thus improving the performance and resolution of the formality requested. The CIS have an 01 800 number where information can be requested, consultations made and appointments programmed.
- Customer satisfaction: Actions for improvement are carried out under the perspective that it is the user who requests and proposes them through service ratings and suggestions. The CIS deals with citizen requests, improving the areas in which they ask for improvements.
- Transparency: The information is always available: costs, requirements, time frames and what to do in case of a problem.

This philosophy of service is supported in diverse tools that permit the systematic and permanent measurement of the processes, as well as to assess the feedback of the users for the continuous improvement of actions, thus fostering confidence and credibility.

The CIS has five fundamental purposes:

- 1) Guarantee that the services be offered with transparency and quality.
- 2) Express the reality of the service and the opinion of the users.
- 3) Improve services by means of the identification of opportunity areas.
- 4) Make decisions in function of the needs of the citizens
- 5) Install channels for participation and civic communication



The impact of the CIS can be observed in different ways: a) Permanent improvement of the procedures and services based on systematic measurement; b) Improvement of the service and reduction of waiting times; c) Implementation of information systems to inform the user the requirements of the formalities in advance; d) Linking of the operating areas with the upper levels of the organization, and; 5) Establishment of a more effective system of complaints and suggestions.

By 2006, 206 Comprehensive Service Centres have been installed, and 1,172 services and procedures are being managed under this model. Also during the current year, 36 Federal Agencies established new CIS in their service areas.

### **Citizen Commitment Charters**

In September 2004, Citizen Charters were implemented in Mexico as a positive way of formalising the matching of services provided by a public institution and its customers' needs and expectations. By 2006, 240 Citizen's Commitment Charters have been implemented in over 45 institutions of the Mexican Federal Government, whose impact is shown in around 6,000 different points of contact or windows where citizens carry out official procedures or request public services.

To create Citizen Charters, agencies are:

1. Re-engineering processes
2. Putting services online
3. Clarifying and reducing instructions and regulations
4. Partnering with citizens to create Customer Service Standards (waiting time, accessibility, etc.)
5. Implementing complaint and suggestion systems
6. Developing performance targets for employees
7. Creating a government-wide customer satisfaction measurement system

The CCC's have been implemented in different sectors such as tourism, communications, education, finance, health, housing, agrarian, natural resources, economy, public security, and social development. The most important achievements have been the reduction of time frames and attention time, elimination of requirements and cost reduction, greater transparency and accessibility, and improvement of the quality of the attention and service provided.

A Mexico-Central American Regional Forum on Good Government was held in México City in November 2005, which provided an opportunity to share best practices with participants from national and local governments. Information concerning the Mexican Citizen Charter initiative, *Cartas Compromiso al Ciudadano* can be found in the website [www.serviciosdecaldad.gob.mx](http://www.serviciosdecaldad.gob.mx)

### **Reconciling Citizens' Expectations with Quality Services**

Along with Citizen Charters, the Presidential Office for Government Innovation defined a quality management Programme, INTRAGOB, which considers different improvement actions within a quality cycle. The cycle is completed with polls and regular reports that help understand citizen's expectations on the services each institution provides.

INTRAGOB addresses three priority aspects:

1. Citizen trust
2. Service quality
3. Integrity of public servants

The Mexican Government is also strengthening quality in government, through a National Indicators Poll that is coordinated by the President's Office, evaluates both the impact that public programmes have on citizens and their expectations. This poll is collected nationally every 3 months on households.

The "Customer Satisfaction" study, evaluates citizen's opinion on government's performance in general, and every Ministry and Government Institution in particular. This poll is collected on a yearly basis, at a national level.

## THE NETHERLANDS

### 1. InternetMirror: Instrument for online diagnosis and benchmark

The InternetMirror is a on line diagnosis- and benchmark- instrument for all organisations in the public sector of the Netherlands. From primary schools, ministries, provinces, local government, police, justice, water boards to hospitals. The InternetMirror also serves for several kinds of staff-survey, like staff satisfaction, labour pressure measurement and internal client satisfaction.

The InternetMirror has been developed by the Ministry of the Interior and Kingdom Relations of the Netherlands. It is managed and exploited by the Survey Office of the Dutch Institute for Public Opinion and Market Research (TNS NIPO)

With the InternetMirror public sector institutions can very easily execute staff survey: the complete survey process – from preparation to reporting – is automatized. Also the implementation of the survey and the gathering of all data take place through internet. The data processing and the feedback are fully computerized too.

The InternetMirror offers bright validated questionnaires and reports which offer clear insight. The questions have been extensively tested and validated, and so they have a level of quality.

The InternetMirror has a database with relevant data from all government sectors. Coming from large scale staff polls that the Ministry of the Interior executes annually *and* from anonymous survey data of the organisations which already have executed their survey through the InternetMirror. Organisations which implement their staff surveys with the InternetMirror can compare their results directly to the sectoral outcomes.

The InternetMirror is to be found on: <http://www.internetspiegel.nl/> (only in Dutch).

### 2. Report on measures promoting democracy in 18 OECD-countries

The Dutch ministry of Interior and Kingdom Relations recently did a survey on practices of promoting democracy in 18 OECD countries. The report is available in English on:

[http://www.minbzk.nl/uk/constitution\\_and/publications/report\\_promoting](http://www.minbzk.nl/uk/constitution_and/publications/report_promoting)

## NEW ZEALAND

A key development in the period since New Zealand's last attendance at a PGC meeting has been the creation of the State Services Development goals, around which the structure of the SSC was revised in July 2005.

### **Development Goals for the State Services**

The development goals have been established as aspirations for how the State Services will be arranged and perform. Some of the goals impact more on Public Service departments and Crown agents, and others are wider in scope.

#### ***Overall Goal***

The overall goal for the State Services is: *A system of world class professional State Services serving the government of the day and meeting the needs of New Zealanders.*

For New Zealanders to lead healthy and satisfying lives, they need quality services delivered by highly professional government agencies. For government agencies to be world class, they need the best possible systems and the best possible staff, operating with high levels of integrity.

This goal cannot be achieved by agencies working in isolation. For the State Services to work well for New Zealanders, agencies must work closely together. This in turn impacts on state sector accountabilities and outcomes.

#### ***Development Goals***

The overall goal is supported by six, more specific, Development Goals.

They are based on the following premise:

If the State Services is considered a great place to work and offers constant development of staff, then good people will want to work and stay in government agencies.

If State Services agencies are well connected to each other and to citizens, and better coordinated to improve their overall performance, then New Zealanders will get better services from agencies which meet their needs.

This good service, provided in an open and honest way, will improve New Zealanders' trust in the State Services.

The six goals support each other and collectively contribute towards strengthening the degree of trust New Zealanders have in the State Services. Each goal has two stages at which its progress will be measured- in June 2007 and June 2010.

**Goal 1: EMPLOYER OF CHOICE**

***Ensure the State Services is an employer of choice attractive to high achievers with a commitment to service.***

*By June 2007: A comprehensive guide to good employment practice developed with input from State Services employers and unions, in place for use across government agencies.*

*By June 2010: Measurable improvement in the proportion of talented job seekers aspiring to join the State Services.*

**Goal 2: EXCELLENT STATE SERVANTS**

***Develop a strong culture of constant learning in the pursuit of excellence.***

*By June 2007: A framework for learning and development across government agencies.*

*By June 2010: All government agencies have a strong commitment to developing skills and knowledge across all staff.*

**Goal 3: NETWORKED STATE SERVICES**

***Use technology to transform the provision of services for New Zealanders.***

*By June 2007: Networks and Internet technologies are integral to the delivery of government information, services and processes.*

*By June 2010: The operation of government has been transformed through the use of the Internet.*

**Goal 4: COORDINATED STATE AGENCIES**

***Ensure the total contribution of government agencies is greater than the sum of its parts.***

*By 2007: Government agencies demonstrating improvement through Managing for Outcomes, including joint outcomes and other shared accountabilities across clusters of agencies.*

*By 2010: Measurable results are evident from the joint pursuit of joint outcomes.*

**Goal 5: ACCESSIBLE STATE SERVICES**

***Enhance access, responsiveness and effectiveness, and improve New Zealanders' experience of State Services.***

*By June 2007: No wrong door - any New Zealander accessing government services will be referred appropriately to the organisation best able to address their concerns.*

*By June 2010: Right doors in the right places - government agencies work together to coordinate the availability of services across the country using co-location, joint services and management*

*of different physical and electronic channels.*

***Goal 6: TRUSTED STATE SERVICES***

***Strengthen trust in the State Services, and reinforce the spirit of service.***

*By June 2007: Agencies of the State Services demonstrate their commitment to earning trust by working with the State Services Commissioner to develop and promote codes of conduct.*

*By June 2010: Measurable improvement in New Zealanders' trust in the agencies of the State Services.*

## NORWAY

### 1) Public sector performance: measurement and display

The StatRes project will develop a system for Internet publishing of performance-related indicators and statistics for the various parts of the government. The system will include measures for both input, activity, output and outcome – displayed through a functional and user-friendly website. The user shall be allowed to access a wide range of data – from overall sector indicators, to raw data on agency or area level. The main user groups are expected to be decision makers in the public sector, other public employees, academics, media, organisations, voters and other stakeholders.

The project was established in 2005 and is executed by the Ministry of Government Administration and Reform in co-operation with Statistics Norway and other ministries and agencies. According to plan, the system will be launched in 2007, starting out with selected pilot sectors. Thereafter, new sectors will be included successively.

For further information, contact:

Senior Adviser Morten **Strømgren**  
 Ministry of Government Administration and Reform  
 Tel: + 47 22 24 46 14  
 E-mail: [mst@fad.dep.no](mailto:mst@fad.dep.no)

### 2) A central team for regulatory economic impact analyses

There is a need for good economic analyses, for instance cost-benefit analyses, in connection with public reforms. Impact analyses today vary both in quality and in scope. To improve the use of such analyses, the Norwegian Government has established a team for regulatory economic impact analyses ("*Fagpanel for økonomiske konsekvensanalyser*"). This team consists of seven experts in cost-benefit analysis, which all work in the central government. The team provides advice and help to the ministries on how to perform regulatory impact analysis. The ministries make use of the team on a voluntary basis. The Ministry of Government Administration and Reform has operational responsibility for the team.

For further information, please contact:

Senior Adviser Kari-Mette **Brunvatne**  
 Ministry of Government Administration and Reform  
 Tel: + 47 22 24 48 45  
 E-mail: [kari-mette.brunvatne@fad.dep.no](mailto:kari-mette.brunvatne@fad.dep.no)

Senior Economist Arne Martin **Torgersen**  
 Ministry of Government Administration and Reform  
 Tel: + 47 22 24 46 45  
 E-mail: [arne.torgersen@fad.dep.no](mailto:arne.torgersen@fad.dep.no)

### **3) Risk management**

The Regulations on Financial Management in Norway were revised as from 1 January 2004. The revised regulations include new requirements to incorporate risk management as part of the framework of management through setting targets and measuring performance.

The Ministry of Finance commissioned guidelines on how to implement the new requirements from the Norwegian Government Agency for Financial Management ([www.sfsso.no](http://www.sfsso.no)). The guidelines and the new requirements in the Regulations, are presented together in a manual available as a brochure and on the Internet.

The guidelines are based on the COSO-ERM framework, but adjusted to meet the needs and issues that are particular to state departments and agencies.

For further information, please contact:

Senior Adviser in The Ministry of Finance, Emma **Stenseth**, tel.: + 47 22 24 43 45

E-mail: [emma.stenseth@finans.dep.no](mailto:emma.stenseth@finans.dep.no)

### **4) Evaluations**

The revised Regulations on Financial Management also set new standards to when evaluations should be performed.

The Ministry of Finance in Norway, has issued instructions on how the new requirement should be understood. The major change is a strengthened demand for evaluations on results, as an addition to evaluations of effects.

The instructions are not guidelines to how to perform an evaluation in state departments and agencies, but are mainly interpretations on how the Regulations should be understood, and issues to be taken into consideration when one is to commission an evaluation.

For further information, please contact:

Senior Adviser in The Ministry of Finance, Emma **Stenseth**, tel.: + 47 22 24 43 45

E-mail: [emma.stenseth@finans.dep.no](mailto:emma.stenseth@finans.dep.no)

### **5) Revised guidance on how proposals should be appraised**

The Norwegian Ministry of Finance has for many years provided guidance to Government departments and executive agencies on how proposals should be appraised before significant funds are committed. The guidance has been summarised in a handbook providing advice on appraisal of options for policy, programmes and projects. The bulk of the handbook describes the process of performing cost-benefit analysis of options, in order to select the preferred solution to a given need or objective, prior to implementation.

In 2005 the handbook was revised. The revision was helped by a consultation process involving the academia. A major objective with the new edition has been to make it more educational to encourage a more thorough approach to appraisal than previously. This has been done by presenting more examples and emphasising main issues. Another major change concerns the discount rate. Previously, there were



three equal discount rates of 4 %, 6 % and 8 % reflecting different degrees of systematic risk. In the new version of the handbook there is a standard rate of 4 % which will serve as a starting point for all Government initiatives. In cases with significant systematic risk we recommend a higher discount rate than 4 %, for instance 6 %. The new edition also put a lot of emphasis on risk management and refers to various techniques of dealing with risk such as options, scenarios and pilot tests.

Furthermore, the handbook contains references to guidance that some individual government departments have produced, based on the general framework. These are guidelines in areas such as environment, trade and industry, health services and regional policy.

For more information about the handbook, please contact:

Senior adviser Johan **Nitter-Hauge** in the Ministry of Finance. Tel.: 47 22 24 42 70.

E-mail: [johan.nitter-hauge@finans.dep.no](mailto:johan.nitter-hauge@finans.dep.no)

## 6) The Post-Employment Guidelines for Politicians

The Post-employment Guidelines for politicians are almost homogenous with the ones for the public service with some exceptions primarily regarding the decisive authority. **The Standing Committee on Outside Political Appointments** has the authority to decide that a politician cannot work or provide services for an organization outside the public service after his engagement as minister, political secretary or political adviser. The Committee has been appointed by a royal decree, and cannot be given instructions from the Government..

The temporary disqualifications (up to six months) will be ordered only in *certain cases* and when there is a clear connection between the politician's previous spheres of responsibilities or duties and the relevant organizations' interest.

The Standing Committee on Outside Political Appointments can also determine that a politician cannot work or provide services for an organization outside the Norwegian public service for up to six months after leaving if *special circumstances* exist in conjunction with the persons' earlier duties and responsibilities that have given or could give the organization special advantages, or that might serve to *undermine confidence in the public service in general*.

Instead of being subject to temporary disqualification, a politician can be ordered to abstain from involvement in certain cases for up to one year, provided this will adequately protect the consideration that must be protected.

The term "abstinence from involvement in certain cases" refers here to a ban on the politician's getting involved in a case or in a field in which the person in question has been directly involved by virtue of being a politician.

Two weeks at the latest before starting the new job, the politician is required to voluntarily give the Committee information about starting a new job or accepting an office outside the public service, or starting a business. Such an obligation to provide information does not apply if it is obvious that temporary disqualification or abstinence from involvement would not be a viable option.

The obligations to provide information applies to all new positions within one year after leaving political office.

Where temporary disqualifications is ordered, the politician as the public servant shall receive remuneration during the temporary disqualification period corresponding to the net salary he or she had upon leaving plus holiday pay and pensions expenses.

If the obligation for providing information are breached or the politician behave at variance with an imposed disqualification or abstinence from involvement in certain cases, The Standing Committee on Outside Political Appointments can require agreed damages to be paid to the State.

For further information, contact:

Deputy Director General Terje **Dyrstad**  
Ministry of Government Administration and Reform  
Tel: + 47 22 24 49 75  
E-mail: [terje.dyrstad@fad.dep.no](mailto:terje.dyrstad@fad.dep.no)

## POLAND

### I. Creation of the EIPA Antenna in Warsaw

On March 30<sup>th</sup>, 2006 the Head of the Civil Service in Poland, Director of National School of Public Administration in Warsaw and Director General of European Institute of Public Administration (EIPA) in Maastricht signed the agreement on creation of the Antenna of EIPA. This agreement is a result of Polish offer made to the EIPA in September 2005, which was accepted by the EIPA's Board of Governors in December 2005.

The Warsaw Antenna will be the fourth Antenna of EIPA (after Luxembourg, Barcelona and Milan) and the first in the new member states. It will bear the name "European Centre for Public Finance Management" (ECPFM). The main goal of ECPFM will be the training of public officials and private professionals from the EU member countries and EU accession countries in the field of public finance management. This field includes budgetary procedures in various member states of the EU, taxation and control procedures, including accounting and audit.

The Antenna will also train the public officials from the candidate countries and countries, which are potential candidates, in adjusting the public administration and its standards to the requirements of the European Union. ECPFM will also provide expert analysis in its field of interest for the European institutions.

The Antenna will be located in the building of the National School of Public Administration. ECPFM will become operational on September 1<sup>st</sup>, 2006.

### CONTACT PERSON

Mr. Igor Szydłowski  
Department of Civil Service Training and Development  
Civil Service Office  
al. J.Ch. Szucha 2/4  
00-582 Warszawa, Poland  
tel. +48 22 694 6765  
fax +48 22 694 6764  
e-mail igor\_szydowski@usc.gov.pl

### II. Law on lobbying activity

The Law on Lobbying Activity in Drafting Legislative Proposals came into force on 7th March 2006. The purpose of the law is to maintain trust in decision-making, increase transparency, prevent corruption and trading in influence, and set standards of conduct.

"Lobbying" is determined by the law as any activity - carried out through legally acceptable means - aimed at influencing a governing body in drafting legislative proposals. "Professional lobbying" is a paid practice of private advocacy for third persons in order to ensure that their interests are represented in drafting legislative proposals. Anyone - who expressed their interest in a pending piece of legislation and applied in an official written form - can participate in a public hearing. "Professional lobbyists" can carry out their activity in an institution assisting a governing body in charge of drafting a bill.

Lobbyists can be a person (individual) or a firm/organisation. "Professional lobbying" has to be registered in an official data base, including their name and contact data (and - in case of a firm - an entrepreneur's register number in the National Court Register or an economic activity number). Hence, "professional lobbying" cannot be carried out by a person or firm that is not registered in the official data base.

Administrative penalties apply to breaching the rules. A fine of 3000 - 50000 PLN (about 750 - 12500 EUR) can be imposed on those who carried out "professional lobbying" without registration in the official data base.

To increase transparency and promote accountability in lobbying, the following measures entered into force: registration of lobbyists, obligation to disclose purpose and client when lobbying, periodic reporting on lobbying activities. Information disclosed annually by lobbyists has to cover name of client, details on the purpose of lobbying, agency and public officials contacted.

At least once per half year the Government shall prepare a programme of legislative works concerning draft, which shall be published on the website of Public Information Bulletin - BIP (i.e. in the Internet). In that programme also any fact of resignation from work on a given draft law shall be taken into account, together with the indication of the causes behind such resignation.

Similar programmes of legislative works are to concern draft ordinances. These are to be prepared by the Council of Ministers, the Chairman of the Council of Ministers, and by the individual Ministers. After publication anyone shall be able to submit the "notification of interest" (on an official form) in the works on the drafts or ordinance to the body responsible for the preparation of such a draft. Such a notification shall also be published in the BIP.

Subsequently, the notifying party shall be able to present its opinion concerning the specific draft (the institution of so called "public hearing"). The body responsible for preparing a draft ordinance shall be able to conduct the public hearing concerning such a draft. Information concerning the timing of the public hearing concerning a draft ordinance shall be made available in the BIP at least 7 days prior to the date of the respective public hearing. Any party, which had submitted its interest in the works on the draft ordinance at least 3 days before the date of the public hearing, shall be entitled to participate in such a public.

The Ministry of Interior and Administration is in charge of administering the rules on lobbying. The measures used for administering the rules on lobbying make information available on request and provide public information on the Internet.

**CONTACT PERSON:**

Mr. Juliusz Gałkowski  
Department of Public Administration  
Ministry of Interior and Administration  
ul. Stefana Batorego 5

02-591 Warszawa, Poland  
tel. +48 22 661 8959  
fax +48 22 661 8827  
e-mail galkowski.j@mswia.gov.pl

### **III. Minimising the Number of Errors in Tax Returns – Tax Office in Plonsk**

The purpose of the project was to minimise the number of errors made by citizens in their tax returns submitted to the Tax Office in Plonsk. The project was based on two main pillars. The first one consisted in promoting information concerning tax issues among various target groups as well as trainings and seminars, which was done in cooperation with public and private organisations operating in the area covered by the Office. The other one dealt with modification of work organisation. It consisted in introducing procedures concerning the receipt and circulation of tax returns, which would make it possible to eliminate simple errors as early as the stage of the receipt of the documents.

The process was planned as one of the links in the long term strategy of quality development. The general objective of the strategy was defined as: "Achieving and maintaining the high level of customer satisfaction related to the tax services performed by the Tax Office." The vision aimed at arriving at the situation in which the Tax Office in Plonsk would be perceived as a professional and trusted organisation, which does its best to constantly increase the quality of the performed services, in particular dealing with taxpayers and respecting their rights.

Carrying out of the general objective was based on several detailed goals, including "Minimising the number of errors in tax returns". For the proper revision and monitoring the following operational objectives were defined:

- the number of yearly tax returns with errors,
- the number of monthly tax returns with errors,
- the number of tax returns submitted to the office in person,
- the number of tax returns submitted to the office by post,
- the number and cost of summoning taxpayers to appear at the Office.

For the effective and efficient performing of the detailed objective ("Minimising the number of errors in tax returns"), the following measures were planned:

- entering data from tax returns in taxpayer's presence (two additional achieved benefits: an increased work efficiency and a shortened taxpayers' waiting time for the return of their surplus tax),
- systematic notification of taxpayers of the errors made most frequently,
- sending information materials and specimens of new tax return forms to taxpayers,
- running educational campaigns in schools,
- providing taxpayers with assistance outside the seat of the Tax Office,

- running trainings for entrepreneurs and farmers on a systematic basis,
- drawing up specimens of applications, petitions, declarations and notifications.

The project represented a success story. Customer satisfaction grew up. The local community and non profit organisations are well familiar with the initiatives launched by the Tax Office. These initiatives enjoy strong approval. The scope of Office business is not only limited to collecting taxes. They also contribute in shaping the economic life in the area. The actions performed by the Office were appreciated by the local government administration, which particularly applied to creating a positive image of Plonsk county and at the same time increasing its investment opportunities. The Head of the Office is invited to attend sessions of the Town Council of Plonsk and the County Council which are devoted to the area development. Similarly, he takes part in negotiations with new investors, for whom the functioning of their prospective tax office is especially important. Such cooperation among others resulted in the county attracting an entrepreneur who provided 400 new workplaces. The Tax Office in Plonsk has been also a winner of a number of awards related to high-quality and customer-friendly public services. The case "Minimising the number of errors in tax returns" will be presented at the 4<sup>th</sup> Quality Conference in Tampere, September 2006.

The main sources of inspiration behind the project were customers' opinions, experience exchange with other state and local administration offices as well as private institutions, as well as taking advantage of such tools as ISO norms, CAF Model or EFQM Excellence Model.

#### **CONTACT PERSON**

Mr. Łukasz Gwózdź  
IT Manager  
Tax Office in Plonsk  
ul. Spółdzielcza 2  
09-100 Plonsk, Poland  
tel. +48 23 662 5296  
fax +48 23 662 9300  
e-mail lukasz.gwozdz@mz.mofnet.gov.pl

#### **IV. Development Centre – a pilot project**

Under Phare 2003 programme, the Civil Service Office in Poland worked out a modern HRM tool – Development Centre (DC). Its aim is to develop and introduce a development system to support strategic staff development needs and individual career planning for members of the Polish civil service corps. A report on personality profile and competencies structure is a direct result of the Development Centre two-day session. The report enables to formulate recommendations concerning a further development of participant's career path and to provide suggestions on types of tasks which fit the best to his/her competencies, capabilities and skills.

Development Centre involves the participants completing a range of exercises which simulate the activities carried out in the target job. Various combinations of these exercises and other assessment methods like psychometric testing and interviews are used to assess particular competencies in individuals. The particular competencies used will depend upon the target job but one will often find competencies such as relating to people; resistance to stress; planning and organising; motivation; adaptability and flexibility; problem solving; leadership; communication; decision making and initiative. There are numerous possible competencies and the ones which are relevant to a particular job are determined through job analysis.

Development Centre is intended to have a catalytic affect in preparing individuals to embark on a process of behavioural change in order to meet new professional expectations, changing personal aspirations or more often a combination of both. To facilitate this process, a range of learning solutions have been developed. These are designed to encourage coaching and mentoring and leverage maximum value from the investment in the Development Centre experience.

Development Centre serves well in diagnosing individuals' current strengths and 'gaps' in relation to a set of competencies, thus providing a platform for future development. Depending on the purpose of the Centre, the process allows certain individuals to be pinpointed as having potential for future promotion, perhaps as part of succession/career planning (managerial staff, high-calibre individuals, returners from career breaks, potential coaches and mentors).

DC provides an objective and ethical means of helping people to benchmark their own effectiveness against new competencies and values, perhaps as a response to organisational re-structuring or a need to raise the 'performance bar'. The Centre can send a clear signal of the organisation's commitment to investing in learning and development.

#### **CONTACT PERSON**

Ms. Izabela Podsiadly  
Department of Civil Service Training and Development  
Civil Service Office  
al. J.Ch. Szucha 2/4  
00-582 Warszawa, Poland  
tel. +48 22 694 7266  
fax +48 22 694 6764  
e-mail [izabela\\_podsiadly@usc.gov.pl](mailto:izabela_podsiadly@usc.gov.pl)

## PORTUGAL

The modernization of the Public Administration is assumed by the government as an essential piece of the strategy of growth of the country. It aims at achieving an Administration that better serves citizens and companies, through a reforming process, within the ambit of which the actions to be developed are framed in the following guidelines:

- Facilitate life to citizens and companies;
- Improve quality of service by upgrading human resources and working conditions;
- Match Administration to financial resources of the country and to the objectives of growth.

In this context, the modernization of Public Administration shall focus particularly on the following areas:

- Restructuring of State Central Administration;
- Reform of the Civil Service Regime;
- Administrative modernization;
- Modernization of public management;
- Development of E-Administration

### **Restructuring of State Central Administration:**

The Programme of the Restructuring of State Central Administration, started in the second semester of 2005, aims at promoting citizenship, economic development and quality of public services, reduction of public services of direct administration and public institutes that make it up (rationalization of its central structures) and resources assigned to them, namely the number of staff in the civil service who perform functions in those public services, de-centralisation of functions, coordinated de-concentration and modernization and automation of procedures.

**The Restructuring Programme of State central Administration is based on the following principles:**

- Assessment of current State functions with a view to determining those functions that must remain, abolish or being transferred to other public or private entities;
- De-concentration of functions so as to bring Administration closer to citizens, companies and communities and allowing that decisions be taken the closest as possible of those who relate them;



- Decentralization of functions to Local Administration particularly in the areas of the Administration provider of services, namely in education and health sectors;
- Reduction of administrative structures of Central Administration conjugated with the improvement of quality of services delivered to citizens and companies;
- Simplification, rationalization and reengineering of administrative procedures;
- Reduction of the number of staff performing functions in Central Administration.

The restructuring of de-concentrated services of regional level is intended their conformation to the territorial framework of NUT II.

The restructuring of sub-regional and local de-concentrated services is conducted by the setting up of one – stop - agencies that enable to combine dealing with the public with the rationalization of public services existent at these levels by fostering multiskilling of public services whenever the dimension of the demand of a service does not justify its maintenance.

The restructuring of central services of Ministries particular attention shall be paid to organization of services of partnership of functions and common activities, namely: budget, financial, patrimonial management and cost-accounting; recruitment and human resources management; training of human resources; legal aid; management of information and communication systems; handling and conservation of documentation; international relations; graphic and reprographic editions; management of immovable property; management of car fleet; negotiation and acquisition of goods and services; security and cleaning services. It is aimed at concentrating management and administration procedures of resources, namely in each Ministry or groups of Ministries or sector.

The Restructuring Programme of State central Administration is conducted, at political level, under the general orientation of the Prime - Minister and direct orientation of the Minister of State and Internal Administration of the Minister of State and Finance and has been developed and based upon organization and management audits launched in all Ministries.

### **Reform of the Civil Service Regime**

The changes to be introduced in the Civil Service regime shall particularly focus on the following areas:

- **Revision of the current career and remuneration system of Public Administration, to come into force and effect in 2007**

The revision aims at reducing drastically the number of existent careers and simplifying their structure, relating the professional evolution of civil servants and their remunerations to the performance assessment, to the merit shown and results achieved. It also aims at encouraging mobility between public and private sectors and approximating the public employment regime to the labour general regime, reserving with a particular tendency the career public regime for the functions related to the performance of sovereign and authority powers.

- **Revision of the Integrated System for Performance assessment in Public Administration (SIADAP), including the design of a performance assessment system of public services, during the year of 2006.**

The revision of the current performance assessment system, with the maintenance of the management by objectives and fundamental principles of SIADAP, relating to the differentiation of performances and valuing of competence and merit, is aimed at its entering into force and effect as of 1<sup>st</sup> January 2007, along with the reform of the career and remuneration system and with the design of a performance assessment of services, that enables to evaluate results achieved by each service in relation to the objectives defined.

- **Development of a new Social Protection framework System in Public Administration.**

This measure aims to a gradual harmonization between the general regime of social security of Public Administration and the social security regime, namely in matters pertaining to illness, maternity, paternity and adoption.

- **Revision of the supernumerary staff legal regime.**

The revision of the supernumerary staff regime shall aim to streamline the regime of assignment and unlink of civil servants and contractual staff of Public Administration to supernumerary establishment plans, of civil servants and contractual staff who are no longer needed as regards the needs of services, reformulate the list of respective rights and duties and stipulate solutions of training and vocational retraining and back-up to the resuming of activities in other sectors.

*Strengthening of staff control measures*, namely in the areas not currently covered by the freezing of admissions in Public Administration.

*Development of mechanisms of human resources vocational qualification of Public Administration.*

Within the framework of human resources qualification in Public Administration priority shall be granted to the development of the Operational Programme of Public Administration, (POAP) by focussing fundamentally on the following training typologies:

- a. Training for managers and senior staff;
- b. Further training and specialization;
- c. Training for support to mobility and resume activities in other sectors;
- d. Induction/Initial training

*Application of exceptional measures of a remuneration nature to be applied in the ambit of Central, Regional and Local Public Administration.*

These measures already passed consist in the non calculation of the length of service for progression purposes in the careers and in the freezing of the amount of all remuneration supplements (namely representation expenses, housing allowance, residence allowance, settlement allowance, risk allowance, and allowance for work performed under hazardous, arduous and unhealthy conditions, emoluments participations and other types of remuneration that do not constitute basic remuneration) of all civil servants, contractual staff and other State personnel by 31<sup>st</sup> December 2006.

### ***Revision of the rules for appointments of top management positions in Public Administration***

The procedures of appointment and termination of functions of management staff of Public Administration were changed. Likewise, the appointments by political confidence were limited and simplified open competitions for middle management positions have been introduced.

The positions, which terminate automatically by virtue of change of Government were clarified by law – only top management positions; however, the rule is not applicable in the case of secretariats-general, inspectorate-generals or other services where special rules of irremovability are in force. This is also applicable to those services whose powers have a predominantly specialized nature.

The middle management positions are not subject to the regime of automatic termination. The appointment in these positions is carried out through a procedure of selection simplified open competition.

Among the changes introduced the following should be highlighted:

- Establishment of the demand of suitable training courses for Public Administration managers;
- Creation of the Charter of Mission, which shapes a commitment of management of managers appointed, relevant for the assessment of the way how the functions are fulfilled;
- Possibility in case of open competitions without applicants or with applicants who do not meet the requirements demanded, to carry out recruitment of middle management positions outside Public Administration;
- Clarification of the regime of holding more than one public post or office, impediments, incompatibilities and inhibitions of management staff;

Holders of management of corporations in which the State owns the majority of the capital, entrepreneurial public entities and independent administrative entities, namely independent regulatory authorities, to specific legal regimes that are applicable to them.

### ***Restructuring of the sub-systems of health in Public Administration***

The diverse sub-systems of health in the Public Administration were the subject of a revision so as to converge with the general regime of assistance in illness to civil servants, undertaken in the ambit of ADSE (Directorate General for the Social Protection of Civil Servants and Contractual Staff). Therefore, conformation with legal norms was carried out, which govern the sub-system of ADSE of legal regimes of assistance in illness to military of the armed forces, of assistance in illness to military of the GNR (National Republican Guard) and to the personnel with policing functions of the PSP (Police of Public Security) as well as of the sub-system of health of the Social Services of the Ministry of Justice, applicable to determined professional categories of the Ministry of Justice, whose functional specificity has only parallel in the armed forces and in the security forces.

### ***Revision of the legal regime applicable and definition of conditions of exceptional performance of public functions or of work remunerated in any entity of public law or in entrepreneurial public sector companies by retired people.***

Rigorous criteria have been established for the performance of public functions and remunerated work by retired people, only possible on grounds of exceptional public interest, whenever expressly authorized by the Prime Minister, on a proposal, duly justified, from the member of the Government who has the

power of direction, superintendence, supervision or strategic orientation on the entity where the functions should be performed or the work should be carried out.

In the cases of performance of public functions or provision of work remunerated by retired people, the respective pension is maintained to them, being paid one third part of the basic remuneration of those functions or work, or, in alternative, this remuneration is maintained added of a third part of the pension, reform or remuneration in the reserve.

The absolute impossibility of anyone who has required early retirement or is compulsorily retired has been stipulated therefore these people shall not perform any public functions or fulfil work remunerated in any service of the State, public corporate body or public company.

Definition of a number of guidelines regarding the systems of remunerations and pensions in public companies and public institutes so as to render them fairer and more balanced

**Setting of limitations to the performance of other activities** by members of the governing bodies of companies belonging to the State entrepreneurial sector, public limited companies in which the State holds the majority or all the shares and entrepreneurial public entities, as well as, with the necessary adaptations, of members of the governing bodies of public institutes and holders of positions or proposed by the State with a ranking equivalent to the public manager.

It was decided that the members of the governing bodies of state-owned companies while performing those functions shall not be admitted to fulfil in the same or other companies of this sector any temporary or permanent activity under an employment contract or other legally equivalent contract with the purpose of establishing conducts of total independence and transparency.

Likewise, shall not enter into any contract with the referred to companies, which aim at providing services after terminating their functions.

***Convergence of the public system of social protection with the general regime of Social Security and strengthening of the equity and effectiveness of the system of the General Regime of Social Security:***

- Application of the general regime of social security to civil servants and contractual staff of Public Administration entered into as of 1<sup>st</sup> January 2006.
- Progressive convergence (from 2006 until 2015) with the General Regime of Social Security, of the legal age of the minimum reform necessary and the number of years of length of service necessary for access to retirement for the generality of civil servants, at the pace of six months in each year and up to attain 65 years of age and forty years of length of service.
- Progressive change of the formula of calculation of pensions for civil servants registered with before 1993, so as to ensure convergence for the formula of calculation applicable to all civil servants admitted after 1993 and to the beneficiaries of the General Regime of Social Security.
- Revision of the regime relating to pensions and subsidies and other benefits of holders of political positions.

The regime of pensions of holders of political positions was changed. The monthly life subsidy, the survivor's subsidy and the resettlement allowance were eliminated.

- Revision of retirement special regimes.

The assessment of special regimes was carried out. Special regimes that establish, for determined groups of civil servants, deviations to the rules of the Retirement Statute in matters pertaining to length of service, retirement age, formula of calculation and updating of pensions. Special regimes, which had not currently reasonable justification were eliminated. The remaining regimes were adapted to the new context of convergence between regimes and of guarantee of financial sustainability. Among others, the regimes of retirement, pre-retirement or of changeover to reserve and to reform were changed: of staff with policing functions of PSP; military of GNR; military of the Armed Forces; militarized staff of the Maritime Police, Navy and Army; and staff of criminal investigation and of support to the Criminal Investigation Police.

- Application of a coherent regime of social protection of civil servants and contractual staff of Public Administration admitted before 1<sup>st</sup> January 2006, including the application of the general regime of social protection in illness.
- Assessment of feasibility conditions of integration of beneficiaries of other special regimes of social protection in the Social Security General Regime.
- Establishment of speedier mechanisms of transition for the new formula of calculation of pensions of the Social Security General Regime, with particular incidence on self-employed workers.
- Assessment of the adequacy of mechanisms of discount by conventional salaries and of calculation of benefits postponed applicable to self-employed workers.
- Change of the regime of protection in the unemployment ensured to the beneficiaries of the Social Security General Regime.

Within the framework of the human resources management of Public Administration the revision of the information systems allowing the knowledge and follow-up of the progress of resources constitutes a fundamental measure. Particular attention shall be paid to the development of Ethics in the fulfilment of public functions and to the deontological principles of specific professions in Public Administration.

### **Modernization and administrative simplification**

A Unit for Coordination of Administrative Modernization (UCMA) was set up to support and coordinate the development of governmental policy in matters related to modernization and administrative simplification. UCMA is a structure of mission, that operates as a platform of articulation and coordination of diverse entities and instruments oriented to foster, stimulate and follow-up the reform process of Public Administration, without prejudice to the competences of each one and of the respective hierarchical dependences.

Four building blocks were defined to implement the governmental objective of administrative modernization.

Within the framework of aforementioned **BUILDING BLOCK I** the following initiatives are currently under way and in a stage of planning:

- Development of the **Citizen's Card**, as an authentic electronic document of multiple identification, that allows the respective holder prove his/her identity before third parties- public and private entities- and authenticate electronic documents by means of digital signature. Its implementation is scheduled for 2007.

- Passage of the **single document for car**, by means of the vehicle registration document, joining together the information previously set out in the vehicle registration document and driving licence of cars.
- Promotion of the application of the principle of the **one-stop-shop** through the merger of back-offices, which deal with the public among various services and the promotion of the multiskilling of the resources of dealing with the public, allowing rationalization of back-offices of different services and a greater proximity of front-offices in partnerships system.
- **Reformulation of dealing with the public in person in the Citizen's One –Stop-Shops**, by promoting a new generation of one-stop-shops, investing in the physical space of dealing with the public, training and specialization of staff, in the dealings with the public and in the liaison by electronic via to back-office (to accede to information and reduce response time).
- Development of a multi-channel **Integrated Network of Dealing with the Public**, by articulating the three types of dealing with the public, in person, by voice and web.
- Development of pilot-projects to set up a mediation **system of satisfaction and gathering of opinion from citizens** on administrative public services that may constitute a reference basis to draw up projects intended to improve critical areas detected.

In the ambit of **BUILDING BLOCK II** are currently in course and in the stage of planning the following initiatives:

- Creation of a «**Just-in-time Company**», through a special regime of allowing immediate incorporation of commercial companies and non-stock corporations under a commercial form by private and public limited companies. The service is provided to citizens in a single dealing in person in any Register of Companies, Firms and Associations or in posts of dealing with citizens operating at Centres for Business Formalities (CFE). The interested parties must only choose one of the firms pre-approved available and choose the memorandum or articles of association previously approved and certified by services of Register and Notary Offices. The Register of Companies, Firms and Associations ensures communication and subsequent formalities to all entities which must be notified about incorporation of a company.
- Development of a **Green Channel for innovation** by creating a channel of speedy decision in Public Administration for licence award procedures or supports to investments in innovating products.
- Development of the **company's portal** (in the ambit of the citizen's portal) allowing to invest in that de-materialized via of contract between administration and economic actors, preferential via of operation of global markets.
- Development of projects of **reengineering of procedures** to reduce unnecessary formalities, in the ambit of a national programme of elimination of licences, authorizations and superfluous procedures that constitute hindrances to economic initiative and disproportionate with regard to the objectives that envisage to achieve.

### **Programme of administrative and legislative simplification**

The programme of administrative and legislative simplification was launched whose aim is to facilitate life of citizens and companies.

The Programme integrates two building blocks: one building block of prevention, to improve the making of legislation and ensure previous assessment of administrative costs of each new regulation, under the direction of the Presidency of the Council of Ministers; the other building block orientated to administrative simplification in the life of citizens and companies, coordinated and catalysed by the Unit for Coordination of Administrative Modernization.

Among the measures of elimination, simplification and de-materialization of administrative acts and procedures, to be implemented during the year of 2006, the following are to be highlighted:

- Make optional all public deeds relating to companies
- Simplify the regime of merger and division of companies
- Set up a modality of «dissolution and liquidation just in time» of companies
- Abolish all books of account, save the minute book
- Simplify the authentication of documents and recognition of signatures in person
- Create for companies, a new regime of Single Rendering of Accounts
- Establish the single provision of information of companies to Social Security
- Eliminate the obligation of certificates of inexistence of debts to Social Security and Finance
- Create the procedure «trade mark just in time»
- Simplify the provision of information by industrial companies.

In the ambit of **BUILDING BLOCK III** are currently in course and in the stage of planning the following initiatives:

- Development of a **programme of participation and suggestion of civil servants** by means of a gathering system of suggestions of staff, designed as an important medium for the efficient gain of its creative potential.
- Creation of an innovation award in public services, by means of an annual competition to be held in each Ministry, with the purpose of rewarding the best project of simplifying innovation.
- Development of innovation networks through the creation of a network of **workers and entrepreneurial managers** who have skills in innovation in management of public organizations and services delivered by these organizations and services.
- Development of the **civil servant's portal** to create a single information and knowledge point for Public Administration staff, in the logics of the front-office or one-stop –shop, in this case virtual.
- Creation of a **Charter of Ethics for the Public Service** and its suitable circulation.
- Development of centres of shared services, as a result of the restructuring of Central Administration.

In the ambit of the **BUILDING BLOCK IV** the following initiatives are currently under way and in the stage of planning:

- Development of **pilot-experiences of horizontal management** that allow govern by projects.
- Development of the **programme “Better Regulation”** with the purpose of implementing assessment mechanisms of the regulatory impact of legislation, simplifying the disproportionate burden for citizens and companies. This implies the definition of assessment models of the impact of the type: Kafka test; assessment forms of compatibility and suitability with electronic administration; evaluation of the impact on competition, etc.
- Development of a **rationalization programme of de-concentrated administration**, adapting the model of territorial organization of State de-concentrated services to five NUTS II, with elimination of services with different spatial organization, safeguarding the quality in the access to services by citizens.
- Preparation of transfer of **public services of Central Administration to Regional De-Concentrated Administration**, as per the principle of subsidiarity, targeting the increase of proximity of citizens, increased quality of service delivered and reduction of public expenditure.
- Development of a programme of decentralization of powers for local authorities, following the programme initiated in 1999.

### **Modernization of public management**

The most important alterations to be introduced in the public management shall focus on particular priority on the financial, management and public patrimonial management areas.

At financial management level it should be stressed the creation of the position of **financial controller of ministerial area**, with a view to reinforcing the control of budgetary implementation of services and entities of diverse ministries. The financial controller reports to the Minister of Finance and to the Minister of the respective ministerial area with reference to a charter of mission, under the terms provided for in the management staff status of Public Administration that lays down the objectives and the commitment of their acting.

The competences of financial controller cover the planning areas, in the exclusively budget facet and assumption of commitments, of rendering of accounts and obligations of reporting.

As regards the **patrimonial management**, the State Property must be managed within a perspective of continuum and sustained creation of value for the State, by seeking efficiency gains in the occupation of the space by the services of Public Administration and simultaneously, by fostering the revenue obtained by availability of property deemed no longer needed. This may be carried out either by resorting to alienation mechanisms legally stipulated or by the improvement of conditions where the use of assets that remain in the possession of the State is made available to third entities.

### **Electronic Administration**

The generalization of the access to Internet and ICTs (TIC) is critical for the development of the Portuguese society. It must be linked to the transparency of Public Administration in all its acts and to the simplicity of its relations with citizens and companies.



In this context, the initiatives shall include in the Technological Plan of the Government a number of actions orientated to:

- Create a **public offer, free of charge, of Internet of citizenship**, by guaranteeing a free access to public services made available by Internet;
- **Make available in a single place of Internet all competitions** of central or local administration for the purchase of goods and services and for the contracting of staff including the respective historical report and decisions.

In addition to stimulate the search and among the multiple areas to be exploited the following actions are to be highlighted:

- Implement a proper network of communications of Public Administration in secure conditions, the aim of which is to reduce costs in communications;
- Stimulate training in Public Administration, by implementing the national system of certification TIC.

The technological progress is particularly rapid with regard to the development of ICTs. Therefore, it is essential to maintain the population updated in relation to the effective use of these technologies. For this reason, training in ICT' s of Public Administration shall be promoted, by outlining a diversified offer that shall encourage the interest for the learning of ICT' s by all civil servants.

- Adoption of an **electronic invoicing system** by services and organizations of Public Administration

It aims to de-materialize the invoice, enabling an optimization of means and financial resources. As of 1st January 2007 public services and organizations must in the ambit of operations liable to electronic processing, issue invoices or equivalent documents by electronic means, save if the addressee show interest in the issue of a paper based invoice, and give preference to its receiving also by electronic means.

- Passage of the creation of the Authority of State Electronic Certification

It was decided the creation and putting into operation of an Entity of State Electronic Certification – Public Key Infra-Structure, intended to provide secure authentication mechanisms for electronic transmission of data in the ambit of the State.

The installation of this authority aims at enabling the reinforcement of the degree of security and modernization of public electronic communications, strengthening solutions of the Electronic Government (E-government) and the development of diverse projects in the ambit of the Information Society such as, those relating to the citizen's card, biometric passport, availability of services of public administration via Internet which request strong digital authentication of electronic identities and signatures, and de-materialization of procedures intra and inter organizations of the State which request this type of authentication.

- Stimulate the cooperative work and telework in Public Administration

Implement and promote legislation on telework so as this may be used by a more extended basis of Public Administration. It shall certainly contribute to its modernization as well as to facilitate the relationship with citizens and companies.

- Implement points of access to broad band in all public services dealing with the citizens

A large-scale introduction of points of access to services online of Public Administration is of paramount importance for a common citizen to become used to interact with State by electronic via. Each point of dealing with the citizen, namely, parish boards, front-offices of social security and Post Offices shall be equipped with a terminal of liaison to Internet in broad band that shall allow acceding to any Public Administration service.

- Follow-up and support projects “**Digital Cities and Regions** (CRD’s), by promoting the relationship of citizens and companies with Local Administration.
- Generalize the use of monitoring mechanisms in Public Administration and in the Digital Cities and Regions

The independent monitoring of initiatives of Information and Knowledge Society is fundamental to ensure the existence of an assessment mechanism of said initiatives that allows pinpointing faults and putting forward corrections in due time.

## SLOVENIA

The development of better regulation is the key factor for increase of competitive position and the central Slovene developmental priority that strives for effective and cheaper state. Better regulation represents key factor both in economic growth increase and effectiveness of business environment. It is of the essential importance to effectively plan and analyze the effects of new regulation prior to its preparation. Moreover, thoughtful discussion on objectives and expected effects of the regulation is fundamental. Most of the comparable regulations are based on the two components of legislative procedure: analysis of the decision effects and participation of the interested publics.

In March 2006 the Government of the Republic of Slovenia adopted new rule of procedure for every regulation preparator. The regulation preparator must provide an assurance of conducted regulatory impact assessment, that the proposed regulation has been harmonised with the competent ministries for the field of public finances, regarding the question of its conformity with European Union regulations, reduction of the administrative burdens, judiciary, economy, environmental questions and social status of an individual. Furthermore each preparator must assure that the proposed regulation has been consulted with interested publics.

The Ministry of Public Administration is the responsible body for adjustment and exercise of control over the reduction of administrative burdens based on the Programme of Measures for Reduction of Administrative Burdens, adopted in November 2005 by the Government of the Republic of Slovenia. The measures were previously harmonized with all responsible ministries and also with the Slovene Chamber of Commerce and the Slovene Chamber of Craft. The Programme consists of 34 measures, necessary for the realization of each objective for reduction of administration burdens. Each measure holds the comment on the present condition, the essence of the measure along with the goal of improvement, the time limit for the realization and the responsible body or appointed person within the body. Among the 34 measures the most significant are the reduction of administrative set-backs, extension of the One-Stop-Shop project upon limited companies, reduction of the necessary craft licences, simplification of the permission acquisition procedure for space intervening, alterations regarding rights on parent custody, etc

The Government also adopted The Methodology for Implementation and Supervising of Statement on Reduction of Administrative Burdens and Participation of Interested Publics.

More details can be found on <http://www.mju.gov.si/index.php>

## SWITZERLAND

### **Project for the rationalisation of Swiss law at federal level**

The Swiss Federal Chancellery is planning to launch a project as part of the new Federal Administration Reform 2005-2007 with the three following focus areas:

#### ***1. Quantitative reduction = formal deregulation***

**Objectives:** Abolition of act- and ordinance-level regulations that are no longer necessary, because they are currently indisputably out-to-date, no longer used, ineffective, redundant, obsolete or meaningless.

**Activities:** General review of the classified compilation of federal legislation (restricted to national law) by means of surveys in the federal departments and offices. Compilation of the obsolete legislation by the Federal Chancellery. Collective application to the Federal Council for the abolition of ordinance-level regulations; Collective dispatch to the federal Parliament for the abolition of act-level regulations.

#### ***2. Qualitative improvement = material deregulation***

**Objectives:** Focusing legislation on the essential and increasing its flexibility: review of the need for certain provisions, focus on the essential in acts, creation of framework and fundamental legislation while transferring the (still required) regulatory requirements to ordinance level where the Federal Council has the power to legislate; simplification of procedures and the review of regulations that limit the decision-making freedom and development potential of private individuals, expansion of the latitude available to the Administration and increased flexibility in the application of the law.

**Activities:** Systematic scrutiny of legislation and the application of law with regard to its necessity and with a view to increasing flexibility: surveys in the federal departments and offices. Compilation of the questionable fields of law by the Federal Chancellery. Preparation of the legislative changes in the relevant federal offices.

#### ***3. Guarantee of quality for future legislation***

**Objectives:** Optimisation of future legislative processes with regard to: the need for legal regulation, the level of regulation, the scope of regulation, importance of the implementation, costs and benefits of a new act.

**Activities:** Temporary mandate to a group of experts, which develops the guidelines for legislation and checks all planned federal legislation according to deregulation considerations. This committee includes experts from academia, the judiciary and legal profession and the administration.

## TURKEY

### **Recent Developments in Turkish Public Management**

Efforts to counteract the 4 basic gaps in Turkey (Strategic Gap, Performance Gap, Financial Gap and Trust Gap), caused by the constant delay in tackling the challenges of globalization, as well as developments in the EU accession process have led to the introduction of significant reforms in various fields, particularly in public management. Accordingly, plenty of secondary and technical regulations have been adopted in last year in addition to the legal frameworks mentioned below.

#### ***Establishment of the Revenue Administration***

The law no. 5345 adopted in May 2005 stipulates the organization of the Revenue Administration as a presidency affiliated to the Ministry of Finance. The aim is to establish an organization as horizontal as possible, based on devolution of powers with strong central and provincial administrations, whereby the latter is directly affiliated to the center in managerial terms, and to ensure swift and direct communication among functional bodies both in central and provincial administrations without creating a hierarchy. The objectives are (i) to improve the capacities of central bodies in strategy building, coordination and orientation while encouraging the provincial administrations to use initiative and providing them with operational flexibility; (ii) to clearly identify the job descriptions of central and field offices so as to avoid duplicities, to integrate common services particularly in provincial administrations in order to improve efficiency and effectiveness; and (iii) to switch from the current tax system based only on tax types to a complex system which involves a functional structure based on tax-payer orientation.

According to the new organization, the Ministry of Finance is in charge of developing revenue policies while the Revenue Administration is responsible for the implementation thereof. Several issues had been taken into consideration in the design of this organization, such as the elimination of duplication and overlapping of the same services by different units as well as the maintenance of communication and cooperation among these units.

It is planned to spread the notion of strategical management to all units in order to ensure constant institutional development, to prepare policies by analyzing the changing environmental factors, to improve the criteria of performance and quality as well as to increase efficiency. The transition process has been supported by a Monitoring Committee set up to follow-up the activities in progress regarding the change management and performance targets.

Among the major targets of restructuring are the fair and equal provision of the best quality services to taxpayers and the protection of taxpayer rights. To this end, these services shall be carried out by the main service unit.

The newly restructured Revenue Administration will be the basic indicator of an efficient and modern public management in Turkey.

### ***Enactment of the Law on Associations of Local Administrations***

The new notion of public management is based on efficiency and effectiveness in management. Adaptation to change requires a state of preparedness against the uncertainty of the future and an ability to make quick decisions and find speedy and proper solutions for problems. Restructuring in public management also calls for a transformation and change in local administrations. Work procedures and processes of local administrations will also be subject to change.

The prevalence of democracy, the increase in welfare, technological developments and demographic changes have all led to a rise and variety in demands. This also entails cooperation among local administrations to provide better local common services. Since associations can provide services to greater populations and larger geographic areas, they have a significant role to play in the provision of efficient and effective services. There are longstanding legal regulations in place which allow for cooperation among special provincial administrations, municipalities and villages to commonly render services; however, in practice, the mechanisms to enable such co-operations have not been developed adequately.

Article 127 of the Constitution provides for the establishment of associations of local administrations. The European Charter of Local Self Government also states that local administrations may cooperate among themselves and form associations to this end. This practice, which acquires an institutional quality by the establishment of associations, has also become an instrument for local administrations to take part in cross-border cooperation beyond national borders.

With the enactment of the Law no. 5355 in May 2005, cooperation among local administrations has increased; provision of common services has been facilitated, enabling more efficient, effective and qualified provision of local common services

### ***Establishment of Development Agencies***

The law no 5449 of 25.01.2006 was adopted to regulate the principles and procedures concerning the establishment, duties, powers and coordination of development agencies, which will be set up to accelerate regional development, ensure sustainability and bridge the development gap between and within regions, in line with the policies and principles laid down in the national development plan and programs. These agencies shall improve the cooperation among public sector, private sector and non governmental organizations, ensure that resources are used efficiently and properly and mobilize the local potential.

The establishment of these agencies is one of the major legal, institutional and structural regulations set forth by the Urgent Action Plan (UAP) of the current government.

Establishment of participatory and flexible development agencies, which are well-endowed with technical equipment and which focus on local and regional development has become inevitable due to various reasons such as differential regional development, changes in local and global competition, liabilities arising from the EU accession process, the obligation to rationally distribute financial and human resources, the increase in environmental awareness, the rise in demands for development and organization and the need to efficiently steer such demands.

The organizational structure of the agencies consists of a Development Agency, which emphasizes participation and consultation functions, a Board of Directors, which shall work in collaboration with the public-private sectors as a decision-making body, a General Secretariat, which, as the executive body, shall act as an efficient private sector organization with high technical capacity as well as One Stop Offices.

### ***Establishment of Turkish Statistical Institute, in line with the EU legislation***

Accurate, reliable and timely statistical data are essential for rational and impartial governing of a modern state, for determination of the state's stance in relation to economic, social and cultural fields, for feasibility of future plans and programs as well as for researches conducted to enable such activities.

Since inauguration, the duties and responsibilities of the State Statistical Institute have grown both in scope and number of topics, as the need for wide ranging statistical data gradually increased in consequence of national and international developments. Change became necessary as the then-current law could no longer provide for such developments.

The law no 5429 adopted in November 2005 regards the Turkish Statistical System as a whole, imposes new measures to avoid lack of coordination among agencies and misuse of resources, introducing the concept of "Official Statistical Program", and establishes a modern statistical institute in line with contemporary requirements. Furthermore, the Statistical Council has been rendered functional, gathering all statistical users and producers. With the new decentralized system, the structure of the institute has been adapted to meet international standards.

Statistical laws of the EU member states have been reviewed and interviews with EUROSTAT (The Statistical Office of the European Communities) officials have been made during the preparation stage of this new system. EUROSTAT gave a favorable opinion on the new design, stating that significant progress was made in transposition to the European Statistical system. As a consequence of all these studies, consensus was reached to involve the below points in the new statistical law:

- Increase in the Institute's autonomy,
- Adoption of a fixed tenure for the President of the Institute,
- Establishment and maintenance of the coordination role of the Institute within the system,
- Involvement of multi-year planning factors in the system,
- Efficient role played by the Statistical Council within the system,
- More clear and specific definition of confidentiality principles for statistics,
- Clear definition of data distribution principles and adoption of facilitating factors concerning the right to access data,
- Adoption of statistical definitions,
- Strengthening of the Institute's field offices and providing them with more functionality,
- Enhancement of working conditions for the Institute staff in connection with the increase in administrative capacity.

The new law on statistics aims to:

- set up a statistical system and organization which would meet the needs in future years,
- ensure that the duties are fulfilled more rapidly, efficiently and effectively,

- strengthen the Institute with skilled personnel,
- regulate the organizational laws which are currently in disorder.

### ***Establishment of the General Directorate of Civil Aviation***

The General Directorate of Civil Aviation, one of the main service units of the Ministry of Transport, worked on the determination and supervision of commercial rights and flights of foreign air carriers, establishment of national air carriers and aviation companies, formulation of aviation principles and most importantly, maintenance of flight safety standards.

In order to improve civil aviation and to ensure greater safety in the sector, it has become necessary to create a civil aviation authority with the proper equipment, personnel, administrative structure and enforcement powers, which could efficiently carry out regulation and supervision functions.

With a view to providing more efficient and secure civil aviation services, the law no. 5431 was enacted in November 2005, which reorganized the General Directorate of Civil Aviation as a public corporate body with a private budget.

### ***By-law on Farmer Registry System***

The By-law on Farmer Registry System issued in the Official Gazette number 25788, of 16/04/2005, aims to update and improve the Farmer Registry System, set up to develop sound agricultural policies, as well as to provide, supervise and monitor agricultural support.

The by-law introduces the procedures and principles concerning the assignment of institutions and agencies with the reporting and monitoring of records to update and improve the Farmer Registry System, the determination of farmers who work on agricultural production, the adjustment of farming records as well as the general usage of the Farmer Registry System in connection with implementation of agricultural projects and supports.

### ***By-law on Procedures and Principles of Application and Code of Ethics for Public Officials***

With an aim to increase public trust towards public administrations, to inform citizens as to what they are entitled to expect from public officials and to regulate the principles and procedures of application to the Ethical Board for Public Officials, the By-law on Procedures and Principles of Application and Code of Ethics for Public Officials issued in the Official Gazette number 25785, of 13/04/2005, adopts an ethical culture in public sector, sets the ethical code of conduct and guidelines for public officials and eliminates the circumstances that damage the principles of justice, integrity, transparency and impartiality in the discharge of duties and that could lead to lack of trust in the public.

### ***By-law on the Working Principles and Procedures of the Internal Audit Coordination Board***

The by-law, based on article 66 of the Public Finance Management and Control Law number 5018 of 10/12/2003 entered into force after its publication in the Official Gazette, number 25960 of 08/10/2005. The by-law regulates the establishment, duties, powers, responsibilities and working principles of the Internal Audit Coordination Board and duties of the secretariat of the Board.



***By-law on Starting a Business and Work Licenses***

The by-law issued in the Official Gazette number 25902, of 10/08/2005, covers the licensing and supervision of sanitary and unsanitary work places, public entertainment and rest areas. The by-law aims to regulate the principles and procedures of issuance of licenses for work and business.

***By-law on Annual Activity Reports Prepared by Public Administrations***

The by-law, based on article 41 of the Public Finance Management and Control Law number 5018 of 10/12/2003 entered into force after its publication in the Official Gazette, number 26111 of 17/03/2006. The purpose of the by-law is to establish the principles, procedures and processes concerning the preparation, distribution and public release of activity reports drawn up by public administrations, special budget administrations, social security institutions and local administrations.

***Implementation By-law on Identity Sharing System***

The by-law issued in the Official Gazette number 25871, of 10/07/2005, demands that the information kept in the Central Demographical Administration System (MERNIS) database be available in electronic format for access by public institutions and agencies and sets out the principles and procedures of services to be rendered through this system.

***By-law on Working Procedures and Principles of Strategy Development Units***

The by-law, based on article 60 of the Public Finance Management and Control Law number 5018 of 10/12/2003 and article 15 of the Law no. 5436, entered into force after its publication in the Official Gazette, number 26084 of 18/02/2006. The purpose of the by-law is to regulate the working procedures and principles of strategical development units.

***Studies to Improve the Regulatory Quality******By-Law on Principles of Legislation Preparation***

On 19 December 2005, the Council of Ministers adopted a by-law drawn up by the Prime Ministry to regulate the principles and procedures on drafting of the laws, decree-laws, regulations, by-laws, decree addendums to Cabinet Decrees and other regulatory proceedings by the Prime ministry, ministries and their affiliated agencies and other public institutions and agencies.

This by-law contains various provisions on the improvement of regulatory quality, the most important one of which makes it compulsory to conduct regulatory impact analysis for laws and decree laws which, if enacted, are expected to create an impact of more than ten million YTL. It is further stated in the by-law that the Prime Ministry holds the right to redefine this amount if necessary. In addition to the general justification, the agency shall conduct a regulatory impact analysis which covers the points below:

- a. the reasons for preparing the regulation and whether the regulation type has been chosen properly
- b. potential benefits and cost of the regulation, whether such benefits justify the cost
- c. whether the regulation would add an extra cost to the budget, if so, at what cost?
- d. whether the regulation provides for establishment of a new organization or a post and, if so, whether such establishments are necessary

- e. effects of the regulation on social, economic and commercial life, environment and other stakeholders
- f. whether the regulation would cause further red tape and bureaucratic formalities
- g. whether the opinions of stakeholders have been received during the preparation of the regulation
- h. whether the regulation is feasible, how to ensure adaptation to the regulation and how to monitor implementation
- i. whether the administration which has been granted power and responsibility regarding the regulation is the right choice
- j. how to measure the impacts of the regulation

The by-law clearly defines public agencies whose opinions should be obtained in accordance with the subject of the regulation during the preparation period. It is also stated that opinions of relevant local administration, universities, trade unions as well as non-governmental organizations may be solicited. Public opinion on regulations of common concern may also be sought via the web site of the proponent agency. These opinions shall be taken into account in the finalization stage of the drafts.

Another development is the obligation of the relevant agencies to send their comments to the proponent agency within a month. Failure to send comments in a month's time shall be considered as consent to the proposal.

### ***Simplification of legislation***

It has been nearly two decades since the legislation was last compiled and sorted out in Turkey. A need to update the legislation has arisen over the years, as some parts of the legislation have become obsolete or redundant due to changes in social life; some aspects of legislation introduced in due course, overlapping with previous regulations have led to duplicities or even conflicts, and some provisions have been implicitly repealed.

A commission set up in the Prime Ministry, under the leadership of the General Directorate of Legislation Development and Publication, has initiated a study, in collaboration with the High Advisors from the Ministry of Justice, in order to sort out dead-letter laws or provisions, incorporate overlapping provisions, rectify conflicting provisions and ensure clear and precise wording of laws. The commission is currently working to determine the laws to be reviewed or repealed.

As a result of the reviews conducted on regulations and by-laws, those, which are found to be obsolete or without any legal basis have been revoked. Moreover, cross-cutting by-laws issued by various agencies have been consolidated as a single by-law.

Significant progress has been made in terms of simplification and accessibility of legislation as public access to by-laws has been facilitated and their codification completed.

Furthermore, studies to provide access to legislation in electronic medium have been completed and search engines and legislation texts have been made more user-friendly, as a result of which the annual hits recorded by counters rose up to over 1.300.000 in 2005 from 500.000 of 2004. This figure is expected to rise in the near future. Similarly, the number of visitors to the e-Official Gazette went up to 7.500.000 from 4.800.000, dropping the number of subscriptions to the Official Gazette to 10.935 from 14.285.