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## Action Plan for Better Regulation

According to the Government Programme of Prime Minister Sanna Marin, the Government will draw up a comprehensive action plan for better regulation. The Government Programme also states that the role of the Finnish Council of Regulatory Impact Analysis will be strengthened, and a government-level system for ex post regulatory impact analysis, the preparation of which is to begin as soon as possible, will be introduced in Finland.

In addition, the Government Programme lists several measures related to the quality of legislative drafting or its improvement. The Government Programme states, among other things, that the competence of law drafters in fundamental and human rights issues will be systematically improved. Inter-ministerial support will be increased to ensure that the impacts of legislation on people's income security, the environment, equality, human rights, and operating conditions for businesses can be thoroughly assessed. The status of the Constitution and its independent interpretation will be respected and strengthened, while the assessment of the constitutionality and impacts of legislative proposals will be enhanced and the scope of the assessment expanded.

The Government Programme of Prime Minister Marin states that in decision-making, impacts will always be assessed from the perspective of company growth, employment and investment. According to the Government Programme, the application of the One for One principle, which aims to curb the growth in the regulatory burden, will be expanded. In addition, one of the objectives mentioned in the Government Programme is to ease the administrative obligations of businesses and the general public in the long term. It is stated that EU legislation should be appropriate and of a high standard. When drafting new legislation, existing regulatory measures should be reviewed critically and simplified where necessary. Unnecessary administrative burden should be avoided.

The actions for better regulation aim not only at high-quality legislative drafting but also at regulation that works smoothly and achieves the policy goals set for it efficiently without excessive inconvenience to those covered by the regulation, such as businesses or citizens. The Action Plan for Better Regulation is therefore linked to the expansion of the application of the One for

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One principle, which is being experimented under the lead of the Ministry of Economic Affairs and Employment.

## **1. Background**

Improving the quality of legislation and legislative drafting has been a key objective in Finland already for a long time. Several government programmes over the past few decades have included measures that aim to develop legislative drafting and improve the quality of legislation. The ultimate goal has been and still is high-quality legislation that efficiently implements the Government's objectives.

Each ministry is responsible for ensuring the high quality of legislative drafting in its own branch of government, whereas the Ministry of Justice has been tasked with developing legislative drafting within the Government as a whole. The Prime Minister's Office, on the other hand, is responsible for legislative planning within the Government.

During several government terms, the Government has set up horizontal development projects and working groups to improve the quality of legislative drafting. These include working groups for developing legislative drafting set up by the Ministry of Justice for 2003–2011 and the cooperation group for legislative policy set up by the Ministry of Justice and the Prime Minister's Office for 2011–2015. The working groups were tasked with coordinating the development of legislative drafting within the Government, supporting the work of law drafters, and promoting dissemination of good practices between ministries. The working groups also provided a platform for discussion and exchange of information between ministries' public officials and participated in the cooperation for better regulation both at national and EU level.

In 2010–2013, the Ministry of Justice carried out, together with the Finnish Innovation Fund Sitra and with co-financing from it, a three-year project that improved the quality and productivity of the legislative drafting process. In the course of this project, an electronic legislative drafting process guide was drawn up, and training on legislative drafting was reformed and expanded. To continue the intersectoral cooperation for the development of legislative drafting, the Ministry of Justice appointed a cooperation group for the development of legislative drafting for the period from 2 November 2015 to 31 March 2019. The term of the working group was subsequently extended until 31 May 2019. The emphasis in the work of the cooperation group was on cooperation with the executive group for streamlining legislation, improvement of the quality of impact assessment, development of stakeholder cooperation and consultation, EU better regulation issues, OECD cooperation related to the work of the Regulatory Policy Committee and the use of technology in legislative drafting, and competence development related to legislative drafting.

At the end of its term, the cooperation group made proposals on how the work should be continued. The cooperation group was of the opinion that cooperation for improving the quality of legislative drafting should be continued and that the coordination group could in future assume a stronger role in improving the planning and coordination of the legislative drafting work within the Government. The cooperation group should also in future pay particular attention to the competence development of law drafters. In addition, the cooperation group should promote

the possibilities to utilise technology and digitalisation in legislative drafting and coordinate the related development work in the Government. In the capacity of a cooperation body, the cooperation group should maintain regular dialogue with other actors that have links to legislative drafting and its development within the Government, act as support and provide a discussion forum for other legislative drafting development projects, and take an active approach to promoting better regulation issues at national, EU and international level and the dialogue between national and EU better regulation actors.

The Prime Minister's Office appointed a working group for the period from 19 December 2018 to 31 May 2019 to prepare proposals on measures to be taken to improve the coordination and planning of legislative drafting and the quality of drafting within the Government. The working group prepared proposals on measures for ensuring adequate legislative planning within the Government, strengthening the human resources necessary for legislative drafting, enhancing the legislative drafting skills and improving the related training, and developing a digital work platform that would improve the efficiency of legislative drafting practices. The cooperation group for the development of legislative drafting set up by the Ministry of Justice served as steering group for the project.

## **2. Objectives and schedule for the implementation of the Action Plan**

The objective of the Action Plan is to improve the quality, planning and transparency of legislative drafting within the Government through various measures. A separate implementation plan will be drawn up to support the Action Plan.

The Action Plan and the related implementation plan have been drawn up in cooperation between several ministries. The Action Plan covers the years 2020–2023, but it may also include projects that are launched during the actual term of the Action Plan but are estimated to end later.

## **3. Contents of the Action Plan**

To meet the goal of improving the quality of legislative drafting within the Government, the objective of the Action Plan is to develop:

1. legislative planning and legislative drafting skills
2. interaction and communication in legislative drafting work
3. impact assessment in legislative drafting; in addition, a government-level system for ex post regulatory impact analysis will be introduced
4. utilisation of technology and digitalisation in legislative drafting

The Action Plan and the related implementation plan may be supplemented and updated during the term of the Action Plan.

#### **4. Organisation**

On 14 October 2019, the Ministry of Justice appointed a cooperation group for the development of legislative drafting, which serves as steering group for the implementation of the Action Plan. The cooperation group will outline policies as well as monitor and assess the achievement of the objectives of the Action Plan.

The steering group may set up sub-groups to prepare different themes. The sub-groups will regularly report on their work to the cooperation group for the development of legislative drafting.

The Ministerial Working Group on Internal Security and Strengthening the Rule of Law will be informed of the progress of the implementation of the Action Plan.

Minister of Justice

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