

# Improving Access to Legislation

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# Access to Legislation

The right of access to legislation is one of the basic human rights and fundamental freedoms

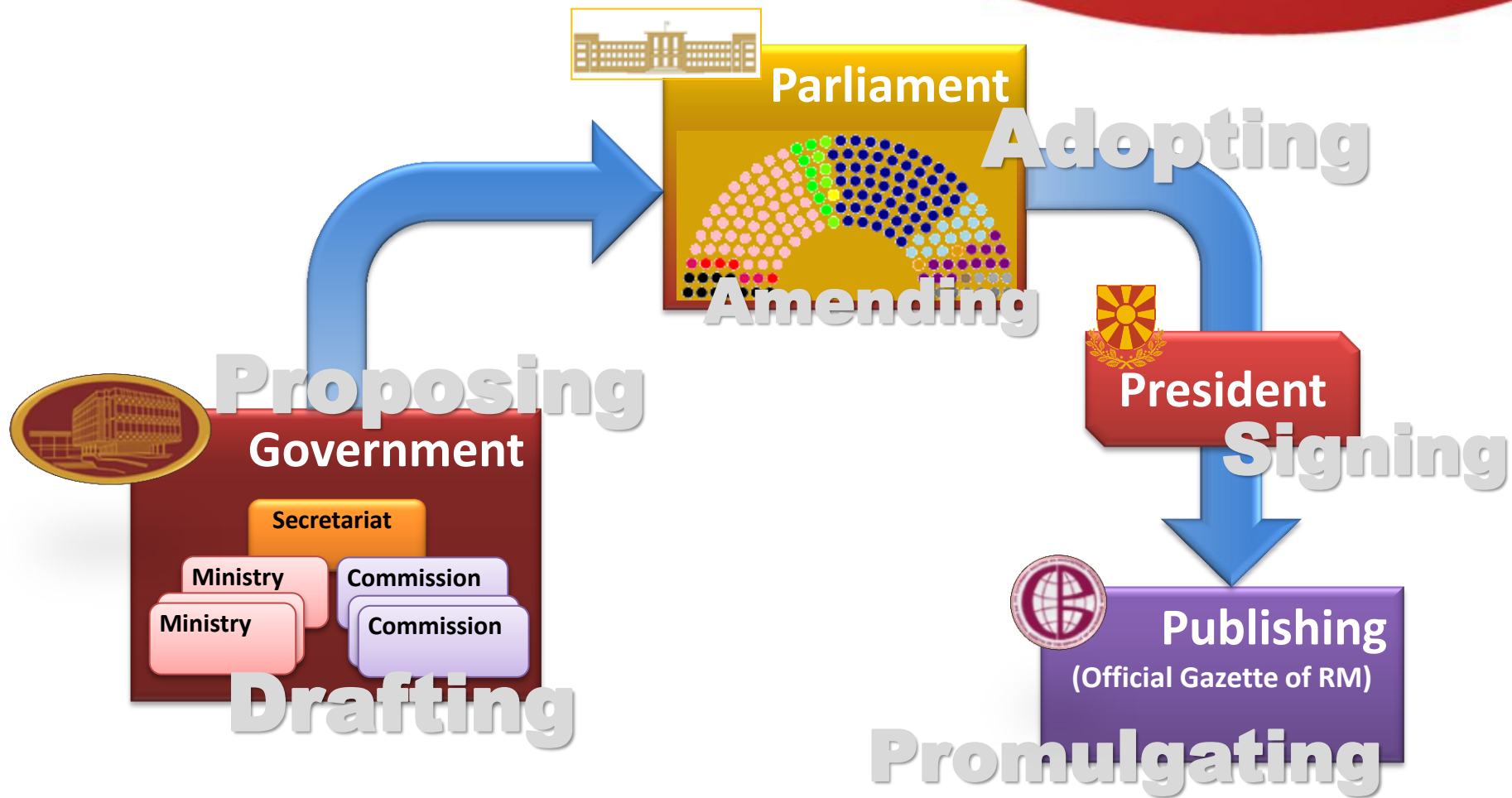
## Access to law

- The aspect of the end user
  - For professionals (“law practitioners”)
  - For the general public
- The aspect of law-making process
  - Access to laws and regulations in power
  - Access to laws and regulations in preparation
    - openness, transparency, inclusiveness/stake-holder participation
- The aspect of “how easy” can an ordinary citizen determine what the law permits or prohibits

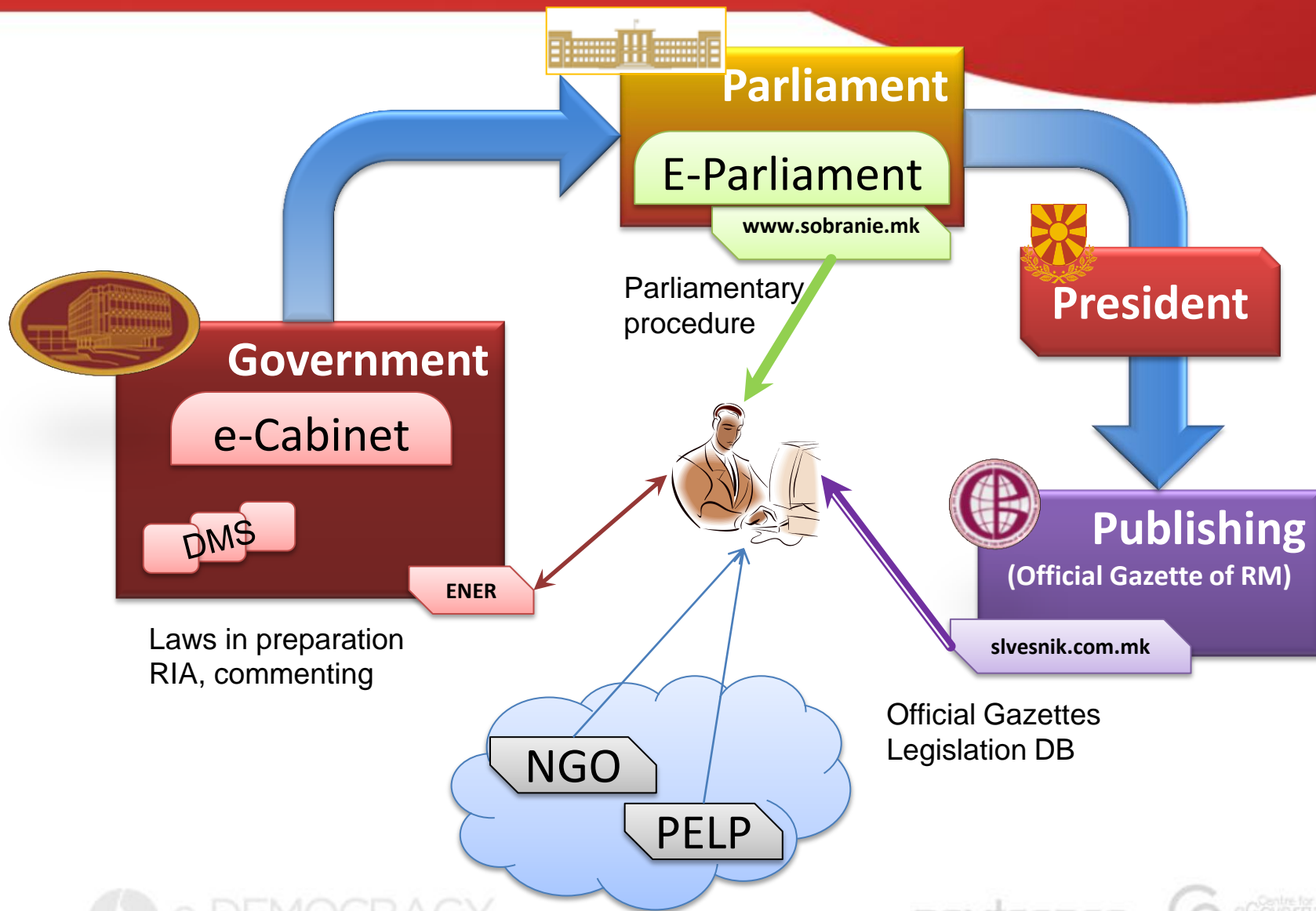
# ICT and Access to Legislation

- ICT in legislation preparation/promulgation process
- ICT in using/accessing legislation
- Internet and social networks
  - Public Opinion Analysis
  - Initiating Public Debates
- Accessing legislation
  - Elevated user expectations on the easy of access
  - Use of advanced legislation databases
  - Consolidated versions of laws
  - Easy access to related (interlinked) regulation
  - Easy access to legislation of other countries / EU legislation in a specified area

# Legislative Process in Republic of Macedonia



# Access to Legislation in Republic of Macedonia



# Consolidated versions of laws

- What is “a consolidated version” of law?
  - integral form the principal text of the law +
  - all subsequent amendments and supplements +
  - relevant decisions of the Constitutional Court
- in the last three years, over **70% of the laws** adopted were laws **amending and supplementing** existing laws
- in the nomotechnique that is in use in Macedonia it is usual to **change, add or delete one or several words** in the provisions
- reading a law and establishing what its current text can be quite commendable achievement even for the most skilled and experienced lawyer

# Automation of consolidation

- Experience from other European countries shows that the consolidated versions of laws are among the **mostly accessed** documents in the legislation databases
- How to improve consolidation?
- Automation of consolidation of the text of laws
  - Can be accomplished only if there are more strict rules are followed during its creation
  - Drafting is done in controlled environment following a predefined template
  - All consecutive amending and supplementing is “captured” in a controlled environment over the previous actual version of the text



# Automated consolidation

In order for an automated consolidation to be possible several prerequisites have to be met:

- Using an appropriate data format for storing legislative texts
- Capturing data at source
- Enforce using of templates for drafting

# Data Format for Storing Legislative Texts

Some of the advantages of using the XML standard for description of legal documents are:

- directly supports different languages/alphabets and multilingual documents;
- a possibility of keeping and automatic extraction of all metadata in the document in a structured form;
- possibilities for manipulating logically marked-up parts of the document;
- imposing structure of the document that must be followed;
- imposing predefined formats and transparency when converting different elements used in the text (dates, time, numbers,...);
- a possibility for referencing parts of other XML documents;
- easy, fully automatic transformation of the document in other form in accordance with appropriate rules.
- standards (FORMEX, METALEX)

# Capturing Data at Source

Imposing a stricter structure of regulations and adequate mark-up of their content by capturing data at source provides:

- help for the drafters while creating the regulations by following the structure and form of the final regulation since the very beginning of their writing;
- reduction of errors in the content and final format at publication;
- production of documents that are consistently formatted, regardless of their origin;
- possibility to introduce validation of data since the very beginning of the process of creation of regulations;
- elimination of the need for re-keying or conversion of data, enabling increased efficiency of the support services;
- savings - both in preparation and in adoption of laws (ministries/parliament) and in publication (official gazette);
- precise tracking of all of the modifications, suggestions and versions of the laws in all of the stages of their creation.

# Using Templates for Drafting

Basically, there are 3 main approaches for accomplishing this:

1. Generic solution
2. Generic configurable XML editor
3. Specialised application for legislative drafting

# Generic Solution

A document template for standard word processor or an add-on for a commercial word processor.

- Using a predefined template while creating the document
- Forwarding the document to a validation server
- Receiving a validation report that clearly indicates the inconsistencies in the structure of the document and points out what should be corrected

**Advantage:** convenience and familiarity of most users with standard word processors

**Disadvantage:** validation of the document as an additional separate step

# Generic Configurable XML Editor

Generic configurable XML editor, configured for legislative drafting

**Advantage:** use of a ready-made (commercial or freeware) XML editor that outputs the document in XML format directly

**Disadvantage:** the need to configure the generic editor and completely new (not so much user-friendly) writing environment

# Specialized Application for Legislative Drafting

Specialized application for legislative drafting, which imposes proper organization and structure of the document

**Advantage:** real-time validation of the content and direct export in the required format (XML), as well as direct guidance and assistance for the user in the process of drafting, no additional steps (validation, export) are required, maximum adaptation of the writing environment to the task

**Disadvantage:** developing and maintaining such a specialized application

(suggested approach)

# Integrated IT System for Legislation (1)

Closer integration of the existing internal IT systems of the ministries/Government, the Assembly and the database of effective regulations of the PE Official Gazette. Such a system should facilitate:

- creation of both simple and complex texts, enabling the users to follow a pre-defined template for the type of regulation that is being prepared;
- use of metadata from the previous stages, adding new and updating the metadata values according to a prescribed scheme;
- access to the electronic versions of published laws for the drafters of new regulations or amendments and supplements to existing regulations, which should be fully supported by the system;
- automatic real-time validation of the content;
- Support for tables, charts and pictures and full WYSIWYG view of the document through a user-friendly interface;



# Integrated IT System for Legislation (2)

- interface that will allow easy access to the basic structural elements of the regulation while creating its text, that will allow easy and transparent conversion of the document into a publication (automatic conversion to another format like PDF, XML, HTML, for example);
- transparent work with multi-lingual documents;
- link to the Programme for Adoption of the Acquis Communautaire (NPAA) and the Government annual work programme;
- link to the EUROVOC categorization of legislation;
- versioning and tracking the changes in documents;
- adequate level of security which will guarantee that the documents sent to the users are authentic;
- easy access to information about the stage a certain regulation in preparation is and the institution in which it is currently being processed as well as easy monitoring of compliance with the deadlines for each regulation that is being prepared;

# Integrated IT System for Legislation (3)

- a possibility for the user to make direct changes in the currently valid text of a regulation the amendments of which he/she starts to prepare, by deleting or marking the parts that should be excluded in the new version, replacement of the parts that should be changed and adding new parts in the text of the regulation, allowing for automatic creation of the document on amendments and supplements, as well as the final version of the consolidated text of the regulation;
- To support communication of electronic documents to all institutions involved in the process of preparation, proposal and adoption of legislation without losing of the content of the metadata attached to the regulation;
- to **rely on the existing internal systems** in the institutions that are already in use as much as possible.

# Expected Benefits

- Closing the legislative procedure circle
- Does not exclude or require replacement of the existing internal systems
- Imposes stricter rules and standardization for the format of the legislative documents and metadata attached to them
- Basis for automatic consolidation

