

Area 2: Policy Development and Co-ordination

Principle 12	Legislation is consistent in structure, style and language; legal drafting requirements are applied consistently across ministries; legislation is made publicly available.		
Principle approach	The approach to monitoring this principle focuses on its last element, i.e. the question of whether legislation is made publicly available. In addition, it also looks at how available and citizen-friendly and easy to understand the various explanatory documents linked to legislation are. Hence, availability is also approached from the perspectives of ease of access and ease of understanding.		
INDICATOR 1	Perception of availability and accessibility of legislation and related explanatory materials by the civil society		
Indicator focus and general methodological remarks	<p>This indicator focuses on the accessibility and the availability of legislation and the explanatory materials related to it. It approaches the measurement from the viewpoint of CSOs, as actors who heavily rely on availability of legislation and explanatory information in the performance of their external control function. Thus, this particular indicator is almost entirely perception based, except for the first element, which is reflected in its main formulation.</p> <p>Therefore, to inform the assessment of all elements in this indicator, results of the survey with CSOs are utilised. The survey is performed on a sample which aims to ensure a representation of CSOs working in as many research areas as possible so the sample is as representative as possible (given that it is not possible yet to create a representative sample of CSOs in the region).</p>		
INDICATOR ELEMENTS			
Element #	Element formulation	Weight	Element data source
E.1	Existence of an online governmental database of legal texts	2	<ul style="list-style-type: none"> Official website of online governmental database of legal text
	Element methodology		Point allocation
<p>Researchers perform desk analysis to identify the existence of official online governmental database of legal text.</p> <p>The maximum points are allocated if following criteria is met:</p> <ol style="list-style-type: none"> Database includes consolidated versions of legal texts; Legal texts can be used/downloaded free of charge, and Legal texts are easily accessible - not more than three clicks away from the homepage (including search engine). 		<p>0 if there is no governmental database of legal text, or only one criterion from the methodology is met 1 if two criteria from the methodology are met 2 if all criteria from the methodology are met</p> <p><i>Maximum points: 4</i></p>	

	Free of charge pertains to all available legislation - primary, secondary, and tertiary. If no database of legal texts exists, elements is automatically zero.		
Element #	Element formulation	Weight	Element data source
E.2	CSOs are informed on the existence of online database of legal texts	2	<ul style="list-style-type: none"> Survey of CSOs
	Element methodology		Point allocation
	<p>The respondents are asked the following question: <i>"Are you informed about a government website where you can find and access a database of enacted legislation (laws and bylaws) free of charge? (filtered question)"</i></p> <p>Researchers measure the % of respondents that answer "Yes".</p>		<p>0 points for 0 - 29.9% 1 point for 30 - 59.9% 2 points for 60 - 100%</p> <p><i>Maximum points: 4</i></p>
Element #	Element formulation	Weight	Element data source
E.3	CSOs confirm they have used online database of legal texts	1	<ul style="list-style-type: none"> Survey of CSOs
	Element methodology		Point allocation
	<p>The respondents are asked the following question: <i>"Have you accessed such a website in the past year?"</i></p> <p>Researchers measure the % of respondents that answer "Yes".</p>		<p>0 points for 0 - 29.9% 1 point for 30 - 59.9% 2 points for 60 - 100%</p> <p><i>Maximum points: 2</i></p>
Element #	Element formulation	Weight	Element data source
E.4	CSOs consider the explanatory materials relevant to the legislation as easily accessible online	2	<ul style="list-style-type: none"> Survey of CSOs
	Element methodology		Point allocation
	<p>For this element, the extent of agreement with statement <i>"Explanatory materials (such as administrative guidance, documents, directives, interpretation bulletins or other rules that have practical impact, but do not have the force of law) relevant to existing legislation are easy to access"</i> is analysed. The percentage of respondents that answered "Strongly agree" or "Agree" on a verbal five-point scale is measured.</p> <p>Scale used: 1 – Strongly disagree; 2 – Disagree; 3 – Neutral; 4 – Agree; 5 – Strongly agree.</p>		<p>0 points for 0 - 29.9% 1 point for 30 - 59.9% 2 points for 60 - 100%</p> <p><i>Maximum points: 4</i></p>
Element #	Element formulation	Weight	Element data source
E.5	CSOs consider the explanatory materials to be written so as to be easily understandable	1	<ul style="list-style-type: none"> Survey of CSOs
	Element methodology		Point allocation
	<p>For this element, the extent of agreement with statement <i>"The explanatory materials to the legislation are written in a manner and style, which makes them easy to understand"</i> is analysed. The</p>		<p>0 points for 0 - 29.9% 1 point for 30 - 59.9% 2 points for 60 - 100%</p>

	percentage of respondents that answered "Strongly agree" or "Agree" on a verbal five-point scale is measured.		<i>Maximum points: 2</i>			
	Scale used: 1 – Strongly disagree; 2 – Disagree; 3 – Neutral; 4 – Agree; 5 – Strongly agree.					
TOTAL POINTS	0-3	4-5	6-7	9-11	12-14	15-16
FINAL INDICATOR VALUE	0	1	2	3	4	5