



Good Governance for Development (GfD) in Arab Countries Initiative

Working Group IV on Public Service Delivery, Public Private Partnerships (PPPs) and Regulatory Reform

Regional Capacity Building Seminar on “Drafting Legislation and Oversight Bodies for Regulatory Quality”

Agenda

29-30 April 2008

InterContinental Hotel, Amman, Jordan

29 April 2008

14.15 – 14.30	Opening session
14.30 – 16.15	Session 1. Oversight bodies for regulatory quality
<p><i>Chair: Mr. Josef Konvitz, Head of the Regulatory Policy Division, OECD.</i></p> <p>In order to complete an institutional framework for regulatory quality, most OECD countries have set up an institution in charge of overseeing the whole system. Its purpose is to facilitate coherence and ensure high regulatory quality by promoting regulatory innovation and giving technical support to law making institutions. These institutions are known as oversight bodies for regulatory quality; in principle, they do not draft legislation, but support and oversee the drafters spread throughout the government. To be effective they need to have a whole-of-government perspective, as well as authority and a considerable degree of independence, but positioned at the centre of government. A solid oversight body helps to facilitate the relation between law makers and users by ensuring a coherent and healthy communication channel between both, giving clear indications and technical assistance, thus reducing unnecessary burdens (due to for example duplicity and inconsistent policy implementation).</p> <p>This session will explore OECD and MENA experiences with oversight bodies, and inquiring this kind of institutions' appropriateness for the countries in the region to face their regulatory challenges.</p> <p>Speakers</p> <ul style="list-style-type: none"> • H.E. Mr. Mohammed Al Alawneh, Chairman, Legislation and Opinion Bureau, Jordan. • H.E. Mr. Hisham Tal, Member of Parliament, Upper House of Parliament, Jordan. • Mr. Kheireddine Ben Soltane, Legal and Legislative Advisor to the Government, Tunisia. • Mr. Khalil El-Rifai, Legal Advisor and Head of Legal Department, Palestinian Council of Ministers, Cabinet Secretariat, Palestinian National Authority. • Mr. Pedro Andres-Amo, Administrator and Policy Analyst, Regulatory Policy Division, OECD. • Mr. DoHoon Kim, Senior Research Fellow, Department of Industrial Cooperation and Globalisation, Korea Institute for Industrial Economics and Trade, Korea. 	
16.15 – 16.45	<i>Coffee break</i>
16.45 – 18.00	Session 2. Managing the flow of regulation: challenging impact assessments of new regulation
<p><i>Chair: Mr. Josef Konvitz, Head of the Regulatory Policy Division, OECD.</i></p> <p>This session will be focused on the trends to measure the impacts of regulation and to avoid the creation of unnecessary barriers by improving the rule making <i>ex-ante</i> (concentrated on new regulation). Tools as Regulatory Impact Analysis (RIA) are used to challenge the quality of regulation. The goal is to ensure that high standards are met and policy objectives are well defined and ultimately achieved. These analyses should be applied early in the policy making process and should be open to public consultation to involve all affected stakeholders. There are different approaches to impact assessments depending on the focus and the scope.</p>	

Speakers

- **Ms. Delia Rodrigo**, Administrator and Policy Analyst, Regulatory Policy Division, OECD.
- **Mr. DoHoon Kim**, Senior Research Fellow, Department of Industrial Cooperation and Globalisation, Korea Institute for Industrial Economics and Trade, Korea.
- **Ms. Rita Chidiac**, Assistant Policy Analyst, Office of the Minister of State for Administrative Reform (OMSAR), Lebanon.
- **H.H. Judge Akram Masa'adeh**, Judge, Court of Cassation, Jordan.

30 April 2008

9.00 – 11.00	Session 3. Reviewing the stock of legislation
<p><i>Chair: Mr. Josef Konvitz, Head of the Regulatory Policy Division, OECD.</i></p> <p>This session will concentrate on the need to review and simplify existing legislation. Techniques used to review the stock of regulation <i>ex-post</i> differ from the ones used <i>ex ante</i>. On the one hand, more data is available since the regulation under examination has been already implemented; on the other, this analysis is more complex and requires more resources. Evidence suggests that to successfully change existing regulation, legalistic approaches should be supported and complemented with a regulatory economic perspective.</p> <p>Speakers</p> <ul style="list-style-type: none">• Mr. Edward Donelan, Senior Administrator, SIGMA, OECD.• Mr. Sherif Fawzi Abdel Gawad, Senior Advisor, ERRADA – Egyptian Regulatory Reform Activity Egypt.• Mr. Jean-Christophe Geiser, Lawyer, Federal Office of Justice, Switzerland.• H.H Judge Dr. Mostafa Assaf, Judge, Head, Judicial Inspector's Office, Jordan.• Mr. Mahmoud Dodeen, Manager Legislation Database Department, Legislation Database Department, Institute of Law, Birzeit University, Palestinian National Authority.• Mr. Qassim Abdo, Consultant, Ministry of Justice, Jordan	
11.00 – 11.30	<i>Coffee break</i>
11.30 – 13.00	Session 4. Improving capacities of legal drafting institutions
<p><i>Chair: Mr. Edward Donelan, Senior Administrator, SIGMA, OECD.</i></p> <p>Sound legal drafting is essential to provide effective rules and improve governance. Policy makers and rule drafters should follow clear procedures and reflect public policy objectives in legal drafts. The strengthening of institutional capacities for legal drafting bodies should be a priority in regulatory management. This requires not only appropriate financial and human resources, but also capacities to make use of data and a better understanding of the possible impacts of regulation. This features a discussion of the relationship between various governmental authorities dealing with regulation and stakeholders. Improving consultation with stakeholders is a fundamental responsibility of legal drafting</p>	

institutions.

Speakers

- **H.E. Mr. Mohammed Al Alawneh**, Chairman, Legislation and Opinion Bureau, Jordan.
- **Mr. Mahmoud Alawni**, Legal Researcher, Legislative Assistance Committee, Institute of Law, Birzeit University, Palestinian National Authority.
- **Mr. Jean-Christophe Geiser**, Lawyer, Federal Office of Justice, Switzerland.
- **Mrs. Joelle Fawaz**, Magistrate, Department for Legislation and Consultations, Ministry of Justice, Lebanon.
- **Mr. Ali Abu Diak**, Deputy Assistant for Legal and Professional Affairs, Ministry of Justice, Palestinian National Authority.

13.00 – 14.30

Lunch

14.30 – 16.00

Session 5. Improving legal drafting and technical methods of drafting

Chair: Mr. Edward Donelan, Senior Administrator, SIGMA, OECD

Legal drafting manuals are the base of promoting effective legislation. To support this process, guidelines are essential to establishing regulatory making mechanisms. These manuals go from defining how to draft laws to the tools used to make clear rules that follow concrete policy objectives. These manuals should frame techniques and methods that provide better environments for rule making, including the use of information technologies. Clear guidance across government helps to bring more coherence to the legal system, and allows maintaining high quality standards of regulation from a whole of government perspective. This session will also give the opportunity to discuss other relevant issues in OECD and MENA countries, as for example challenges related to the drafting in a multi-lingual environment.

Speakers

- **Ms. Mejda Ben Jaafar**, Magistrate, Ministry for Justice and Human Rights, Tunisia.
- **Ms. Ghada Labib**, Minister's Assistant for Institutional Development, Institutional Development Programme, Ministry of State for Administrative Development, Egypt.
- **Mr. Fayez Bikerat**, Manager, Legislative Assistance Department, Institute of Law, Birzeit University, Palestinian National Authority.
- **Mr. Chris Moll**, Course Coordinator, Academy for Legislation, Netherlands.
- **Mr. Abdel Ghaffar Fraihat**, Lawyer, Jordan.

16.00 – 16.30

Final session

Wrap up of the seminar and discussion on the next steps.