



Quick Guide for Inventory

28 September 2008





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Draft for discussion – 28 September 2008

1. Inventory Final Date

Each participating ministry should complete the inventory, by 15 August 2008.

2. SCOPE OF THE INVENTORY

2.1 What the Inventory Includes

The inventory should include all valid laws and amendments, regulations and their amendments, decrees, directives, and circulars.

“Legal instruments” cover all of the following: (Attachment 1) *The list of regulations will be finalized before the inventory process begins.*

- § Treaty or Agreement
- § Law and executive regulation.
- § Presidential Decree
- § Prime Minister’s Decree
- § Cabinet of Ministers Decree
- § Council of Governors Decree
- § Ministerial Decree
- § Administrative Decree with a regulatory nature
- § Other instrument of a legal or binding nature

Important tip

If the Ministry is responsible for implementing a part of a law, such as an article, the Inventory should include that law and the specific article.

2.2 What the Inventory Does NOT Include (Also recorded in the inventory register – Attachment 4)

- § Legal instruments that apply only to internal management decisions of the public administration (such as instruments relating to hiring decisions or holiday periods).
- § Legal instruments that apply only to individual or ad hoc cases (such as instruments relating to a specific license or application unique to an individual business or citizen).
- § Regulations that are invalid – canceled – pulled.
- § Legal instruments that are advisory and not of a regulatory nature.

All laws and decrees affecting:	Included in Inventory
Internal management of the government	No
Specific cases	No
Decrees regulating commercial activities for individuals, businesses or activities directly related to business	Yes
Decrees regulating activities not directly related to businesses	Yes
Citizens in non-commercial activities (general regulatory effect)	Yes

3. Identifying the first batch of regulations to be reviewed first – business regulations governing commercial activities for individuals, companies and activities directly related to business.

Criteria for considering regulations to be directly related to business (Attachment 2)*

1. Allocation of land
2. Starting, running and ending a business for profit
3. Getting licenses and public utilities
4. Hiring personnel
5. Registering ownership
6. Access to credit



7. Investor protection
8. Paying taxes, insurance and fees
9. Internal and external trade and transport
10. Enforcing contracts and settling disputes
11. Protecting competition and preventing monopoly

If a regulation fulfills any of the abovementioned criteria, the GMU will consider it directly related to business.

4. Inventory Process

First Phase – Preparing for the Inventory

- Ø Each ministry shall issue a ministerial decree establishing the GMU, naming its director and members as well as outlining its terms of reference and objectives. The decree shall empower the GMU to carry out the inventory of legal instruments across the whole ministry and its affiliated authorities and departments. The GMU Manager shall be responsible for signing off the inventory list from the legal office leader in each of the affiliated authorities and departments of the ministry at an agreed deadline specified in the ministerial decree.
- Ø The minister of each participating minister shall issue a decree organizing work and specifying the functions of the GMU. One approach is for the GMU to liaise with the legal offices in each affiliated authority of the ministry to take charge of compiling the initial list of legal instruments enforced by the ministry.
- Ø As for the ministries that no longer exist or its subordinate authorities merged under other ministries, those regulations are considered an inheritance for the participating ministries; therefore they are obliged to compile their regulations.
- Ø It is important for each GMU Director to present a general overview on the ministry and its regulations, terms of reference and subordinates to the GMU staff.

Second Stage – Search Phase

- Ø Internal search:
 - a. Central archive at the ministry
 - b. Subordinate authorities' archives (including electronic and printed archive)
 - c. Previous projects implemented in the ministry
 - d. Ministry Library

- Ø External search :
 - a. Related ministries and subordinates
 - b. The national governmental press agency (National Gazette)
 - c. Information Decision Support Center at the Cabinet
 - d. Legislation and Development Information Systems (LADIS)
 - e. Public and private libraries
 - f. Set of laws published by some libraries
 - g. Related electronic sites

- Ø Having a contact person at each subordinate is optional according to the conditions of each ministry.

- Ø Each ministry could optionally issue an official letter to its subordinate authorities or external agencies attached with a data entry form to be filled by the subordinate authority or department that provides the regulations.

- Ø The data entry template should list all that was delivered to the GMU, while keeping a backup copy of these regulations.

- Ø It was agreed that GMUs will use any means they see fit in contacting the external authorities (which are not part of the Initiative) to obtain the required legal instruments. They can also seek the help of the Technical Secretariat of the Legal Task Force in contacting external authorities to ensure a response.

Third stage - Verification

- Ø The subordinate authorities (internal or external) should sign off the list of regulations.

- Ø Verifying the thoroughness of the legal instruments listed in the inventory through external databases.

- Ø Consultation with representatives from business community is optional,

but might be useful in ensuring that the Inventory is complete.

- Ø Status of Publication: the regulation is not considered published if there is just an authorization for its publication. It is only considered published when it is confirmed to be published by the National Gazette.

Fourth stage – Data Entry Stage

- Ø Scan all regulations and their amendments using a scanner.
- Ø Prepare a template for data entry on the software for all the regulations (Attachment 3).
- Ø Identify regulations directly related to business according to the abovementioned criteria (Attachment 2).
- Ø The importance of having a register at each unit for all the regulations that are entered or excluded from the software with their numbers and dates. (Regulations Register – Attachment 4)
- Ø It was agreed to add a field to the electronic database for the source of regulation as well as a field for rulings of Supreme Constitutional Court if found.
- Ø Each unit will have to comment on a specific law affecting its ministry and the business environment, while related to another ministry, which is not part of the Initiative.
- Ø The abolished regulations are not entered on the database at all.
- Ø The original decree and its amendments are entered, i.e. keeping the original and amended text of a ministerial decree.
- Ø As for laws, they should be entered in their final form.
- Ø It was agreed not to enter any legal instrument as "attach other files" as this would not allow separate search on attached regulations.
- Ø In case of absence of the regulation's number or sufficient data (such as brochures and circulars), they are entered through "attach other files" as an attachment to a related regulation. If it is not possible to attach it to another regulation, it shall be attached to the decree establishing the issuing authority.

Electronic linking:

- Ø Electronic vertical linking of regulations (i.e. linking the law with its executive regulation in addition to presidential, prime ministerial, and cabinet's decrees to the related ministerial decrees) was approved by the community.

- Ø Linking shall be according to the regulations mentioned in the preamble. In case there are abolished regulations in the preamble, the abolished regulation will only be mentioned in the inventory remarks section and will not be entered as a separate file.

Fifth Stage – Delivering the Inventory to the GRU

The data entry form, the request and fees lists should be delivered to the GRU by the GMU Director, after certifying the inventory list at the ministry.

Summary of Inventory Phase

1. Identify whether an instrument should be included in the Inventory.
2. Recording the entered data of each instrument – as well as the excluded – in the regulations register.
3. Collect the full text of each regulation and its amendments, any application forms and fee schedule charts unless clearly stated in the regulations.
4. Scan all regulations and amendments using the scanner.
5. Keep a central ministerial register including all regulations and 2 copies of fee schedules (hard copy print & scanned).
6. Identify regulations directly related to business.
7. Prepare a data entry template for each regulation on the electronic database.
8. Enter the data of each regulation on ERRADA database.

Important check by GMU staff:

1. Is the hard copy of the regulation complete (any missing pages)?
2. Was the regulation amended? Were all amendments included?
3. Was the regulation and its amendments scanned?
4. Are there any request forms attached to the regulation? Were they scanned?



Attachment 1

A list of the regulations included in the Inventory

1. Treaty or Agreement
2. Law and executive regulation
3. Presidential Decree
4. Prime Minister's Decree
5. Cabinet of Ministers Decree
6. Council of Governors Decree
7. Governor's Decree
8. Ministerial Decree
9. Administrative Decree with a regulatory nature
10. Other instrument of a legal or binding nature



Attachment 2

Criteria for business related regulations

Business related regulations are categorized as follows (if a criterion is answered as yes then it is business related).

Question: Does the regulation deal with any of the following issues:

- | | | |
|---|------------------------------|-----------------------------|
| 1. Allocation of land | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 2. Starting, running and ending a business for profit | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 3. Getting licenses and public services | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 4. Hiring personnel | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 5. Registering ownership | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 6. Access to credit | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 7. Investor protection | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 8. Paying taxes, insurance and fees | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 9. Internal and external trade and transport | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 10. Enforcing contracts and settling disputes | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 11. Protecting competition and preventing monopolies | <input type="checkbox"/> yes | <input type="checkbox"/> no |



Attachment 3
Data Entry Template

Date of File Creation: / / Year:

Newly issued serial number: 000215
 Regulation Number:

Regulation Type:
 Regulation Situation:
 Scope of Implementation:

Regulation Title*:

Page: Number:

Publishing Date:

*Published In:

Attached Regulation:

*Text Responsible Authority:

Required Fees
 Required License Form
 Required License

Regulation Definition: Keywords

Source of regulation:

Constitutional Court Verdict:

Canceling the choice

Related regulations:

Inventory Stage Comments:

Related Websites:

<input checked="" type="checkbox"/>	Weblink	Website Name
<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

Search Keywords (separate each word by a dash -)



Attachment 4

Regulation Register

Number	Published Date	Address	Source	Included in the Inventory	Comments	Participating Ministries									
44	13/1/2007	Change of an Official Holiday	Ministry Archive	x											
568	14/3/2007	Formation of a ministerial committee	Ministry Archive	√											



Attachment (5)

Date: 17/8/2008
Version 1.2

Data Entry Guidelines

- Begin data entry by Logging into: <https://163.121.144.20/>
- If you get a security alert message, do not worry about this just click on **“continue to this website”**
- Always login using your issued username and password
- Enter your username and password
- Switch the keyboard language to Arabic language
- Begin creating and or updating dossiers
- Please be aware of the date format “DD/MM/YYYY”
- You can use the “Tab” button on the keyboard to navigate easier between fields inside the insertion/editing form.
- In Regulation type you can quickly find the Regulation type you are looking for by typing the first character of your regulation name
- Please limit the size of scanned documents to 2 megabytes for uploading, unless otherwise discussed with GRU IT staff.
- Please try to scan documents using the predefined settings (200 DPI, Black & White and PDF format)
- Do not install any third party software on GMU computers
- Do not use GMU computers for downloading music, video or pirated software.
- After your first login you must change your password by accessing your profile from the top menu bar.



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