

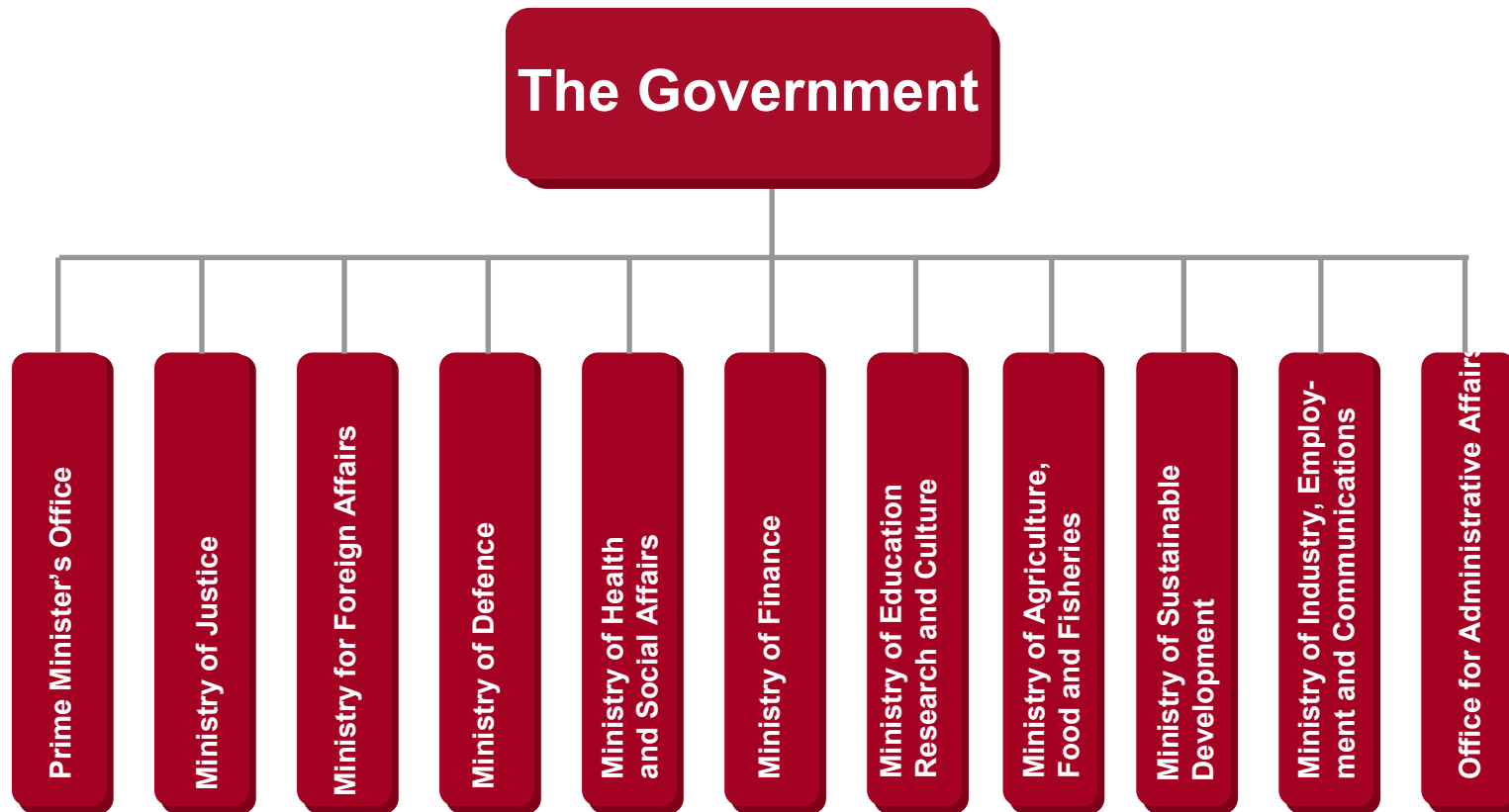
# **Plain Legal Language: Sweden's approach to clearly written laws**

**Presentation at the Regional Capacity-  
Building Seminar for Regulatory  
Quality,  
Tunis, 27 November 2006**

# Success factors

- **High level support**
- **Integrated part of law-making process**
- **Close co-operation lawyer–linguist**
- **Set of general and specific guidelines**
- **Specialized university programme**
- **Patience and persistence ...**

# The Government Offices form a single authority



# Division of responsibility within the Government Office

## Prime Minister's Office

The Prime Minister's secretariat directs and coordinates the work of the Government Offices and Sweden's EU policy.

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## The Ministries

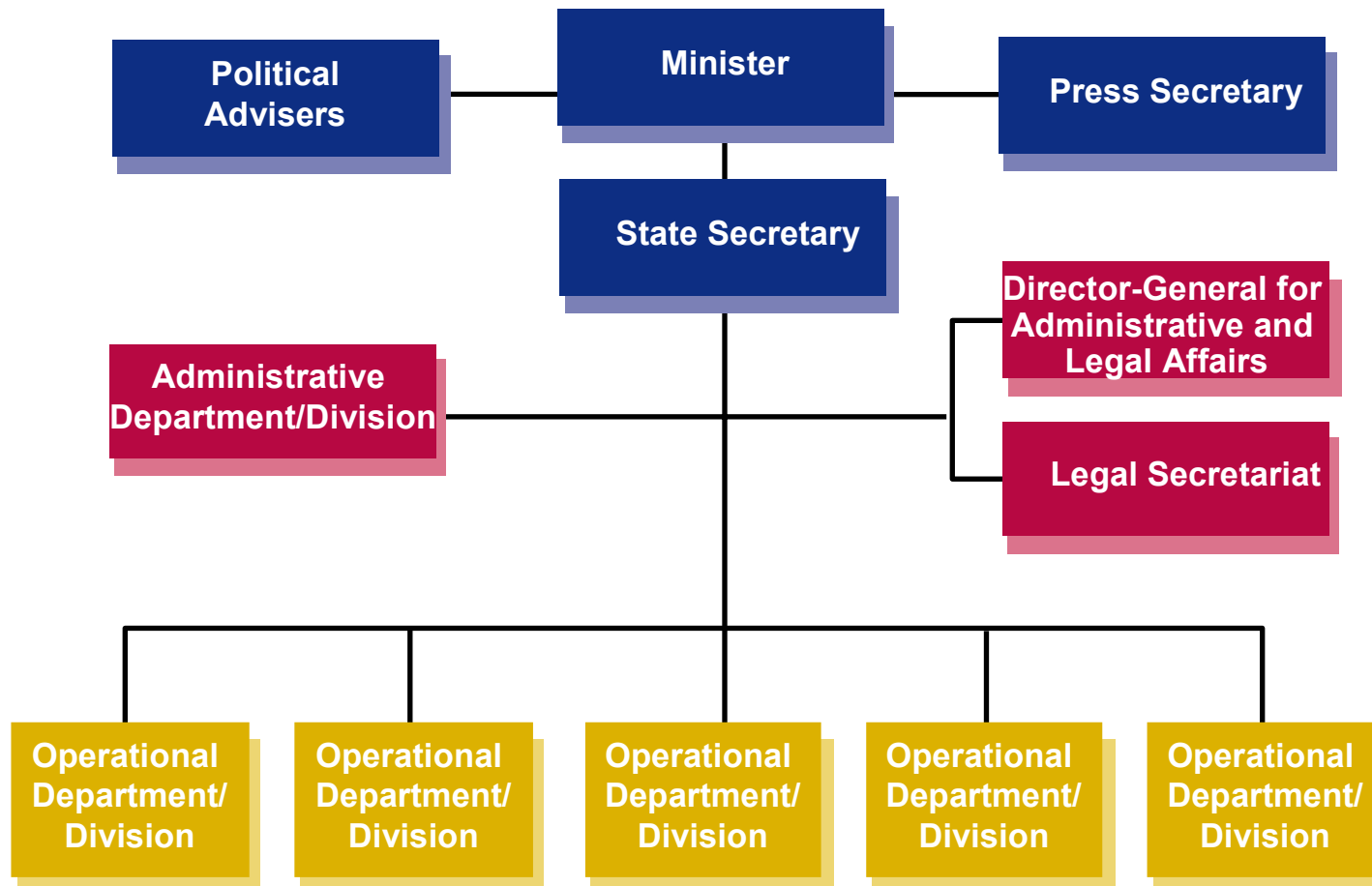
Each ministry has its own area of responsibility. The ministries draft government business and prepare issues for Government decisions.

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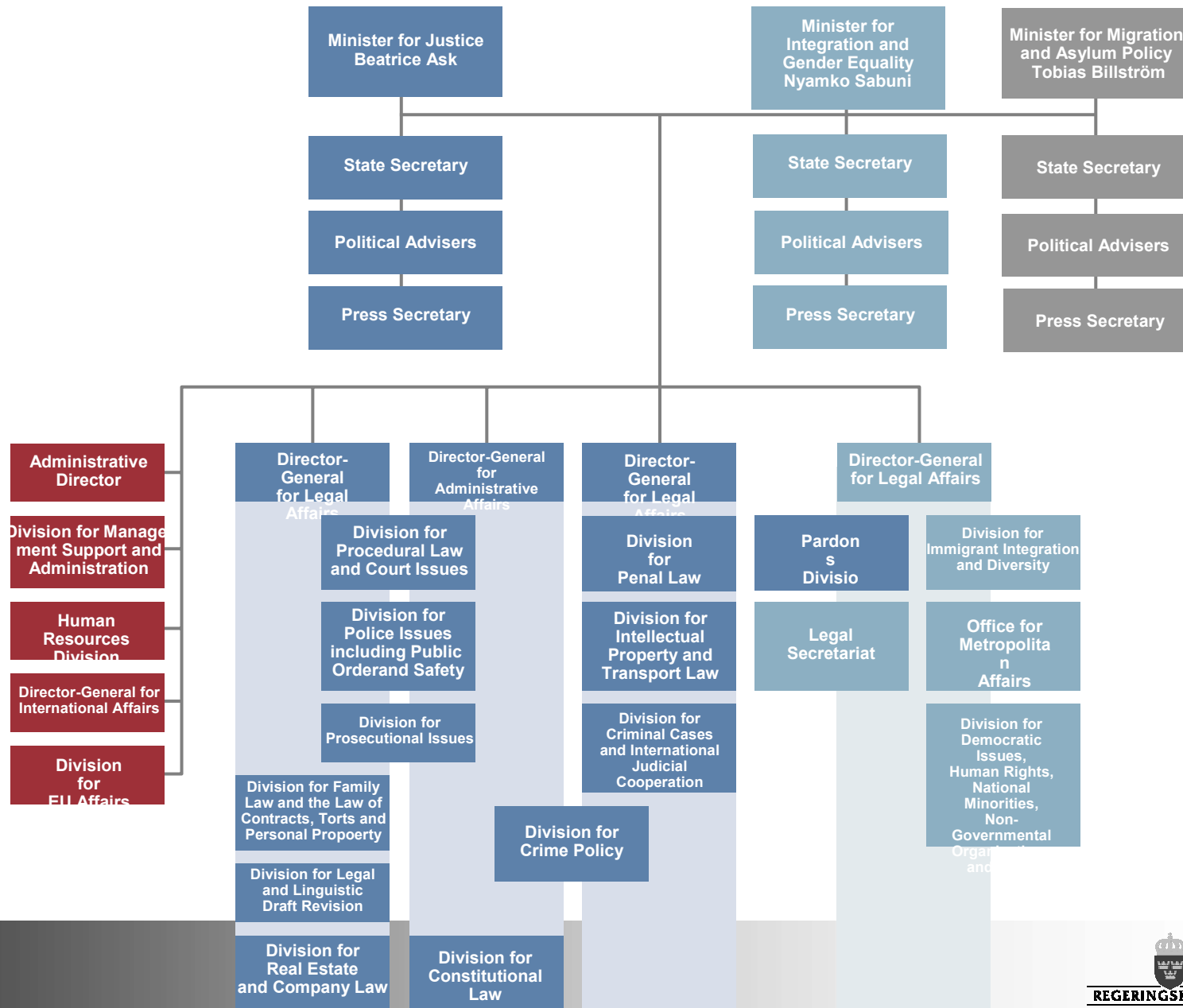
## Office for Administrative Affairs

Within the Government Offices, the Office for Administrative Affairs is responsible for the development of managerial methods and administrative routines, finances, administration, employer issues, information technology, training, libraries, archives, service to committees and other internal services, as well as internal and external information.

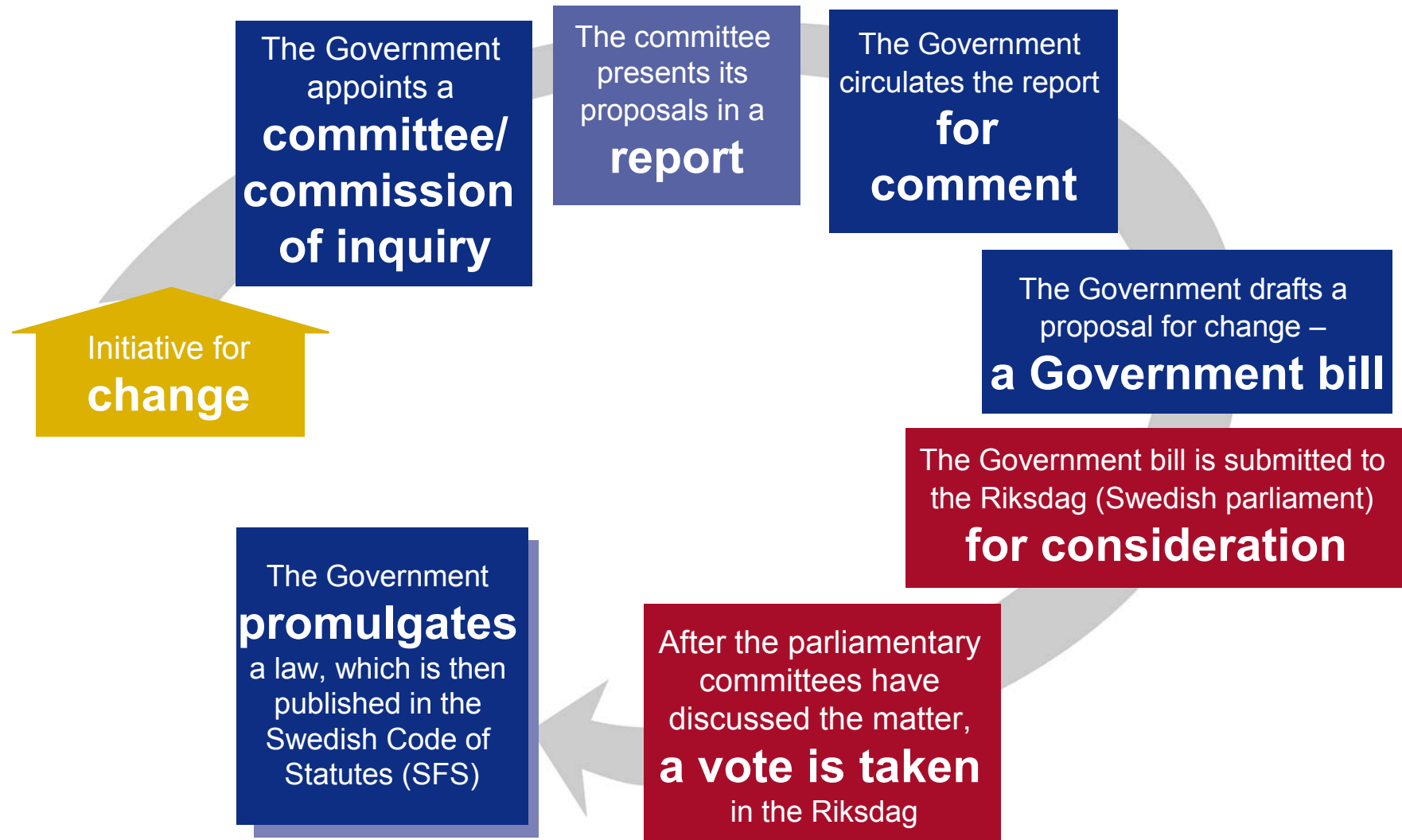
# The Organisation of the Ministries



# Ministry of Justice



# The Process that precedes a new Act



# How Swedish laws are made

- **Legislative proposals normally initiated by Government**
- **Matters first analysed by officials at ministries or commissions of inquiry**
- **Inquiry report referred to relevant bodies for consideration**
- **Ministry responsible drafts Bill to be submitted to Parliament**
- **If Bill has important implications for citizens, it is first referred to the Council on Legislation**
- **Parliament adopts if majority approves**
- **Law promulgated by Government and published in the Swedish Code of Statutes**

# Success factors

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# High level support

- **Strong support from Government and Minister of Justice, regardless of political colour**
- **Strong support from Directors-General for Legal Affairs**
- ***Ordinance concerning the Duties of the Government Offices: “The Director-General should see to it that the language in Acts and other decisions is as clear and simple as possible”***

# Part of law-making process

- **Government drafts new legislation: acts, ordinances, bills, committee terms of reference**
- **All drafts revised by the Division for Legal and Linguistic Draft Revision**
- **Five lawyers, five linguists working in pairs**
- **No new legislation can be sent to the printers without the Division's approval**

# Linguistic revision

- **Always in parallel with legal revision**
- **Text should normally be sent for revision at least five working days before Government takes decision**
- **Amendments in writing sent to author of text**
- **Often fruitful discussion between author and reviser**
- **Author not allowed to ignore proposed amendments**

# Approval required by:

- **Prime Minister's Office**
- **Budget Division, Ministry of Finance**
- **The Division for Legal and Linguistic Draft Revision, Ministry of Justice**

# Close co-operation lawyer– linguist

- **Five highly skilled lawyers**
- **Five linguists with strong university background**
- **Work in parallel with each text to be revised**
- **Discuss and agree on revisions before submitting them**

# Handbooks and guidelines

- ***The Green Book: guidelines for legal drafting***
- ***The Black List: words and phrases to avoid***
- ***Writing Guidelines for the Authorities***
- ***Directions for the Authorities on legal drafting***
- ***Control by regulation. Checklist for legal drafters***

# Other methods used

- **Offer seminars and training sessions**
- **Help law commissions to reform legislation**
- **Give advice on a daily basis**
- **Maintain special web site**
- **Offer self evaluation test**

# A modern Swedish Act ...

- **is divided into chapters**
- **has informative sub-headings giving a clear picture of the structure and contents of the act**
- **uses no more than three paragraphs for each article**

# Follow plain language principles

- **Avoid complicated sentence structure**
- **Avoid legalese and archaic words**
- **Be generous with informative sub-headings**
- **Explain difficult technical terms if needed**

# Language Consultancy Programme

- **Three year programme at Stockholm University**
- **Started in 1978, the only one of its kind**
- **About 20 students every third year**
- **About 200 graduated language consultants**
- **Includes grammar, rhetoric, text analysis, socio-linguistics, psycho-linguistics, composition writing and practical work**