

Indicator 1.6: Law-making

About this indicator

In most jurisdictions, law-making is regarded as parliament's primary function. The principles that underpin law-making are usually set out in the country's constitution and/or other aspects of the legal framework.

This indicator covers all aspects of the law-making function. It includes the processes by which legislation is prepared (legislative drafting), the powers of the various participants in the legislative process to initiate, debate, amend and adopt legislation, and the ordinary procedure by which legislation passes through all stages of parliament, including both houses in bicameral systems. It also includes processes for the fast-tracking of legislation, as well as the necessary protections to ensure proper consideration even when legislation is fast-tracked.

For the purposes of this indicator, arrangements for making and amending the constitution are treated separately from the processing of ordinary laws.

This indicator also covers processes for the promulgation (assent and enactment) of legislation and its publication in the official journal once it has passed through parliament.

Many parliaments have recognized that their role does not end once legislation has been passed, and have therefore introduced processes for post-legislative scrutiny (PLS), including for delegated legislation. These processes are also covered in this indicator.

This indicator comprises the following dimensions:

- Dimension 1.6.1: Powers in law-making
- Dimension 1.6.2: Constitution-making and amendment
- Dimension 1.6.3: Legislative procedure
- Dimension 1.6.4: Legislative drafting
- Dimension 1.6.5: Enactment
- Dimension 1.6.6: Official publication
- Dimension 1.6.7: Post-legislative scrutiny

The Indicators for Democratic Parliaments are a multi-partner initiative coordinated by the Inter-Parliamentary Union (IPU), in partnership with the Commonwealth Parliamentary Association (CPA), Directorio Legislativo Foundation, Inter Pares / International IDEA, the National Democratic Institute (NDI), the United Nations Development Programme (UNDP), UN Women and the Westminster Foundation for Democracy (WFD).

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Dimension 1.6.1: Powers in law-making

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the powers of various participants in the legislative process to initiate, debate, amend and adopt legislation. These powers primarily concern MPs although, in some jurisdictions, other participants also have the right to initiate legislation, such as the executive and its agencies, or groups of citizens.

All MPs should have the right to initiate, and propose amendments to, legislation. Reasonable restrictions can be placed on the authority of individual MPs – or, in bicameral systems, a house – to initiate or amend proposals that involve, for example, the spending of public money or the imposition of taxes.

In some countries, these powers may be reserved for the lower house in a bicameral system, or for MPs from parliamentary majority groups or political parties that form the executive. There may also be limits on opportunities to debate proposals for laws or amendments. However, such restrictions should not impose unreasonable limits on MPs' freedom to play a full role in the legislative process.

All legislation, including budgetary legislation, should be approved by parliament before enactment. In some legislatures, different adoption requirements may apply to different forms of legislation. In some cases, only a simple majority of MPs' votes is required, while in others, an absolute majority of MPs' votes (i.e. 50% + 1) is necessary.

In bicameral systems, the same text should have been approved by both houses. In some jurisdictions, there may also be special circumstances where full passage through both houses is not required, with the lower house being able to bypass or override passage through the upper house.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of "powers in law-making" is as follows:

The constitution clearly establishes the right of all MPs to initiate legislation and to propose amendments to legislation as it passes through parliament. Any restrictions to this right are limited and clearly defined.

The constitution clearly establishes that all legislation, including budgetary legislation, must be approved by parliament before being enacted. This includes approval by both houses in bicameral systems, except where particular restrictions on the upper house are in place.

Parliament puts into practice the constitutional principles relating to MPs' law-making powers, and MPs are empowered to participate in all stages of the legislative process. Particular attention is given to opportunities for participation for opposition and independent MPs in law-making.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution and/or parliament's rules of procedure concerning the right of MPs to initiate legislation
- Provisions of the constitution and/or parliament's rules of procedure concerning the power of MPs to propose amendments to legislation
- Provisions of the constitution and/or parliament's rules of procedure concerning the adoption of legislation by MPs
- Any practice relating to the initiation of proposals for laws, or the proposal of amendments to legislation, by individual MPs

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Right to initiate legislation

The constitution establishes the right of all MPs to initiate legislation in parliament. Any restrictions on this right, such as a requirement for a minimum number of MPs to initiate legislation, or restrictions concerning financial proposals, are limited and clearly defined. The constitution may also permit other participants to initiate legislation, such as the executive and its agencies, or groups of citizens.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 2: Right to propose amendments

The constitution establishes the right of all MPs to propose amendments to legislation as it proceeds through parliament. Any restrictions on this right, such as restrictions concerning financial proposals, are limited and clearly defined.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Approval of legislation

The constitution establishes that all legislation, including budgetary legislation, must be approved by parliament before enactment. This includes approval by both houses in bicameral systems, except where particular restrictions on the upper house are in place.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
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Evidence for this assessment criterion:

Assessment criterion 4: Practice

In practice, MPs – and, where applicable, other participants – are empowered to participate in all stages of the legislative process. Particular attention is given to opportunities for participation for opposition and independent MPs.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
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Evidence for this assessment criterion:

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Dimension 1.6.2: Constitution-making and amendment

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the process for making and amending the constitution. Constitution-making and amendment are distinct cases of law-making that usually involve special or additional requirements, such as passage by a supermajority of parliament, adoption by a majority of states or provinces in federal systems, and/or public approval.

Most countries have written constitutions that, at the highest level, provide for matters such as the separation of powers between the different branches of government, define the respective powers and responsibilities of the executive, parliament and the judiciary, and address other aspects of a democratic form of government. These constitutions have been adopted and are subject to amendment through processes that vary across jurisdictions.

Since the constitution protects the democratic system as well as minority and other rights, it should not be possible to change it easily, otherwise the protections that it affords could be threatened. Conversely, however, it should not be so difficult to amend that constitutional change is impossible to achieve.

The right to propose constitutional amendments also is significant. In some jurisdictions, the right of initiative rests solely with parliament, i.e. with individual MPs or groups of MPs. In others, different mechanisms for constitutional amendment are also permitted, such as citizen-initiated proposals. Ideally, a range of mechanisms should be available to ensure that the opportunity to initiate change is not restricted.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of “constitution-making and amendment” is as follows:

The constitution and/or other aspects of the legal framework establish a range of mechanisms for initiating constitutional amendments, including initiation by MPs and citizen-initiated proposals.

Broad public consultations, with reasonably extensive time frames, are required after the initiation of constitutional amendments.

The constitution and/or other aspects of the legal framework establish that parliament must approve a new constitution or a constitutional amendment, ideally by a supermajority. There may also be other special or additional requirements.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution and/or other aspects of the legal framework concerning constitution-making and amendment
- Evidence of public consultation on proposals for constitution-making and amendment
- Any practice relating to constitution-making and amendment

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Initiation of constitutional amendments

The constitution and/or other aspects of the legal framework establish a range of mechanisms for initiating constitutional amendments, including initiation by MPs and citizen-initiated proposals.

Non-existent	Rudimentary	Basic	Good	Very good	Excellent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 2: Public consultations

Broad public consultations, with reasonably extensive time frames, are undertaken after the initiation of constitutional amendments.

Non-existent	Rudimentary	Basic	Good	Very good	Excellent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Adoption

The constitution and/or other aspects of the legal framework establish that parliament must approve a new constitution or a constitutional amendment, ideally by a supermajority.

Non-existent	Rudimentary	Basic	Good	Very good	Excellent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 4: Ease of constitution-making or amendment

In practice, the constitution is not so difficult to amend that constitutional change is impossible to achieve, but not so easy to amend as to threaten its protection of the democratic system as well as minority and other rights.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Dimension 1.6.3: Legislative procedure

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the processes for the passage of legislation, as reflected in the constitution and/or other aspects of the legal framework, and as normally expanded upon in parliament's rules of procedure. These processes should be clear, transparent and understandable, and should allow for the proper consideration and debate of legislation as it progresses through all stages. In bicameral systems, there should be clear, well-understood and accepted procedures set by each house for its own consideration of legislation, as well as clear, accepted and manageable arrangements to allow for the resolution of any differences between the houses.

MPs should have sufficient time and opportunity to reflect on and debate proposals for laws before voting on them. Although practice differs from one parliament to the next, most have at least two major stages for the consideration of proposals for laws (sometimes referred to as "readings"): one for debate on the general principles of the proposal for a law, and another when the detail of the proposal for a law is considered and amendments can be proposed and voted on.

For the purposes of this dimension, it is presumed that, at some point in the process, all proposals for laws will be referred to one or more relevant committees for detailed consideration. These committees should have the power either to recommend amendments or to amend the legislation directly. This committee stage allows for direct participation by the public in the legislative process, which should be provided for in parliament's rules of procedure and be reflected in its practice, with sufficient time allowed for public consultation.

In some circumstances, parliament may need to pass legislation more quickly than the routine process allows, such as in response to a natural disaster, pandemic or act of terrorism, or to an adverse court judgment. Under this fast-track procedure – also known as an "expedited" or "urgent" procedure – the legislation passes through all the usual stages, but with an expedited timetable. While the urgency may be justifiable, the procedure should still allow for proper parliamentary scrutiny to the extent possible.

This dimension also covers the consideration of delegated legislation, which parliament should have the opportunity to scrutinize, debate, and approve or reject.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of "legislative procedure" is as follows:

The legal framework contains clear provisions on the passage of legislation through all stages in parliament.

Parliament has sufficient time and opportunity to properly consider and debate proposals for laws.

As part of the ordinary legislative process, all proposals for laws are referred to one or more relevant committees for detailed consideration and amendment. This process also includes expert and public consultations.

Where there is a fast-tracking procedure for the urgent consideration of legislation, such procedure includes a requirement to justify the need for urgent consideration, as well as opportunities for MPs to debate, amend and vote on the urgent legislation, and for reasonable scrutiny of such legislation.

Delegated legislation is made in accordance with the powers defined by the legal framework, which establishes that parliament has the opportunity to scrutinize, debate, and approve or reject such legislation.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution, other aspects of the legal framework and/or parliament's rules of procedure concerning the passage of legislation through parliament, including through both houses in bicameral systems
- Statistics on the passage of legislation through parliament in practice, such as time spent considering legislation and the numbers of amendments proposed and voted on
- Any practice relating to the resolution of legislative differences between the houses in bicameral systems
- Practice of committees in the scrutiny of legislation, including statistics on public participation (such as the number of submissions or hearings) and the number of proposals for amendment
- Evidence of parliamentary scrutiny of impact assessments accompanying legislation
- Statistics on the use of fast-track procedures by parliament
- Practice relating to parliament's consideration of delegated legislation

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Clear provisions for the passage of legislation

The legal framework sets out clear provisions for the passage of legislation through parliament, including through both houses in bicameral systems. The procedures provide mechanisms for the resolution of differences between the houses in bicameral systems.

Non-existent	Rudimentary	Basic	Good	Very good	Excellent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evidence for this assessment criterion:

Assessment criterion 2: Ordinary procedure

The legal framework provides for the use of ordinary legislative procedure as a rule. This procedure includes, as a minimum, general debate on legislation with reasonable time allocated to MPs to prepare and participate in the debate, and opportunities to consider the details of legislation and to propose and vote on amendments.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Committee stage

As part of the ordinary procedure, all proposals for laws are referred to one or more relevant committees for detailed consideration and amendment. This committee stage also includes expert and public consultations.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 4: Fast-track procedure

Where there is a fast-track procedure for the urgent consideration of legislation, such procedure provides MPs with the opportunity to debate, amend and vote on the urgent legislation, and for reasonable scrutiny mechanisms, such as inserting obligatory post-legislative scrutiny after a period of time, or using sunset clauses.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 5: Use of ordinary versus fast-track procedures

In practice, most legislation is subject to ordinary procedure and parliament does not unduly rely on the use of fast-track procedure.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 6: Scrutiny of delegated legislation

The constitution, other aspects of the legal framework and/or parliament's rules of procedure establish that parliament has the opportunity to scrutinize, debate, and approve or reject delegated legislation.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Dimension 1.6.4: Legislative drafting

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the principles of legislative drafting as they apply to all proposals for laws tabled in parliament, as well as to amendments to existing laws, delegated legislation and other legislative instruments.

Legislation should be drafted in a way that is clear, viable and consistent with the existing legal framework. Good legislative drafting provides legal certainty and equality before the law, ensuring that citizens and others who might be impacted by a proposal for a law can understand the rights and obligations it establishes. It makes clear the spirit and intent of legislation, avoids any misinterpretation, loopholes and conflicting provisions, and helps MPs properly consider and debate proposals for laws as they progress through parliament.

In many cases, the executive will have access to a specialist legislative drafting office or service. It is important that legislative drafting resources are also available to MPs and political groups, including to opposition, minority-party and independent MPs, in order to help them prepare proposals for laws to be tabled in parliament.

Proposals for laws should be drafted in clear, precise and plain language, with no unnecessary jargon or expressions. Drafters should aim to ensure that citizens and others who might be impacted by a proposal for a law can understand the rights and obligations it establishes. Legislative drafts should use gender-neutral language wherever possible.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of “legislative drafting” is as follows:

Guidance for clear and effective legislative drafting is set out in a manual or similar document, and is followed in the drafting of all proposals for laws tabled in parliament.

Before drafting a proposal for a law, legislative drafters analyse the proposal, including its practical implications, the scope and content of existing legislation on the same subject, and its respect for fundamental rights and public liberties. The analysis may also consider the necessity of a proposal for a law, its potential adverse implications, its effectiveness, and the balance of cost and benefits. This analysis is documented in the form of explanatory notes accompanying the proposal for a law and in a regulatory impact assessment.

There is a standard structure for proposals for laws, which ensures a high level of consistency with the existing legal framework. The content of proposals for laws is homogeneous and arranged in a logical order, so that later provisions can build upon earlier ones.

Proposals for laws are drafted in clear, precise and plain language, with no unnecessary jargon or expressions, in order to ensure legal certainty and equality before the law. Legislative drafts use gender-neutral language wherever possible.

Legislation is amended in a logical order and a coherent manner. Amendments are made in the form of text inserted into the amended legislation. Amending acts follow the structure and terminology of the existing legislation.

Specialist legislative drafting resources are available to all MPs and political groups, including to opposition, minority-party and independent MPs.

Assessmen

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Drafting manuals, guidance and other documents
- Preliminary rationales for proposals for laws, as well as reports and impact assessments
- Evidence that legislative drafting resources, including specialists, are available to MPs
- Existing legislation, proposals for laws, amending acts, delegated legislation and other legislative instruments

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Guidance

Guidance for clear and effective legislative drafting is set out in a manual or similar document.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
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Evidence for this assessment criterion:

Assessment criterion 2: Analysis of legislative proposals

An analysis of the proposal for a law is documented, for instance in the form of explanatory notes accompanying the proposal, including the proposal's practical implications, the scope and content of existing legislation on the same subject, and its respect for fundamental rights and public liberties.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
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Evidence for this assessment criterion:

Assessment criterion 3: Clear and plain language

Legislation is drafted in clear and plain language. Ambiguity, vagueness, contradictions and over-generality within the text and regarding other laws are avoided. Gender-neutral language is used wherever possible.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 4: Amendment of existing legislation

Proposals for laws that amend existing legislation follow the structure and terminology of the existing legislation. Amendments are made in a logical order in the form of text inserted into the amended legislation.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 5: Drafting resources

Specialist legislative drafting resources are available to all MPs and political groups, including to opposition, minority-party and independent MPs.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Sources and further reading

- European Union (EU), [Joint Practical Guide of the European Parliament, the Council and the Commission for persons involved in the drafting of European Union legislation](#) (2015).
- Piedad García-Escudero Márquez, *Manual de técnica legislativa* (Cizur Menor: Thomson Reuters-Civitas, 2011).
- Maria Mousmouti, *Designing Effective Legislation* (2019).
- New Zealand Parliamentary Counsel Office (PCO), "[Principles of clear drafting](#)".
- United Kingdom Office of the Parliamentary Counsel (OPC), "[Drafting Guidance](#)" (2020).
- Helen Xanthaki, *Thornton's Legislative Drafting* (2022).

Dimension 1.6.5: Enactment

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the provisions by which a proposal for a law that has gone through all stages of the legislative process and been approved by parliament finally becomes law. In most countries, proposals for laws adopted by parliament require the consent of, or signature by, the Head of State in order to enter into force – a process known as “promulgation”.

In some jurisdictions, the constitution gives the Head of State the power to refuse to give assent to, or to veto, a law approved by parliament. Where a Head of State can veto legislation, parliament usually has the power to override this veto. Different jurisdictions provide different grounds for applying veto powers, as well as different levels of complexity for overriding them.

The nature of the power to refuse to give assent to, or to veto, a piece of legislation also varies. In some cases, assent by the Head of State is a formality, whereas in others, the Head of State has the authority to prevent legislation from being enacted, and even to propose specific amendments to a proposal for a law.

Overriding a veto normally requires a supermajority vote in parliament. The relevant procedure is typically prescribed in the constitution. In systems where the Head of State has the authority to propose specific amendments to the law, as a rule, parliament is allowed to approve the proposal for a law by ordinary majority if the proposed amendments are fully adopted.

Constitutions usually provide for a special procedure and timeline for the promulgation of laws, which can include the number of days for submitting the adopted proposal for a law to the Head of State, the number of days for signing the proposal for a law or imposing a veto, and arrangements for proposing amendments to parliament. The detailed procedures for overriding a veto should also be outlined in the constitution and/or in other aspects of the legal framework.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of “enactment” is as follows:

The constitution establishes clear procedures for the promulgation of a law after the proposal for a law has been approved by parliament.

If the Head of State has the authority to refuse or withhold assent, parliament is constitutionally authorized to override the veto.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution and/or other aspects of the legal framework concerning the enactment of laws, including signature and promulgation
- Provisions of parliament's rules of procedures concerning the procedures and timelines for the submission of passed proposals for laws to the Head of State for signature
- Other parliamentary and committee rules of procedure concerning the overriding of a veto by the Head of State

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Procedure for the promulgation of laws

The constitution establishes a clear procedure for the promulgation of laws that have been approved by parliament.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 2: Veto powers

Where the Head of State has the power to veto legislation or propose amendments, the grounds on which such veto power might be exercised, and the scope of such veto power, are clearly established.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Overriding a veto

Where the Head of State has the power to veto legislation or propose amendments, parliament has the power to override the veto with a larger-than-usual majority.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Sources and further reading

- Elliot Bulmer, [*Presidential Veto Powers: International IDEA Constitution-Building Primer 14*](#) (2017).

Dimension 1.6.6: Official publication

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the provisions by which laws are officially published and made available to any interested party. Open and effective access to laws is vital to understanding and applying the rule of law. Laws can only be properly implemented if they are accessible, predictable and clear.

Citizens are more likely to comply with laws that they know and understand. If people have efficient, effective and free access to laws, they are better positioned to exercise their legal rights, plan their actions, and efficiently resolve any problems and disputes that may arise.

Current laws should be freely and easily accessible, including through publication in official journals/gazettes. In recent times, standards in this area have evolved to include online access to updated, accessible and searchable information.

Laws should be published proactively and should be accessible in a consolidated version, including any amendments passed by parliament, so that citizens can track their progress. Alongside the text of laws, it is reasonable to expect the publication of explanatory notes and MPs' rationale for the adoption or amendment of pieces of legislation, so that citizens can fully grasp the intention and meaning of the legislation in question.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of "official publication" is as follows:

The legal framework outlines the rules on the official publication of legislation approved by parliament, including the procedure and timeline between its passage and publication.

The legal framework provides for full and effective access to an official collection of laws that is comprehensive, free of charge and up to date.

The official collection of laws is searchable online, and organized by category, type, date, geographic region, agency, legislative area and sector.

Amendments to legislation are published in a consolidated version, allowing users to access full and up-to-date versions of laws.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution, other aspects of the legal framework and/or parliament's rules of procedure concerning the publication of laws
- Official journals/gazettes and/or a unified website or registry where laws are published
- Consolidated versions of laws published on an official website or in an official journal/gazette

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Legal framework

The legal framework outlines the rules on the official publication of legislation, including the procedure and timeline between its passage and publication. Laws only become effective once they have been officially published.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 2: Central registry

There is an official collection of laws, which is comprehensive and up to date, and can be accessed online by the public free of charge.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Consolidated versions of laws

Amendments to existing laws are published in a consolidated version of the law, allowing users to access the complete text and to easily identify the amendments.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Sources and further reading

- Renzo Falla Lopez and Valentina Saltane, [Regulatory Governance in the Open Government Partnership](#), Open Government Partnership and World Bank (2020).

Dimension 1.6.7: Post-legislative scrutiny

This dimension is part of:

- Indicator 1.6: Law-making
- Target 1: Effective parliament

About this dimension

This dimension concerns the provisions by which parliament has the authority to carry out post-legislative scrutiny (PLS), which is an important tool for ensuring that laws are implemented effectively and their impact assessed. It also helps to review the interpretation and application of a given piece of legislation by courts, and to understand how legal practitioners and citizens apply its provisions. PLS therefore contributes to the identification of legislative gaps and shortcomings in the application of legislation, and to the promotion of targeted and evidence-led law-making. PLS also enables MPs to review secondary/delegated legislation, thus ensuring more comprehensive scrutiny of the implementation of laws.

PLS can be an inclusive process that invites input from political parties, academia, experts and civil society. This type of engagement enables parliament to access additional sources of information, increases the credibility of parliamentary work, and promotes public trust in the institution.

For the purposes of transparency, clarity and predictability, parliament's rules of procedure should provide for the systematic monitoring of the implementation and consequences of legislation. They should establish the parliamentary bodies responsible for carrying out PLS, identify when PLS should be conducted, and enable parliament to allocate the necessary human, financial and administrative resources to this process.

Even when there are no specific procedures for conducting PLS, parliament should still be capable, within its general oversight mandate, of overseeing the implementation of legislation through the provision of timely access to governmental information, the conduct of hearings, the collection of information from relevant sources, and the issuing of findings and recommendations.

Aspiring goal

Based on a global comparative analysis, an aspiring goal for parliaments in the area of "post-legislative scrutiny" is as follows:

There is a legal framework for PLS. The relevant provisions identify the parliamentary bodies that conduct PLS, their mandates, mechanisms for the selection of legislation to be reviewed, and the methodology by which the PLS process is conducted.

PLS is an established part of the legislative and/or oversight process, and is conducted regularly.

Parliament has the necessary human, financial and administrative resources to conduct PLS, including trained and skilled staff.

PLS is an inclusive process that invites input from political parties, academia, experts and civil society. Laws to be reviewed under the PLS process are selected via an inclusive and non-partisan process.

Assessment

This dimension is assessed against several criteria, each of which should be evaluated separately. For each criterion, select one of the six descriptive grades (Non-existent, Rudimentary, Basic, Good, Very good and Excellent) that best reflects the situation in your parliament, and provide details of the evidence on which this assessment is based.

The evidence for assessment of this dimension could include the following:

- Provisions of the constitution, other aspects of the legal framework and/or parliament's rules of procedure establishing the rules for the PLS process
- The availability of trained committee personnel, and administrative and financial resources to carry out PLS
- PLS reports and recommendations issued by committees and/or dedicated bodies
- Monitoring reports on the implementation of PLS recommendations

Where relevant, provide additional comments or examples that support the assessment.

Assessment criterion 1: Legal framework

There is a legal framework for PLS.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 2: Practice

PLS is an established part of the legislative and/or oversight process.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 3: Resources

Parliament has the necessary human, financial and administrative resources to conduct PLS, including trained and skilled staff.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 4: Inclusiveness

PLS is an inclusive process that invites input from political parties, academia, experts and civil society.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Assessment criterion 5: Follow-up

Committees and/or other parliamentary bodies conducting PLS regularly interact with the executive and other stakeholders in order monitor the implementation of PLS recommendations.

Non-existent <input type="checkbox"/>	Rudimentary <input type="checkbox"/>	Basic <input type="checkbox"/>	Good <input type="checkbox"/>	Very good <input type="checkbox"/>	Excellent <input type="checkbox"/>
Evidence for this assessment criterion:					

Recommendations for change

Use this space to note down recommendations and ideas for strengthening rules and practice in this area.

Sources and further reading:

- Franklin De Vrieze, [Principles of Post-Legislative Scrutiny by Parliaments](#), Westminster Foundation for Democracy (WFD) (2018).
- Franklin De Vrieze, [Post-Legislative Scrutiny in Europe](#), WFD (2020).