Legislative Impact Assessment at the National Assembly of the Republic of Korea

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Overview of Legislative Process

Current Situation of Legislation

Legislative Impact Assessment
1 Overview of Legislative Process
2 Current Situation of Legislation
3 Legislative Impact Assessment
Legislative Process

Assembly Member

- With the support of 10 or more Members
- motioned

Speaker
- referred to

Standing Committee
- Review of legality and wording

Legislation & Judiciary Committee
- transferred to

Plenary
- transferred to

President
- transferred to

Cabinet Meeting
- Within 15 days

Promulgation

Government
- submitted

Request for reconsideration

Presents a bill
Bill submitted by the Government

Drafting by the competent ministry

Consultation & Public Notice with relevant ministries

Review by the State Council

Deliberation by Ministry of Government Legislation

Approval by the President

Submission to the National Assembly

Regulatory Impact Assessment

Regulatory Reform Committee
Bill introduced by Assembly Members

Assembly Member
- Public Opinion & member’s recognition
- Member’s Drafting of Legislative Bill

Party
- Party’s Drafting of Legislative Bill
- Review by the Party
- Deliberation by the Legislative Counseling Office
- Support By 10 or more Members
- Speaker of the National Assembly

Others
- Drafting of Legislative Bill by the Competent Ministry
- Both Party’s Agreement on the Content of the Bill

National Assembly Research Service

Korean Constitution § 52
National Assembly Act § 79 ①
National Assembly Act § 79 ②
Overview of Legislative Process

Current Situation of Legislation

Legislative Impact Assessment
<table>
<thead>
<tr>
<th>Period</th>
<th>MP's Bill</th>
<th>Admin's Bill</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>12th(85~88)</td>
<td>211</td>
<td>379</td>
<td>590</td>
</tr>
<tr>
<td>13th(88~92)</td>
<td>570</td>
<td>938</td>
<td>1,508</td>
</tr>
<tr>
<td>14th(92~96)</td>
<td>321</td>
<td>902</td>
<td>1,223</td>
</tr>
<tr>
<td>15th(96~00)</td>
<td>1,144</td>
<td>1,807</td>
<td>3,951</td>
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<tr>
<td>16th(00~04)</td>
<td>1,912</td>
<td>595</td>
<td>2,507</td>
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<tr>
<td>17th(04~08)</td>
<td>6,387</td>
<td>1,102</td>
<td>7,489</td>
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<tr>
<td>18th(08~12)</td>
<td>12,220</td>
<td>1,693</td>
<td>13,913</td>
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<tr>
<td>19th(12~16)</td>
<td>16,729</td>
<td>1,093</td>
<td>17,822</td>
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</table>
Numbers of Bills Passed
(12th~19th National Assembly)

<table>
<thead>
<tr>
<th>Assembly</th>
<th>Number of Bills Passed</th>
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<tbody>
<tr>
<td>12th(85~88)</td>
<td>66</td>
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<tr>
<td>13th(88~92)</td>
<td>119</td>
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<tr>
<td>14th(92~96)</td>
<td>337</td>
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<td>15th(96~00)</td>
<td>639</td>
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<td>16th(00~04)</td>
<td>431</td>
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<td>17th(04~08)</td>
<td>563</td>
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<tr>
<td>18th(08~12)</td>
<td>690</td>
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<tr>
<td>19th(12~16)</td>
<td>811</td>
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</table>
Numbers of Laws and Regulations
(1985 ~ 2015)

<table>
<thead>
<tr>
<th>Year</th>
<th>Laws</th>
<th>Laws &amp; Regulations</th>
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</thead>
<tbody>
<tr>
<td>1985</td>
<td>743</td>
<td>2,943</td>
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<tr>
<td>1990</td>
<td>820</td>
<td>3,181</td>
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<td>1995</td>
<td>931</td>
<td>3,342</td>
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<td>2000</td>
<td>978</td>
<td>3,525</td>
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<td>2005</td>
<td>1,142</td>
<td>4,010</td>
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<tr>
<td>2010</td>
<td>1,182</td>
<td>3,711</td>
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<tr>
<td>2015</td>
<td>1,394</td>
<td>4,263</td>
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</tbody>
</table>
Overview of Legislative Process

Current Situation of Legislation

Legislative Impact Assessment
Legislative Impact Assessment in South Korea

Obstacle

Similar Systems
- Regulatory Impact Assessment
- Statutory Examination
- Gender Impact Assessment
- Corruption Impact Assessment

Cost

About 15 years discussion and policy proposals, but Not Institutionalized yet
Duties of National Assembly Research Service

- Legislative and policy research service
- Developing mid- and long-term legislative agenda
Research Request Process

1. Filling out Request Form
2. Receiving and Designating
3. Conducting Research and Analysis
4. Registering the Output
2008 ~ 2010
Reviewed Previous Studies

Voluntary studies on Legislative Impact Assessment

Since 2010
Launched a Task Force

Legislative Impact Assessment Pilot Study

Since 2011
Official Annual Project

Legislative Impact Assessment Pilot Project
Achievements

- 78 Legislations for Legislative Impact Assessment
- 28 Legislative Impact Assessment Case Studies
- 13 Outsourced Research Projects
- Legislative Impact Assessment Standard Manual
- 7 Legislative Impact Assessment Reports
Legislative Impact Assessment Standard Manual
Legislative Impact Assessment Report
Contents of Legislative Impact Assessment Report

I. Overview of the subject of analysis
   1. Laws and regulations of the subject
   2. Background
   3. Evaluation
   4. Main contents of legislation

II. Legislative Impact Assessment Checklists
   1. Legal impacts
   2. Political and Administrative impacts
   3. Economic and Industrial impacts
   4. Social and Cultural impacts
   5. Regulatory Impacts
   6. Corruption Impacts
   7. Other Impacts

III. Consultation with relevant government ministries and stake-holders

IV. Analysis

V. Conclusion
Challenges

- No Legal Ground
- No Official Unit
- Lack of Analysis Tools
Thank you