

Legislative Impact Analysis of the NARS: Current Status and Future Challenges

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1. A brief history of LIA in Korea

- Definition
- Legislative Impact Analysis (LIA)
 - assessment or evaluation of the impact of the legislation (*ex ante, ex post*)
- Cf: Regulatory Impact Analysis (RIA)



■ Terminology

- Germany, Switzerland: Gesetzesfolgenabschätzung:GFA
- France: etude d'impact
- EU: legislative impact assessment
- US, UK: evaluation of legislation, legislative impact analysis, legislative impact assesment
- Korea: legislative impact assessment(evaluation)
- NARS: legislative impact analysis

(more cautious expression)

- Short history of LIA in Korea (1)
- First article in 2002, first PhD thesis in 2004
- Some high ranking officials of National Assembly and MOLEG advocated LIA



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Ministry of Government Legislation



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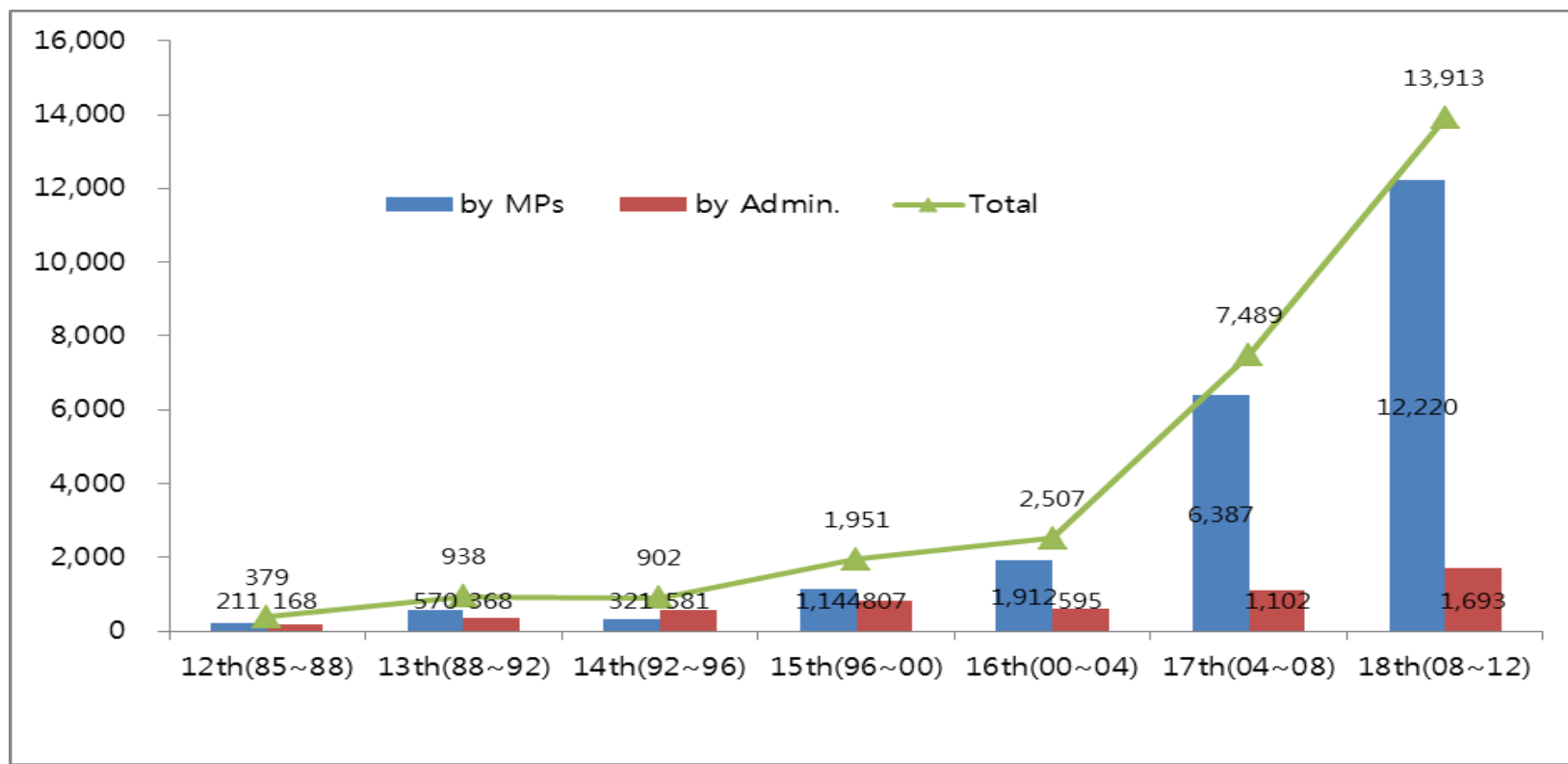
- Short history of LIA research in Korea (2)
- Korean Legislation Research Institute(KLRI) leads LIA research (LIA Research Center)
- MOLEG supported KLRI's LIA research with funding
- Many law professors urged the necessity of LIA in the legislative process



2. Increasing demand for LIA

■ Flood of Bills

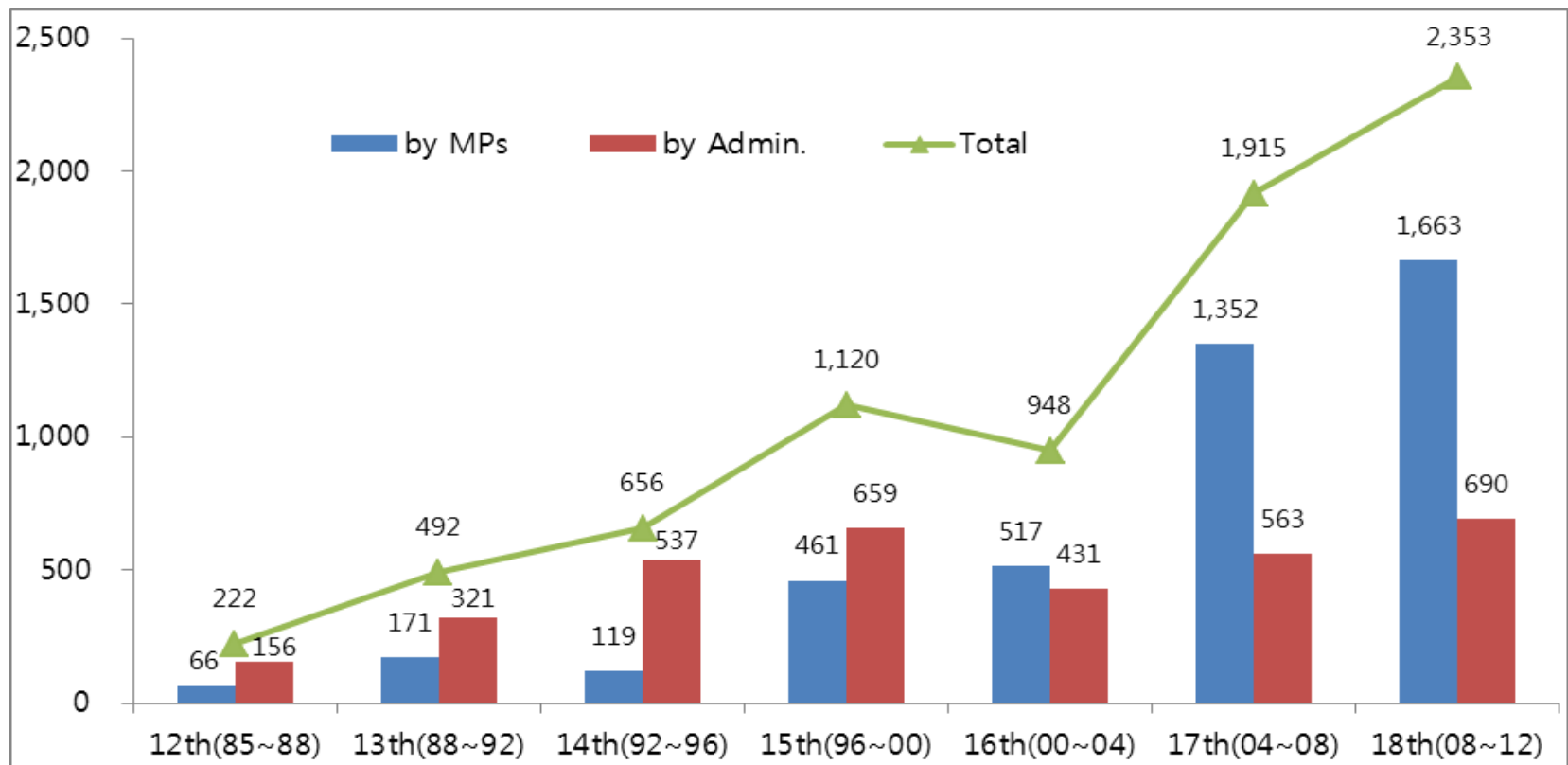
Figure1. Numbers of Bills Submitted (12th~18th National Assembly)



Source: National Assembly Bills Information System (<http://likms.assembly.go.kr/bill/jsp/main.jsp>)

■ Flood of Legislation

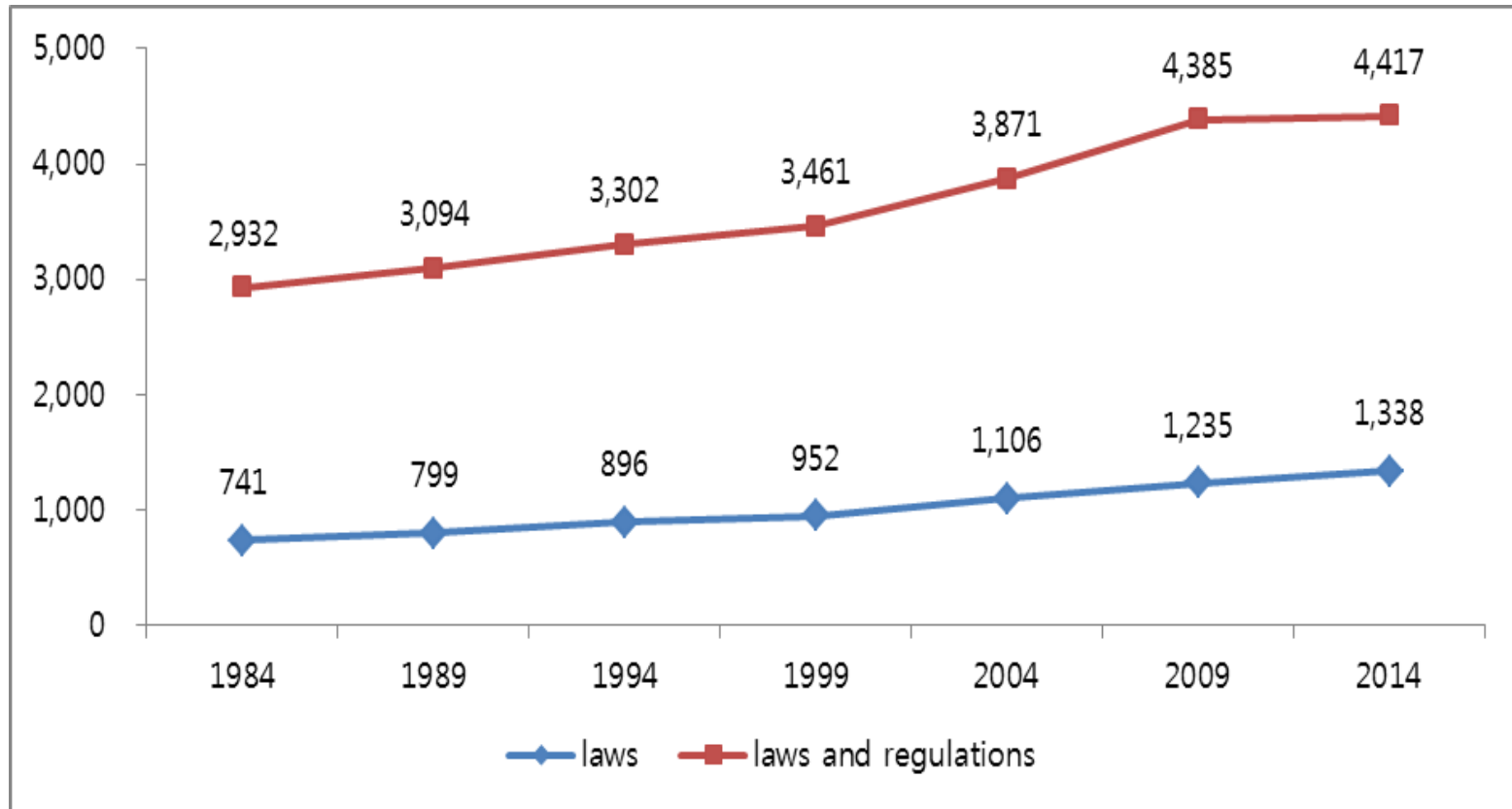
Figure2. Numbers of Bills Passed (12th~18th National Assembly)



Source: National Assembly Bills Information System (<http://likms.assembly.go.kr/bill/jsp/main.jsp>)

■ Flood of Laws and Regulations

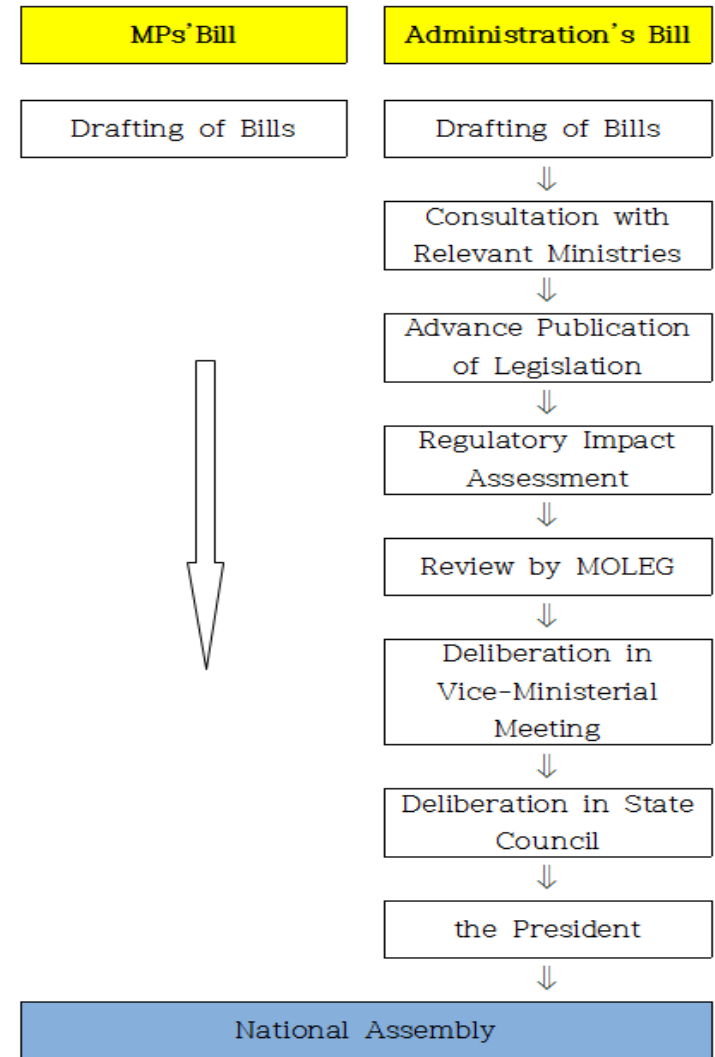
Figure3. Numbers of Laws and Regulations (1984~2014)



Source: Ministry of Government Legislation, Statistics of Laws and Regulations

■ Various impact assessment (IA) systems

- RIA introduced in 1998
- Gender Impact Assessment, in 2005
- Corruption Impact Assessment, in 2006
- However, these only focused on the administrative regulations, decrees and bills prepared by the executive body
- Lack of IA system on the lawmakers' bill
- Strong Voices for the IA on the MP's bill
- NARS began study on LIA



3. LIA of the NARS: Achievements and Challenges

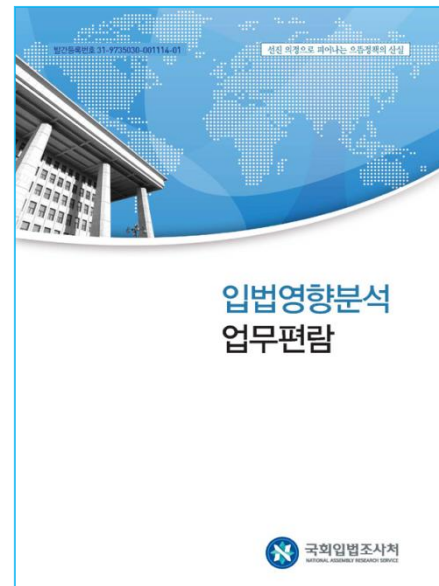
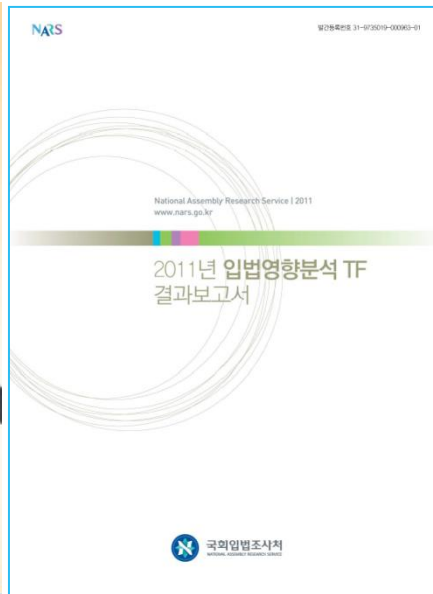
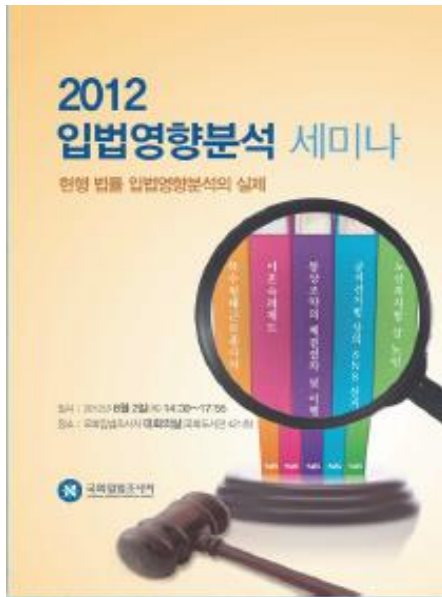
- From a voluntary study activity to a budget-based project
- 2008: a voluntary group was formed to conduct a study on LIA
- 2010: NARS launched the LIA TF for a pilot study
- 2011: LIA pilot study became a budget based project

- Achievements (2010 ~ 2014) (1)
 - 57 LIA case studies
 - 20 case studies were published in the LIA report series
 - Mostly focused on *ex post* LIA
 - 19 case studies are *ex post* LIA
 - 1 case study is *ex ante* LIA
- ❖ Is *ex ante* IA similar to “Skating on thin ice” or “astrology” ?



● Achievements (2010 ~ 2014) (2)

- 8 research projects (outsourced)
- 7 books
 - *LIA TF Annual Reports* (2010 ~ 2014)
 - *LIA Manual* (2012), *New One* (expected, 2015)
 - *Better Law Making with LIA* (2012)



- Achievements (2010 ~ 2014) (3)
 - **7 Open Seminars Series** including the presentation on case studies
 - **11 Capacity Building Programs** focused on statistical literacy
 - **2 Expert Consultations** on methodology
 - **25% of Staff members** gained practical LIA work experiences



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● Challenges

- No legal basis
→ LIA at NARS is only an ‘experimental project’
- No unit or department in charge of LIA
(TF is just a temporary team.)
- Insufficient expertise
- lack of optimized analysis tools



4. Prospects of LIA in Korea

- Future of LIA in Korea is promising
 - ✓ Growing demands from civil society
 - ✓ Motions from MPs to introduce IA systems
 - ✓ Some local councils have enacted ordinances for LIA
- NARS should be prepared
 - ✓ A regular unit responsible for LIA should be established
 - ✓ Recruiting experts and training staff
 - ✓ Secure MPs support for LIA (Top priority)
 - Institutionalization of LIA
(need to amend the National Assembly Act and the NARS Act)



Thank you

