

SGI Sustainable Governance
Indicators 2009

Resource Efficiency

Legislative efficiency report



Indicator Bills adopted in parliament

Question What percentage of bills envisaged in the government's work program were adopted by the legislature?

30 OECD countries are sorted according to their performance from best to lowest.

Column "Bills envisaged" lists the total number of bills envisaged in the government's work program.

Column "adopted" lists total number of government-sponsored bills adopted in parliament.

Column "percent" is the ratio of the two preceding numbers.

Australia

Bills envisaged: 378 adopted: 378 percent: 100

All government-initiated bills in the House of Representatives were adopted in the period of this review. Since there is no annual work plan that details planned timelines for adoption of bills, the envisaged work program has been assumed to be simply the number of bills introduced.

Belgium

Bills envisaged: 251 adopted: 251 percent: 100

Apart from a few exceptions, only government-sponsored bills have a chance of being approved by a majority in the Chamber of Deputies in part because party factions are very disciplined. Most items are included in the detailed governmental agreement and are then subject to further fine-tuning by party presidents, ministers and leaders of party factions. Seldom do autonomous proposals from MPs (majority or opposition alike) receive a successful majority vote.

Denmark

Bills envisaged: 348 adopted: 367 percent: 105.46

The figures provided here refer to the second government of Anders Fogh

Rasmussen, which was formed after the elections of February 2005 and which functioned between February 18, 2005 and March 31, 2007.

The legislative year in Denmark runs from the first Tuesday in October until the same time the following year. However, legislative work is usually concluded in June and sometimes even before Constitution Day (June 5).

For the 2006/2007 legislative year, there were 189 proposals in the legislative program put forward in October 2006. By the end of March, 96 laws had been adopted and 205 by June 6. From this, it can be seen that new laws were introduced during the session. The cutoff point of March 31 thus produces a wrong impression of legislative efficiency. Had the cutoff point been June 7, the efficiency rate would have been 106 percent because some laws were adopted that had not been foreseen in the legislative program.

Going back two years, the legislative program of October 2004 included 222 proposed laws, 83 of which were adopted before the parliament was dissolved in January 2005 prior to the February 8 elections. The new government (Anders Fogh Rasmussen's second government) reintroduced 65 proposals for the second session and 94 new proposals. The second session, which lasted from February to June 2005, adopted 162 laws. The term "session" is only used when an election splits the legislative year into two.

Norway

Bills envisaged: 298 adopted: 298 percent: 100

This data is drawn from the second Jens Stoltenberg government, in the period between October 2005 and March 2007. The total number of bills in this period included 151 changes in laws and/or new laws, and 147 non-legislative bills passed by parliament.

Turkey

Bills envisaged: 346 adopted: 346 percent: 100

In the legislative period from March 4, 2003 to August 5, 2007, all 914 bills submitted to the Grand National Assembly by the government and by deputies of the ruling government were adopted without exception. This can be explained by the clear majority of the AKP in the last legislative period.

Austria

Bills envisaged: 187

adopted: 185

percent: 98.93

The period under review runs from January 1, 2005 to October 29, 2006. On February 28, 2003, the cabinet of the coalition government of the Austrian People's Party (ÖVP) and the Freedom Party of Austria (FPÖ) under Chancellor Wolfgang Schüssel (ÖVP) was sworn in for its second term. The cabinet formally remained in office until January 11, 2007, although FPÖ ministers were replaced by ministers from the Alliance for the Future of Austria (BZÖ) on April 27, 2005. The BZÖ was founded after heavy intra-party conflicts within the FPÖ. Several chairmen of state party organizations as well as the FPÖ member of the European Parliament blamed the party leadership for its overly cooperative and submissive politics vis-à-vis its coalition partner, which had allegedly led to the party's dramatic defeats in recent state elections. In order to get rid of the "destructive" forces, the cabinet members and a large majority of the FPÖ MPs decided to reinvent the party and form a new one (BZÖ). Despite the FPÖ cataclysm, Chancellor and ÖVP Chairman Schüssel carried on with business as usual, primarily because the great majority of the new BZÖ MPs declared that they would continue to support the government and its agenda. The end of the review period (October 29, 2006) refers to the last day of the legislative period of the National Council, the lower house of the Federal Assembly. In the general elections of October 1, 2006, the governing parties (ÖVP and BZÖ) lost their parliamentary majority and were, consequently, no longer able to implement their government platform. Nevertheless, they remained in office as the incumbent government until the new coalition government made up of the Social Democratic Party of Austria (SPÖ) and the ÖVP was sworn into office on January 11, 2007.

It is not possible to calculate the bills envisaged in the government's annual work program as there are no such programs. Even the government (ÖVP-FPÖ coalition) program of 2003 contains almost no timelines for the submission and adoption of bills.

Government-sponsored bills that had been submitted to the Federal Assembly before January 1, 2005 and adopted afterwards are included in the calculation. Bills that were submitted before the end of the legislative period under review (i.e., before October 29, 2006) but not adopted until then are excluded. Government bills that included amendments of more than one law (i.e., "omnibus legislation") are only counted once. The calculations were made on the basis of information from the home page of the Federal Assembly.

Annotation:

http://www.parlament.gv.at/PG/VHG/VHG NR/RV_RVS/GESVOR/XXII.shtml

Finland

Bills envisaged: 512 adopted: 497 percent: 97.07

The government does not have a specific work program, envisaging a fixed number of bills. Most bills are adopted, some postponed until later legislative sessions, and hardly any rejected.

Portugal

Bills envisaged: 67 adopted: 65 percent: 97.01

The government has shown a high capacity to secure the passage of bills into laws. Of the 94 bills presented in the Assembly of the Republic in the first legislative session (March 2005 – September 2006), 67 were submitted to a final vote, and all but two of these were approved (and these were abandoned rather than rejected). At the time of this writing, 27 of the remaining cases were still in the debate stage and will be carried over to the next legislative session.

Greece

Bills envisaged: 126 adopted: 120 percent: 95.24

Generally, all laws presented by the government are adopted, even if not immediately. The Council of State must offer an opinion on proposals before deliberation in the Chamber of Deputies, a process that sometimes leads to long delays.

Italy

Bills envisaged: 31 adopted: 29 percent: 93.55

As there is no real annual work plan, all the bills decided by the government (work exclusively under the Prodi II government, in office since May 2006) and submitted to parliament were included. Of these bills (109) only a small number were adopted at the end of the period considered (26, or 23.9 percent). This number does not mean that the other bills were rejected, as most of them are still pending in parliament. I

If we deduct from the total number of bills adopted by the Council of Ministers the number of bills still pending in parliament (78), the approval percentage for the few bills that have been completed in the period under review would be rather high (83.9 percent); at the same time, however, the absolute number of government bills approved is very low (26 in almost one year). The low overall approval rate is due to

a combination of factors. The first is simple, as the time period evaluated for the purpose of this report is very short. As the government considered as part of this study was in office for less than a year, the adoption rate for bills is obviously affected by this, and thus many of the government's bills are still pending. There is, however, a second factor which has to do with the difficulties the government is facing in the Senate, where its majority is thin and any internal dissension can open the door to parliamentary defeat. Bills that are more controversial in nature are thus continuously delayed.

Netherlands

Bills envisaged: 182 adopted: 169 percent: 92.86

The period chosen for this assessment is that between July 7, 2006 and February 22, 2007, that is, the period in which the second Balkenende cabinet was seated. During the period of observation for the BRI (January 1, 2005 until March 31, 2007), three different cabinets have governed. The period chosen was the most substantial period of governing by a single cabinet within this period of observation.

Twenty-three bills concerning the modification of budgetary bills must be added to the number of 159 total bills envisaged in the government's program. Note the number of bills accepted in parliament (169) includes bills that were envisaged prior to the period studied here. As a result, the true share of government bills adopted is slightly lower than what is stated here.

Annotation: This information was obtained from the Parliamentary Information Office.

Luxembourg

Bills envisaged: 130 adopted: 120 percent: 92.31

Generally, all laws presented by the government are adopted, even if not immediately. The Council of State must offer an opinion on proposals before deliberation in the Chamber of Deputies, a process that sometimes leads to long delays.

Japan

Bills envisaged: 216 adopted: 199 percent: 92.13

There are two parliamentary sessions in Japan per year, so data could be ascertained for sessions 162 to 165, or for 2005 and 2006. Data for early 2007 could not be

included, as the relevant session lasted until July 2007, beyond the end of this period of analysis. For 2005 and 2006, a total of 216 bills were proposed by the cabinet (respectively 89, 24, 91 and 12 in each session). Of those, 199 were enacted (respectively 76, 21, 84, and 18, by session). None were rejected.

France

Bills envisaged: 249 adopted: 227 percent: 91.16

In line with the dominant role of the executive and the majority system, government has normally few problems in adopting proposed bills. The given data are taken from the official Web site of the French parliament and refer to the period from October 2004 to June 2007, representing ordinary parliamentary sessions from 2004-2005, 2005-2006 and 2006-2007. Within this period, bills presented to parliament for the first time and laws definitely adopted have been taken into account.

Annotation: Web site of the French parliament:

<http://www.assemblee-nationale.fr/12/seance/statistiques-12leg.asp#stat0405>

Ireland

Bills envisaged: 117 adopted: 106 percent: 90.60

During the period under review, the government adopted most of the bills brought before it. Some bills remained outstanding when Parliament was dissolved in April and may be reintroduced in the new parliament.

In order to provide a calculation that did not arbitrarily underestimate legislative efficiency, the period of observation was slightly extended because the “spring 2007” legislative program covered bills that were signed into law as late as May 2007. The quantities given include the number of bills envisaged in the government’s work program as specified by the Department of the Taoiseach from January 2005 to May 2007 as the first figure (117) and the list of enacted laws published by the Department of the Taoiseach in the same period as the second figure (106).

Spain

Bills envisaged: 106 adopted: 96 percent: 90.57

As there is no clear work program in Spain, the bills considered here are those envisaged and presented by the government to the parliament. Despite its status as a minority government reliant on forming coalitions to pass bills during the period under investigation, the government has shown a high level of legislative efficiency. It has been able to ally with different parliamentary parties on different bills. In

general, the Spanish government has the means to fulfill its legislative agenda without significant trouble. It is granted strong constitutional authority, and the prime minister may effectively coordinate the actions of different ministers.

Moreover, there is strict internal discipline within parliamentary groups, the unifying power of which has proven to be much stronger than initially expected, thus increasing the power of the party over individual legislators – a particularly important situation when one party is in office, as the prime minister has always been the leader of the party. In addition, the functioning of the electoral system, which is formally proportional but majority-rules in practice, does not often result in coalition or minority governments but to stable and strong, single-party governments.

Czech Republic

Bills envisaged: 134 adopted: 121 percent: 90.30

Legislative efficiency is measured by contrasting the number of bills submitted by the government with the total number of government-submitted bills adopted in parliament. The official government programs announced at the beginning of terms are too vague to allow an estimation of the number of bills envisaged, and it has not been possible to distinguish between bills introduced by MPs from the governing coalition and by other members of parliament. In practice, however, Czech governments rarely rely on legislative initiatives by members of parliament. The figures apply to the center-left government, that is, to the period from January 2005 to August 2006 only.

Hungary

Bills envisaged: 319 adopted: 288 percent: 90.28

Legislative efficiency is measured by contrasting the number of bills submitted by the government and the total number of government-submitted bills adopted in the National Assembly in the period from January 2005 to the end of March 2007. However, the data available on the government's legislative work programs has not been sufficient to perform meaningful calculations. Nor has it been possible to obtain figures for the total number of bills either sponsored or submitted by the government.

Slovakia

Bills envisaged: 166 adopted: 146 percent: 87.95

The figures refer to bills adopted under the Dzurinda government from January 2005 to July 2006 only. Because a breakdown of the 27 MP-sponsored bills adopted in the

National Council has not proved possible, the second figure refers only to government-submitted bills. The Dzurinda government at times relied on the legislative initiative of MPs from the governing coalition. In interpreting the figures, it should be borne in mind that the Dzurinda government had an ambitious reform agenda but lacked a clear parliamentary majority.

Switzerland

Bills envisaged: 115 adopted: 100 percent: 86.96

In the context of Switzerland's all-party government, the proportion of bills adopted by the Federal Assembly but refused by the people in obligatory or mandatory referenda may be a better indicator of the government's success or reform capacity than is a strict count of bills adopted in parliament. However, this indicator is not comparable to other countries. Even so, as the proportion of refused bills is decreasing rather than growing, the government's capacity for reform appears to be better now than in the 1990s.

Germany

Bills envisaged: 241 adopted: 205 percent: 85.06

In line with the dominant role of the executive and the majority system, government has normally few problems in adopting proposed bills. The given data are taken from the official Web site of the French parliament and refer to the period from October 2004 to June 2007, representing ordinary parliamentary sessions from 2004-2005, 2005-2006 and 2006-2007. Within this period, bills presented to parliament for the first time and laws definitely adopted have been taken into account.

Annotation: Figures are from Friedbert Rüb.

New Zealand

Bills envisaged: 179 adopted: 151 percent: 84.36

The figure noted here has been derived from the schedule of bills as of July 27, 2007. It is based on the number of governmental bills initiated in the first session of the 48th Parliament, as well as those bills lapsed at the end of the 47th parliament which were reinstated. The 48th Parliament's composition was determined by elections on September 17, 2005. The total number of bills adopted refers to those which have become acts. On July 25, 2007, there were 41 bills currently before the House of Representatives or its committees.

Poland

Bills envisaged: 339 adopted: 283 percent: 83.48

Legislative efficiency is measured by contrasting the number of bills submitted by the government and the total number of government-submitted bills adopted in the National Assembly in the period from Oct. 19, 2005 to July 10, 2007. The available data have not been sufficient to do meaningful calculations with the number of bills envisaged in the government's legislative work programs. Nor has it been possible to obtain figures for the total number of government-sponsored bills, including both government-submitted and government-supported bills. The period under analysis starts on Oct. 19, 2005, because of the 2005 change in government. The cut-off date is July 10, 2007. This day was the start of the parliamentary summer break, and it has not been possible to get figures from the end of March 2007. When interpreting the figures it should be taken into consideration that the PiS government suffered from a lack of internal cohesion and did not command a clear parliamentary majority in part of the period under analysis.

Iceland

Bills envisaged: 318 adopted: 265 percent: 83.33

As the government holds a parliamentary majority, the rate of adoption of government bills is quite high. Those not adopted are usually refused on technical grounds, not political ones.

United Kingdom

Bills envisaged: 101 adopted: 84 percent: 83.17

Given the difficulty in ascertaining the number of bills envisaged and adopted during the period from January 2005 to March 2007, this assessment is based on two full parliamentary sessions (2004 –2005 and 2005 – 2006). A total of 101 government bills were envisaged during both of these sessions, of which 84 were enacted and received the Royal Consent, while 17 were not completed.

United States

Bills envisaged: 86 adopted: 70 percent: 81.40

As the Congressional Quarterly Almanac puts it, measuring the president's success rate on bills is "an inexact science." Congress may legislate on the same subject as the president called for, but the content of the bill may be considerably different than

he had envisioned. The president may endorse a bill introduced by an ordinary member. The numbers given above pertain only to the House of Representatives during the 109th Congress, that is, the full calendar years 2005 and 2006. For the Senate (excluding the many nominations), the presidential success rate was 66.7 percent in both 2005 and 2006. With nominations included, the presidential success rate was 77.8 percent in 2005 and 78.6 percent in 2006.

In historical perspective, no other president since John F. Kennedy and Lyndon B. Johnson has enjoyed such high average success rates as George W. Bush did between 2001 and the end of 2006.

Mexico

Bills envisaged: 155 adopted: 111 percent: 71.61

During political campaigns, vague references to specific legislative intentions are often made, but no legislative program is ever presented in advance either by the executive or the political parties represented in Congress. Legislative intentions, known as draft bills, are presented in Congress.

However, a presidential election was held during the period of this analysis (January 2005 – March 2007), rendering the legislative process during this time somewhat atypical. On the one hand, the outgoing government's interest in promoting new programs was low. On the other, the incoming government was naturally interested in presenting a large bulk of its legislation shortly after taking office. For that reason, the data presented here corresponds to initiatives presented by ex-President Vicente Fox during his six-year term (2000 – 2006).

Fox presented 155 draft bills, with 111 passed by Congress (a success rate of 71.6 percent). Although Fox's successor, Felipe Calderon, has had a relatively lower rate of legislative success, he has been able to pass two important bills, a measure dealing with the public employees' pension system, and a major fiscal reform. In contrast, Fox had difficulty persuading Congress to pass important bills.

South Korea

Bills envisaged: 651 adopted: 459 percent: 70.51

The number of bills envisaged and adopted includes new bills and all changes of existing bills, from 2005 to March 2007. Between 2003 and 2006, the average time taken for a bill to pass through parliament was 4.4 months.

Sweden

Bills envisaged: 260 adopted: 183 percent: 70.83

At the time of writing, there was data available for 2005 only and not for the entire period under observation.

Canada

Bills envisaged: 145 adopted: 82 percent: 56.55

During the period under review, the Canadian House of Commons held two sessions. The first one lasted from October 10, 2004 to November 11, 2005 (during the Liberal minority government under Prime Minister Paul Martin), and the second one from April 4, 2006 to September 14, 2007 (during the Conservative minority government under Prime Minister Stephen Harper).

In Westminster democracies, bills that have not reached the third reading within one parliamentary session must be reintroduced during the next one. As a result, instead of using the review period proposed, this evaluation looks at both sessions in their entirety.

It is fairly difficult to intelligently reduce the deviations in the experts' numbers. The number put forward here refers to the whole of the parliamentary sessions. The numbers 145 and 82 cover the legislative activities of the two governments during both sessions. In my opinion, they are more meaningful than those covering only partial sessions.

This report is part of the Sustainable Governance Indicators 2009 project, which assesses and compares the reform capacities of the OECD member states.

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