

Information for the Press
26 September 2014

House adds more transparency to legislative process

An amendment to the Chamber of Deputies Code of Procedures, which would help to add more transparency to the legislative process, passed through its third reading today. It is an amended version of a legislative draft tabled by a group of ANO, TOP 09 and KDU-ČSL deputies at the very first meeting of the lower house, as one of the bills pursued by the Reconstruction of the State project. This amendment meets a commitment of the Reconstruction of the State project, upheld by 158 members of the Chamber of Deputies.

The amendment envisages disclosing how the various MPs voted on the various amendments in the committees and extends the period between the second and third reading from 72 hours to 14 days. It ensures it will not be possible to smuggle in, in the eleventh hour, legislative changes escaping public debate. A similar amendment has been proposed before, but never has there been a broader political agreement.

"We are glad that parliament endorsed the minimal conditions of changing the mass production of laws," says Martin Fadrný, coordinator of the Reconstruction of the State experts and lawyer for the Frank Bold organization. *"Until now MPs would not have their arbitrary powers shifted one inch, but first objections against 'riders' landed on their desks a good eight years ago."*

Reconstruction of the State and its members have long warned against dangerous "riders" being slapped on laws that decide about multibillion-crown public funds or completely change laws without proper analysis and executive reports. Thus the problematic sCard was hidden in a 100-page "rider" passed in just five days. In March 2014 members of the Platform invited politicians to a round table to debate various legislative options.

Senate could yet reject an amendment which would provide for:

- Information on who raised amendments and how MPs voted, blow by blow. MPs could not hide anymore behind collective committee decisions.
- Making it more difficult to produce unexpected "riders". Parliament and the public would have more time to find out what's behind such draft amendments.
- All draft amendments would require recommendation by the committee guaranteeing the bill in question.

The bill, repeatedly tabled by 47 deputies for ANO, TOP 09 and KDU-ČSL after the elections, following an appeal by Reconstruction of the State, significantly dropped some other proposals, notably for a legislative cap on the bill, an explanatory memorandum on draft amendments, or opening the committee procedures to the public. *"These proposals were sensible and it's a shame they were swept off the table,"* Fadrný opines.

Past attempts to improve the code of procedures:

- Senator Soňa Paukrtová's proposal for change of the Chamber of Deputies Code of Procedures – Senate Print 197 (passed by House, defeated by Senate) tabled way back in 2006.
- Proposal by a group of deputies (Peake, Andrýsová, Gazdík, Langšádlová) to amend Law 90/1995 Coll., on the Chamber of Deputies Code of Procedures – House Print 1029.

- A subcommittee for amendments to the Chamber of Deputies Code of Procedures was set up in the past legislative period. Chaired by Chamber of Deputies Speaker Miroslava Němcová, it did not produce any results.

More info on the bill and selected riders available here:

<http://www.rekonstrukcestatu.cz/cs/pruhledny-legislativni-proces>

Description of approval process and steps taken by Reconstruction of the State:

<http://franc.blog.ihned.cz/c1-62657360-nenapadna-zmena-nebo-poradna-rana-lobbistum>

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About Reconstruction of the State

The anticorruption project, Reconstruction of the State was launched in March 2013 with the aim to promote nine key legislations, which would dramatically reduce room for corruption and prevent the ongoing state capture. Commitment to promote the legislation was confirmed in writing before the elections by more than 160 incumbent members of parliament, including the leaders of the main political parties.

Members of the Platform: Oživení, Transparency International, Frank Bold (formerly Ekologický právní servis), Otakar Motejl Foundation, zIndex, Open Society, Brnění, Pražské fórum, Zaostřeno, Zelený kruh, Anticorruption Endowment (NFPK), Inventura demokracie, Glropolis, Good Governance, Naši politici.cz, Iuridicum Remedium, ProAlt, Kohovoliti.eu and PragueWatch. The Platform receives financial support from scores of small donors, companies and foundations, the list of whom can be found on our website.

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