

ANO hopes to endorse registry of contracts at Coalition Council today. Reconstruction of the State believes nothing stands in its way

Deputy Prime Minister Andrej Babiš announced on ČT24 today (12:48) that he intends to endorse at the Coalition Council in the afternoon hours the current wording of a bill on the registry of contracts so it can go to a second reading at the Chamber of Deputies in April. It is the first truly unequivocal public expression of support to a concrete version of this bill. Reconstruction of the State welcomes this move. Unless blocked by the Coalition partners, the bill could be passed by mid-2015. Bohuslav Sobotka has previously rendered public support to passing the bill within six months.

“The ices are melting. For the first time since the elections, a coalition party leader gives clear support to a specific version of the bill. Prime Minister Sobotka announced last week he would like to see the bill through in the first half of the year, but he refrained for the time being from supporting its current wording. ČSSD and KDU-ČSL could possibly seek further adjustments and delays. Clearly, that would be an obstruction. But we do hope the other parties will support the bill as well,” says Pavel Franc, head of the Frank Bold organization and one of three guarantors of Reconstruction of the State.

The coalition will discuss a modified version of the bill put forward by Deputy Farský, prepared by the Ministry of the Interior; the ministry version was commissioned by the Coalition Deputies' Group and based on the recommendations of the Reconstruction of the State group of experts. ČSSD and KDU-ČSL had insisted on the provision of an impact study, which is now complete. The impact study did not reveal any new or fundamental objections and, therefore, nothing stands in the way of the bill being debated in the Chamber of Deputies. Based upon a survey among offices and municipalities, the impact study arrived at a total cost of contract publication between CZK 300 million and CZK 4 billion. According to the calculations of the Centre of Applied Economics, even the lower limit of the cost estimate is pretty overblown.

“The impact study was essentially an opinion poll among the entities the legislation would concern. Many of them of course resist the legislation by all means, so they filed time requirement estimates two orders higher than some other institutions, and supplied a wealth of wild arguments, claiming for instance that the Constitution prohibits self-administration bodies from setting out legal commitments. However, we have discussed the various protests with officials of the Ministry of the Interior, which distributed the question forms, and arrived at the joint conclusion that apart from a few relevant details, which could be immediately considered and worked upon, no serious objection has emerged,” says economist Jiří Skuhrovec from the Centre of Applied Economics (a member organization of Reconstruction of the State). According to the information percolating in the Ministry of Interior, the Deputies' Group has agreed to incorporate only several technical details in the text.

“Unlike Deputy Jan Farský's original draft, the Ministry-modified version enables state and municipal firms to release only data concerning the very existence of contracts, i.e. their subject and date of signing, in order to protect trade secrets. If, however, the court rules that there is no trade secret included in the contract, the company shall have 30 days to publish its content or face its voidance. In another departure from the original draft, the bill does not envisage the publication of invoices and orders. Hence, it is a minimalist version, but it contains all the key parameters upheld by deputies before the elections. Bar one completely unsubstantiated opt-out in favour of ČEZ, the amendments are acceptable. However, it would still be better to accept the current minimalist variant than wait

endlessly for politicians to agree on an ideal version,” explains Martin Fadrný, a lawyer from Frank Bold.

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About Reconstruction of the State

The anti-corruption project Reconstruction of the State was launched in March 2013 with the aim to promote nine key legislations for responsible politics. The commitment to promote the legislation was confirmed in writing before the elections by more than 160 current members of parliament, including the leaders of the main political parties. Reconstruction of the State brings together citizens, experts, politicians and business people of various political persuasion but united in support of fair political competition and open governance. **Members of the NGO coalition:** Oživení, Frank Bold, Otakar Motejl Fund, Center of Applied Economics (zIndex), Open Society, Brnění, Pražské fórum, Zaostřeno, Green Circle (Zelený kruh), Anticorruption Endowment (NFPK), Inventura demokracie, Glopolis, Good Governance, Naši politici, Iuridicum Remedium, ProAlt, Kohovolit.eu, and PragueWatch. The coalition receives financial support from scores of small donors, companies and foundations, the list of whom can be found on the project website www.rekonstrukcestatu.cz/en.