



**Activity Title and Number:** SCLAO Study assignment to the EU on administrative law enforcement A452-C5

**Beneficiary:** State Council Legislative Affairs Office (SCLAO)

**Location and Date:** Brussels, Sweden and France; 8-20 November, 2015

**Stakeholders:** EU and EU Member State governments and administrative authorities and industry associations

## Brief Activity Report

### Relevance and Impact

In China, about 80% of the laws, 90% of local regulations, and nearly all of the administrative regulations are enforced by administrative organs at central and local levels. Both the National People's Congress in its Third Session in early March 2015, as well as the Fourth Plenary Session of the 18th Communist Party of China Central Committee last autumn, emphasised the importance of "comprehensively advancing the rule of law" in China. Currently, **research and studies are being conducted to prepare for the drafting of the Administrative Procedure Law, in addition to the Regulations on Administrative Law Enforcement Procedures. China has increased its efforts to streamline** its administration and to **delegate power to lower levels** and to improve **law-based decision-making mechanisms**, including **public consultation, expert evaluation, risk assessment** and **legality review**. SCLAO is in charge of **drafting the regulation of legal procedures for making major administrative decisions**, which is planned to become the main administrative procedure law in China.

### Activity Description

A group of ten high-level officials (at DG and DDG level) from SCLAO's central and provincial offices participated in this study assignment to Europe. High level meetings including policy and technical exchanges were held with 17 institutions at various levels of administration, including the EU, the EU Member State level, and at the regional level, thus illustrating the multi-level governance system of the EU. Discussion topics included legal procedures for administrative decision making, covering different features such as public consultation, external evaluation and risk assessments, as well as legality review.



*SCLAO delegation, 17<sup>th</sup> November, France*

### Results and Dissemination

The SCLAO delegation produced a comprehensive report to capture the insights and best practices they have taken from the meetings while in Europe. In this report, they emphasised the key points to be considered with regard to the current efforts to improve China's law enforcement procedures:

- The Single Market Scoreboard system used by the EU Commission is an efficient tool to supervise the implementation of policies and present the result in a simple and clear way.
- Gathering public opinions is important in administrative decision making. The reorganisation of the police in system Sweden is an inspiring and impressive example of incorporating opinions from minorities, teenagers, and low-income groups of the population.
- Transparency in the decision making process and supervision process are important contributors to improving credibility and to strengthen law enforcement.