



Rules of Procedure

for the parliamentary appraisal of the sustainability impact assessment in the framework of regulatory impact assessment

The decision to establish the Parliamentary Advisory Council on Sustainable Development (Parlamentarischer Beirat für nachhaltige Entwicklung – PBnE) of 20 February 2014 (Bundestag printed paper 18/559) once again commissioned the PBnE with appraising whether the Federal Government adequately fulfils its obligation, stipulated in § 44 Para. 1 in conjunction with § 62 Joint Rules of Procedure of the Federal Ministries (*Gemeinsame Geschäftsordnung der Bundesministerien* – GGO), to illustrate whether the impact of a project is in keeping with sustainable development ("sustainability impact assessment").

The PBnE submits the result of its appraisal to the respective lead committee of the German Bundestag in the form of an Expert Opinion for the latter to discuss and assess in writing.

Procedure:

The PBnE Secretariat enters the bills and ordinances of the Federal Government (projects) in the **Project List** immediately after their publication by the Bundesrat. This list is distributed to the members of the PBnE by electronic mail on Fridays.

The appraisal is performed by the competent rapporteurs of the parliamentary groups – one rapporteur from the coalition and one rapporteur from the opposition. In the event of projects having joint lead responsibility at the ministerial level, the rapporteurs agree among themselves on who is to perform the appraisal.

The appraisal is performed with the help of the Management Rules and Indicators of the National Sustainable Development Strategy (Enclosure 1), although sustainability aspects going beyond these are also to be taken into consideration. The appraisal and the review result are to be documented, within 14 days and by mutual agreement, in a **Review Note** (Enclosure 2) that is to be submitted to the PBnE Secretariat by Monday evening at the latest for the next Advisory Council meeting.

The PBnE Secretariat documents the results of the Review Notes (votes) in a **Votes List**, which is submitted to the members of the PBnE by 12.00 noon on the Tuesday of weeks in which parliament sits, along with the Review Notes containing the vote "Request for examination". The Advisory Council decides on the Votes List at its next meeting.

Disputes regarding Review Notes should be settled between the rapporteurs – by calling in the PBnE spokespersons, if appropriate – prior to the aforementioned submission to the PBnE Secretariat. Postponement of the decision is to be avoided to ensure that the committees do not discuss projects for which there is no Expert Opinion from the PBnE.



Following adoption of the Votes List, the PBnE Secretariat promptly draws up an **Expert Opinion** on the basis of the Review Note and after consulting the rapporteurs. This document contains the result from the Review Note.

Depending on the vote of the rapporteurs, the further procedure is as follows:

1. For bills and ordinances discussed in the German Bundestag:

- a) In the case of **Expert Opinions with a request for examination**, the PBnE requests the lead committee to submit an enquiry to the Federal Ministry regarding the missing information on the sustainability impact, to include its deliberations on the subject in the committee's report, and to report back to the PBnE regarding the result of the deliberations. The lead Federal Ministry is notified of the actions of the PBnE.
- b) In the case of an **Expert Opinion without a request for examination**, the Expert Opinion is submitted to the lead committee, but without the lead Federal Ministry being notified.

All Expert Opinions should have been received by the respective lead committee by no later than the day of the first reading of the bill/ordinance in question. They are distributed as committee printed papers at that time. The committee's agenda indicates that the PBnE was "involved in an expert capacity".

2. For ordinances not discussed in the German Bundestag:

- a) In the case of **Expert Opinions with a request for examination**, the PBnE requests the lead Federal Ministry to send it a statement concerning the missing information regarding the sustainability impact.
- b) **Review Notes without a request for examination** are submitted neither to a committee, nor to a Federal Ministry, but are archived at the PBnE Secretariat, like all other proceedings.

In all cases, the PBnE Secretariat monitors the feedback reports from the committees and the Federal Ministries, enters them in the Projects List and informs the members of the Advisory Council.

Concluded proceedings are stored in the **Archive List**, which is sent to the members of the PBnE once per month.

Enclosures:

- Management Rules and Indicators (Status: 2012 Progress Report)
- Review Note (including explanations to aid completion)

Management Rules, Indicators and Goals of the National Sustainable Development Strategy

- Golden rule -

- (1) *Each generation must solve its own problems itself without passing them on to the next generation. At the same time, it must make provision for future foreseeable problems.*

- Rules of sustainable development for individual fields of action -

- (2) Renewable natural resources (such as forests or fish populations) may be exploited in the long term only within the scope of their ability to regenerate.

Non-renewable natural resources (such as mineral raw materials or fossil energy carriers) may be exploited in the long term only to the extent that their functions cannot be replaced by other materials or other energy carriers.

- (3) The release of substances may in the long term not be greater than the capacity for adaptation of natural systems – e.g. the climate, the forests and the oceans.
- (4) Hazards and unjustifiable risks to human health are to be avoided.
- (5) The structural change triggered by technical developments and international competition must be structured to be economically successful, as well as ecologically and socially compatible. To this end, policy fields must be integrated in such a way that economic growth, high employment rates, social cohesion and environmental protection go hand-in-hand.
- (6) Energy and resource consumption, as well as transport performance, must be decoupled from economic growth. At the same time, the aim must be for the growth-induced increase in demand for energy, resources and transport services to be more than outweighed by efficiency gains. A decisive role in this context is played by the creation of knowledge through research and development, together with the

communication of knowledge through specific education measures.

- (7) The public-sector budgets are committed to intergenerational equity. This demands the preparation of balanced budgets by the Federation, the *Länder* and the municipalities. The general government debt is to be continuously reduced in a further step.
- (8) Sustainable farming must be not only productive and competitive, but also environmentally compatible, while at the same time paying attention to the demands on welfare-oriented animal husbandry and preventive consumer protection, especially as regards health.
- (9) In order to strengthen social cohesion,
- poverty and social exclusion are to be prevented to the greatest possible extent,
 - all sections of society are to be given opportunities to participate in economic development,
 - necessary adaptations to demographic change are to be implemented in good time in politics, the economy and society,
 - participation in social and political life is to be open to all.
- (10) The international overall conditions must be jointly structured in such a way that people in all countries can live their lives in human dignity, according to their own ideas and in harmony with their regional environment, and participate in economic developments. Environment and development form a single unit. Sustainable global action is geared to the Millennium Development Goals of the United Nations. In an integrated approach, the fight against poverty and hunger must be combined with
- the observation of human rights,
 - economic development,
 - protection of the environment, and
 - responsible government action.

No.	Indicator areas Sustainability requirements	Indicators	Goals
I. Intergenerational equity			
1a	Resource conservation <i>Using resources economically and efficiently</i>	Energy productivity	Doubling between 1990 and 2020
1b		Primary energy consumption	Reduction by 20% by 2020 and 50% by 2050, referred to 2008
1c		Raw material productivity	Doubling between 1994 and 2020
2	Climate protection <i>Reducing greenhouse gases</i>	Greenhouse gas emissions	Reduction by 21% by 2008/2012, 40% by 2020 and 80 to 95% by 2050, referred to 1990
3a	Renewable energy sources <i>Strengthening a sustainable energy supply</i>	Share of renewable energy sources in final energy consumption	Increase to 18% by 2020 and 60% by 2050
3b		Share of renewable energy sources in electricity consumption	Increase to 12.5% by 2010, at least 35% by 2020 and at least 80% by 2050
4	Land use <i>Sustainable land use</i>	Built-up area and transport infrastructure expansion	Reduction of daily growth to 30 hectares by 2020
5	Species diversity <i>Conserving species – Protecting habitats</i>	Species diversity and landscape quality	Increase to an index value of 100 by 2015
6a	Government debt <i>Consolidating the budget – Creating intergenerational equity</i>	General government deficit	Annual government deficit less than 3% of GDP
6b		Structural deficit	Structurally balanced government budget, federal structural deficit of no more than 0.5% of GDP
6c		Government debt	Debt-to-GDP ratio no more than 60% of GDP
7	Provision for future economic stability <i>Creating favourable investment conditions – Securing long-term prosperity</i>	Gross fixed capital formation in relation to GDP	Increase in the proportion
8	Innovation <i>Shaping the future with new solutions</i>	Private and public spending on research and development	Increase to 3% of GDP by 2020

9a	Education and training <i>Continuously improving education and vocational training</i>	18- to 24-year-olds without a school-leaving certificate	Reduction of the proportion to below 10% by 2020
9b		30- to 34-year-olds with a tertiary or post-secondary non-tertiary level of education	Increase in the proportion to 42% by 2020
9c		Share of students starting a degree course	Increase to 40% by 2010, followed by further expansion and stabilisation at a high level
II. Quality of life			
10	Economic output <i>Combining greater economic output with environmental and social responsibility</i>	GDP per capita	Economic growth
11a	Mobility <i>Guaranteeing mobility – Protecting the environment</i>	Intensity of goods transport	Reduction to 98% compared to 1999 by 2010, and to 95% by 2020
11b		Intensity of passenger transport	Reduction to 90% compared to 1999 by 2010, and to 80% by 2020
11c		Share of rail transport in goods transport performance	Increase to 25% by 2015
11d		Share of inland waterway transport in goods transport performance	Increase to 14% by 2015
12a	Farming <i>Environmentally sound production in our cultivated landscapes</i>	Nitrogen surplus	Reduction to 80 kg/ha of agriculturally utilised land by 2010, further reduction by 2020
12b		Organic farming	Increase in the share of organic farming in the agriculturally utilised land area to 20% in the coming years
13	Air quality <i>Keeping the environment healthy</i>	Air pollution	Reduction to 30% compared to 1990 by 2010
14a	Health and nutrition <i>Living healthily longer</i>	Premature mortality (deaths per 100,000 inhabitants under 65 years of age), men	Decrease to 190 cases per 100,000 by 2015
14b		Premature mortality (deaths per 100,000 inhabitants under 65 years of age), women	Decrease to 115 cases per 100,000 by 2015
14c		Smoking rate among young people (12 to 17 years of age)	Reduction to below 12% by 2015

14d		Smoking rate among adults (15 years of age and older)	Reduction to below 22% by 2015
14e		Proportion of adults suffering from obesity (adults, 18 years of age and older)	Decrease by 2020
15	Crime <i>Further increasing personal security</i>	Criminal offences	Decline in the number of recorded cases per 100,000 inhabitants to below 7,000 by 2020
III. Social cohesion			
16a	Employment <i>Boosting employment levels</i>	Employment rate, total (15 to 64 years of age)	Increase to 73% by 2010 and 75% by 2020
16b		Employment rate, older population (55 to 64 years of age)	Increase to 55% by 2010 and 60% by 2020
17a	Prospects for families <i>Improving the compatibility of work and family life</i>	All-day care provision for children, 0 to 2 years of age	Increase to 30% by 2010 and 35% by 2020
17b		All-day care provision for children, 3 to 5 years of age	Increase to 30% by 2010 and 60% by 2020
18	Equal opportunities <i>Promoting equal opportunities in society</i>	Gender pay gap	Reduction of the gap to 15% by 2010 and 10% by 2020
19	Integration <i>Integration instead of exclusion</i>	Foreign school-leavers with a school-leaving certificate	Increase in the proportion of foreign school-leavers with at least a lower secondary (<i>Hauptschule</i>) school-leaving certificate and alignment with the share of German school-leavers by 2020
IV. International responsibility			
20	Development cooperation <i>Supporting sustainable development</i>	Share of expenditure for official development assistance in gross national income	Increase to 0.51% by 2010 and 0.7% by 2015
21	Opening markets <i>Improving trade opportunities for developing countries</i>	German imports from developing countries	Further increase

Government parliamentary group		Opposition parliamentary group
CDU / CSU or SPD		The Left Party or Alliance 90/The Greens
(Name) Member of the Bundestag		(Name) Member of the Bundestag
Contact		Contact
(Name)		(Name)
(Extension)		(Extension)
(E-mail)		(E-mail)

U R G E N T – Bundesrat deadline: XX.XX.XXXX (DELETE IF APPROPRIATE)

Title	Enter the title of the bill/ordinance here (copy and paste)
Lead responsibility	Federal Ministry XXX
Status	Enter the date on the printed paper here. If the project is already on the agenda in the Bundesrat or the Bundestag, for example, or if the Bundesrat has already recommended its referral to a committee, etc., kindly note this here.

REVIEW RESULT	Coalition parliamentary group	Opposition parliamentary group
Recommendation	Select one of the following: Request for examination to lead committee Letter to lead ministry No request for examination	Select one of the following: Request for examination to lead committee Letter to lead ministry No request for examination
Reasons	<p>Briefly outline the reasons for or against a request for examination here. Examples (for illustration only, creative diversity is allowed):</p> <p>The presentation of the sustainability impact assessment is plausible.</p> <p>The presentation of the sustainability impact assessment may not be plausible, but the project nevertheless has a positive impact on sustainable development.</p> <p>The presentation of the sustainability impact assessment is implausible. It contains no statements (particularly) regarding the Management Rules and/or Indicators mentioned below.</p> <p>The matter relates to a law enacting an international agreement. Even laws enacting international agreements can contain provisions affecting sustainable development. They, too, are subject to the regulations regarding regulatory impact assessment, i.e. § 44 Para. 1 GGO.</p> <p>Should it not be possible to reach an agreement, kindly call in the spokespersons without delay. If it is then still not possible to reach an agreement, kindly enter the differing reasons here, one below the other, so that the note can be discussed at the Advisory Council Meeting.</p> <p>CDU/CSU – SPD: xxx</p> <p>The Left Party – Alliance 90/The Greens: xxx</p>	
Processing date	xx.xx.2015	xx.xx.2015

TEXT REVIEW	Coalition parliamentary group	Opposition parliamentary group
Link to the National Sustainable Development Strategy according to the rapporteurs	Yes / No / Limited (or similar)	Yes / No / Limited (or similar)
	<p>Here, you should enter the Management Rules and Indicators (including the No. and short title from the list on Page 3) that have an impact on sustainable development in the opinion of the two rapporteurs.</p> <p>In addition, kindly also list further aspects of the Sustainable Development Strategy. After all, the Management Rules and Indicators are not final, but intended more as an aid.</p> <p>Should no agreement be reached, see above.</p> <p>Management Rules:</p> <p>Indicators:</p>	
What statements on sustainable development are made in the bill / law enacting an international agreement / ordinance?	Kindly insert the statement from the project, which can be found <u>under the corresponding heading</u> in the Explanatory Memorandum in the bill / law enacting an international agreement / ordinance.	
Is this statement plausible	Yes / No	Yes / No
<p>If the statement is plausible, you need not complete the next three fields. Otherwise, only indicate the Nos. missing from the point of view of the rapporteurs and/or indicate, where appropriate, what statement is additionally missing or would be desirable.</p> <p>Again, the rapporteurs must agree. If not, see above.</p>		
Which Management Rules were not considered?	---	---
Which Indicators were not considered?	---	---
What further statements regarding the National Sustainable Development Strategy are missing?	---	---

Statement of facts (brief summary according to the project):

Here, you should copy and paste a brief summary of the project from the bill / law enacting an international agreement / ordinance (e.g. from the covering note or the Explanatory Memorandum). It is important that third parties also understand what will change as a result of the project, so that they can see whether it will have an impact on the Sustainable Development Strategy or other long-term consequences pursuant to § 44 Para. 1 GGO.

Kindly delete this page before submitting the Review Note.

Short title of the Management Rules and Indicators for copying

Management Rules

- (1) Golden rule – Each generation must solve its own problems itself.
- (2) Exploitation of renewable natural resources only within the scope of their ability to regenerate. Exploitation of non-renewable natural resources only if their function cannot be replaced.
- (3) Release of substances only within the scope of the capacity for adaptation of natural systems.
- (4) Avoidance of hazards and unjustifiable risks to human health.
- (5) Ecologically and socially compatible structuring of technical developments.
- (6) Energy and resource consumption, transport: decoupling and improved efficiency – with the help of research and development.
- (7) Preparation of intergenerationally equitable budgets.
- (8) Productive, sustainable and environmentally compatible farming – and welfare-oriented animal husbandry.
- (9) Social cohesion: prevention of poverty and exclusion, creation of opportunities, structuring of demographic change, participation in social life for all.
- (10) Gearing of global action to Millennium Development Goals: human rights, economic development, environmental protection, responsible government action.

Indicators

- (1) Resource conservation – Using resources economically and efficiently
- (2) Climate protection – Reducing greenhouse gases
- (3) Renewable energy sources – Strengthening a sustainable energy supply
- (4) Land use – Sustainable land use
- (5) Species diversity – Conserving species and protecting habitats
- (6) Government debt – Consolidating the budget and creating intergenerational equity
- (7) Provision for future economic stability – Creating favourable investment conditions and securing long-term prosperity
- (8) Innovation – Shaping the future with new solutions
- (9) Education and training – Continuously improving education and vocational training
- (10) Economic output – Combining greater economic output with environmental and social responsibility
- (11) Mobility – Guaranteeing mobility and protecting the environment
- (12) Farming – Environmentally sound production in our cultivated landscapes
- (13) Air pollution – Keeping the environment healthy
- (14) Health and nutrition – Living healthily longer
- (15) Crime – Further increasing personal security
- (16) Employment – Boosting employment levels
- (17) Prospects for families – Improving the compatibility of work and family life
- (18) Equal opportunities – Promoting equal opportunities in society
- (19) Integration – Integration instead of exclusion
- (20) Development cooperation – Supporting sustainable development
- (21) Opening markets – Improving trade opportunities for developing countries