Routine Laws vs. Non-routine laws[1]

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Number of Non-routine laws is one of visible and tangible output indicators of legislative effectiveness. According to the 2008 Constitution, some laws are identified as routine laws to be prepared and submitted to local legislatures only by the administrative side, governments of States and Regions. Specifically, routine laws include annual budget laws, supplementary budget allocation law[2], and local development plan law outlining local priorities, and the tax law. Though the tax law is identified as a law designated to be submitted by the administrative side, it is not necessarily considered as annual legislative requirement. To be brief, the local legislatures (States and Regions Hluttaws) are required, as their routine legislative activities, to review and pass these routine laws.

When we look at the legislative effectiveness of local legislatures, it is important to know what other important legislative efforts are put by a particular local legislature than reviewing and passing the routine laws mentioned above. One of the top indicators is number of non-routine laws passed. Most of non-routine laws are to be prepared and passed in order to response the local policy needs in areas identified as local legislative list by the Schedule Two of the 2008 Constitution. Examples of non-routine laws include Fishery Laws, the Law for Village Firewood Plantation, the Law for Fire and Natural Disaster Preventive Measures, the law for Household Industry, the Law for systematic transportation of water vehicles ect.

In the study of Performance Analysis on States and Regions Parliaments, members of all studied hluttaws expressed that non-routine laws are more important to look at as indicators of legislative output. The study report of State and Region Governments in Myanmar published by the Asia Foundation[3] also suggested, "Perhaps better indication of political decentralization and legislative autonomy would be to exclude the two 'routine' actions required of all states and regions: passing the budget law and the development plan." Among studied hluttaws, Sagaing, Mandalay and Kachin stand at the top, passed 30, 29 and 27 non-routines laws, which is 62.5%, 64.4% and 63% respectively of total legislative outputs of these hluttaws (see the Table and the figure below).

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[1] EMReF (2016). *Performance Analysis on States and Regions Parliaments in Myanmar (2010-2015)*

[2] In most States and Regions, supplementary budget were prepared and submitted again to States and Regions Parliaments to approve into law, as the local governments needed additional budget during a fiscal year.

[3] Nixon, Joelene, Chit Saw, Lynn & Arnold. (2013). *States and Regions Governments in Myanmar*

Table 1: Summary of legislative outputs of local legislatures in comparison, between 2010-2015

Region/State	Routine Laws	Non Routine Laws	Laws Passed Total
Kachin	16	27	43
Kayah	15	9	24
Kayin	15	10	25
Chin	13	20	33
Sagaing	18	30	48
Tanintharyi	16	13	29
Bago	16	20	36
Magway	14	16	30
Mandalay	16	29	45
Mon	16	22	38
Rakhine	15	14	29
Yangon	15	10	25
Shan	16	12	28
Ayarwaddy	15	20	35

Figures 1: Summary of legislative outputs of local legislatures in comparison, between 2010-2015

Comparison of legislative ouputs across States and Regions Parliaments (2010-2015)

■ Routine Laws ■ Non Routine Laws ■ Laws Passed Total

Data values by region:

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