



KomJC

KOMPETENZZENTRUM
JUGEND-CHECK

**Regulatory Impact Assessment
for the Young Generation**

**The Youth-Check in
Germany**

April 2022

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The youth-check: regulatory impact assessment for young people

The youth-check is an instrument of regulatory impact assessment. With the youth-check, bills of the German Federal Government are examined with regard to their effects on young people between 12 and 27 years of age. Both intended and unintended effects of the proposed legislation are thereby identified.

The idea of a youth-check arose from the realisation that the interests of young people are considered less often in day-to-day politics in Germany than the interests of other age groups. In the 19th legislative period (2017-2021), a joint Federal Government's Youth Strategy was adopted for the first time. The youth-check is a central measure of the field of action "Future, Intergenerational Dialogue, Youth Vision".

The Competence Centre Youth-Check (ComYC), a project of the German Research Institute for Public Administration, carries out the youth-check. The ComYC is funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Currently, it is the only scientific institution in Germany that carries out an accompanying regulatory impact assessment (ex-ante assessment) for all federal government bills.

The following features characterise the youth-check in particular:

- The youth-check is based on a standardised assessment tool. This ensures comparability of the results when assessing legislative proposals as well as ensuring the effects of the assessed proposals are mapped as comprehensively as possible.
- The methodology of the assessment tool was developed in a participatory process with civil society, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the German Research Institute for Public Administration.
- The ComYC works on an interdisciplinary basis with trained staff from the fields of law, social sciences, literary studies and social work.
- The ComYC is supported by an advisory board of youth policy and scientific experts for the life circumstances of young people.
- The ComYC holds participation events with young people as experts in their own field in order to continually develop the assessment tool used.
- In an OECD comparison, only Austria, France and New Zealand state that they carry out an ex-ante regulatory impact assessment for youth besides Germany.

Since its foundation in 2017, the ComYC has been able to gain many valuable experiences with the youth-check:

- The youth-check has been established as an effective instrument of regulatory impact assessment to draw attention to the concerns of young people. It helps to raise the awareness of policy makers, public administration and the expert community with regard to youth as a stage of life in its own right.
- In the 19th legislative period (2017-2021), the ComYC examined well over 500 legislative proposals for youth-relevant issues and published more than 100 youth-checks.
- The youth-check shows that legislative proposals from all ministries affect young people: so far, youth-checks have been issued on legislative proposals from 11 of the 14 Federal Ministries.
- Due to its objectivity, the youth-check receives attention and a positive response in the ministerial administrations.
- The youth-check receives support across party lines.
- The youth-check addresses a wide range of users, among others members of the ministerial administration, the Bundestag (the German Parliament), the expert community and young people.

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The youth-check in the legislative process

In order to be able to fully understand the position of the youth-check in the law-making process in Germany, this section starts with an introduction to the stage of law-making most relevant for the youth-check: the pre-parliamentary stage. Thereafter, the position of the youth-check within the legislative process is examined.

Pre-parliamentary stage of law-making in Germany

In the Federal Republic of Germany, members of the German Bundestag, the Bundesrat (the German Federal Council) and the Federal Government, can introduce draft bills into the German Bundestag. In practice, most of the legislative proposals are drawn up in the Federal Ministries and introduced to Parliament by the Federal

Government. The Competence Centre Youth-Check is responsible only for legislative proposals by the Federal Government.

The Federal Government consists of the Chancellor and the Federal Ministers. Following the departmental principle, each minister heads his or her ministry independently. Accordingly, legislative proposals, so-called draft bills, are first drawn up in the lead Federal Ministry and then from there coordinated with the contributing ministries as part of the interdepartmental coordination. Ministries which are affected by the proposal are included. In addition to the wording of the law, the Federal Government's proposed legislation must also describe the regulatory impact.

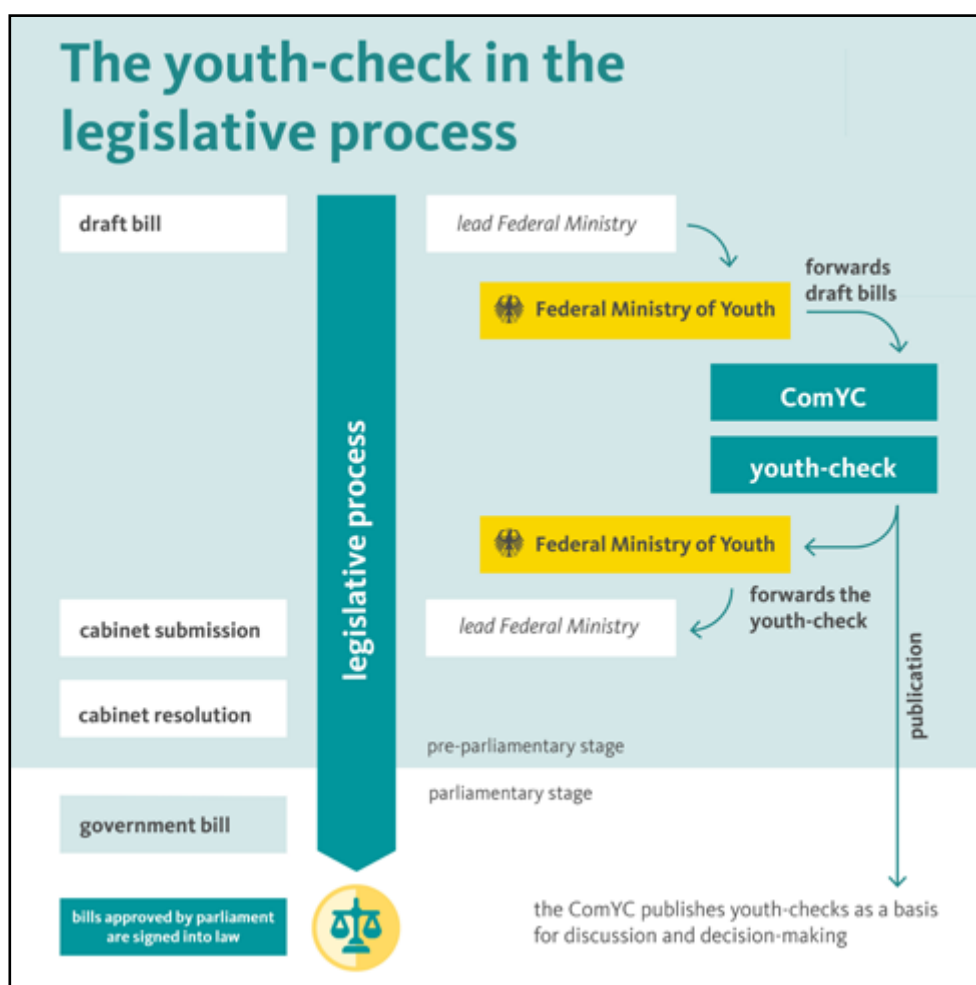


Figure 1: Role of the youth-check in the legislative process



These include, among others, presumed effects of the proposed regulation, the effects on the public budgets and the compliance costs with which the costs for citizens, business and administration are disclosed.

Furthermore, as part of the interdepartmental coordination, bills from a federal ministry are forwarded to the Federal States, the national associations of local authorities and other stakeholder associations for comment. In this pre-parliamentary stage, changes to the bill are usually made as part of the interdepartmental coordination and hearings of the Federal States and associations. Following this process a bill is adopted by the Cabinet as a government bill and is then forwarded to the German Bundestag.

Position of the youth-check in the legislative process

In order to raise awareness of the concerns of young people at an early stage in the legislative process, the

methodology of the youth-check is applied to proposed legislation during the draft bill stage and the interdepartmental coordination. In addition, the ComYC examines the bills again after they have been dealt with by the Cabinet, i.e. when they have been adopted by the Federal Government (government bill). If there are changes relevant to young people compared to the draft bill, an updated youth-check is issued on the government bill.

The ComYC receives bills either through the Federal Ministry of Youth or through its own monitoring of the ministerial websites. When the ComYC determines a youth-relevance and creates a youth-check, it forwards the youth-check to the Federal Ministry of Youth. The Ministry then forwards it to the respective lead ministry.

A separate version of the youth-check, in which the most central effects are described, is made available for the committees of the German Bundestag.

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The youth-check assessment

The youth-check is based on a standardised assessment tool and a two-stage assessment process.

Assessment tool

The underlying assessment chart consists of six areas of life and eleven impact dimensions. While the areas of life reflect the everyday worlds of young people, the impact dimensions represent aspects that are important for young people in the respective areas of life and thus provide indications as to how a measure could affect. The idea behind this is that a legislative proposal can have different effects in different areas of life for young

people. While the definition of the six areas of life serves to keep an eye on where the proposed law could have an impact, the impact dimensions reflect how these effects might impact young people. Every combination of area of life and impact dimension is to be understood as an assessment criterion in the sense of a regulatory impact assessment. Since the life circumstances of young people are diverse, the complex chart aims to help take these into account and to differentiate the identified effects according to subgroups of young people. Thus, it becomes clear whether a bill affects subgroups such as secondary school pupils, trainees or young people in rural and urban areas equally or differently.

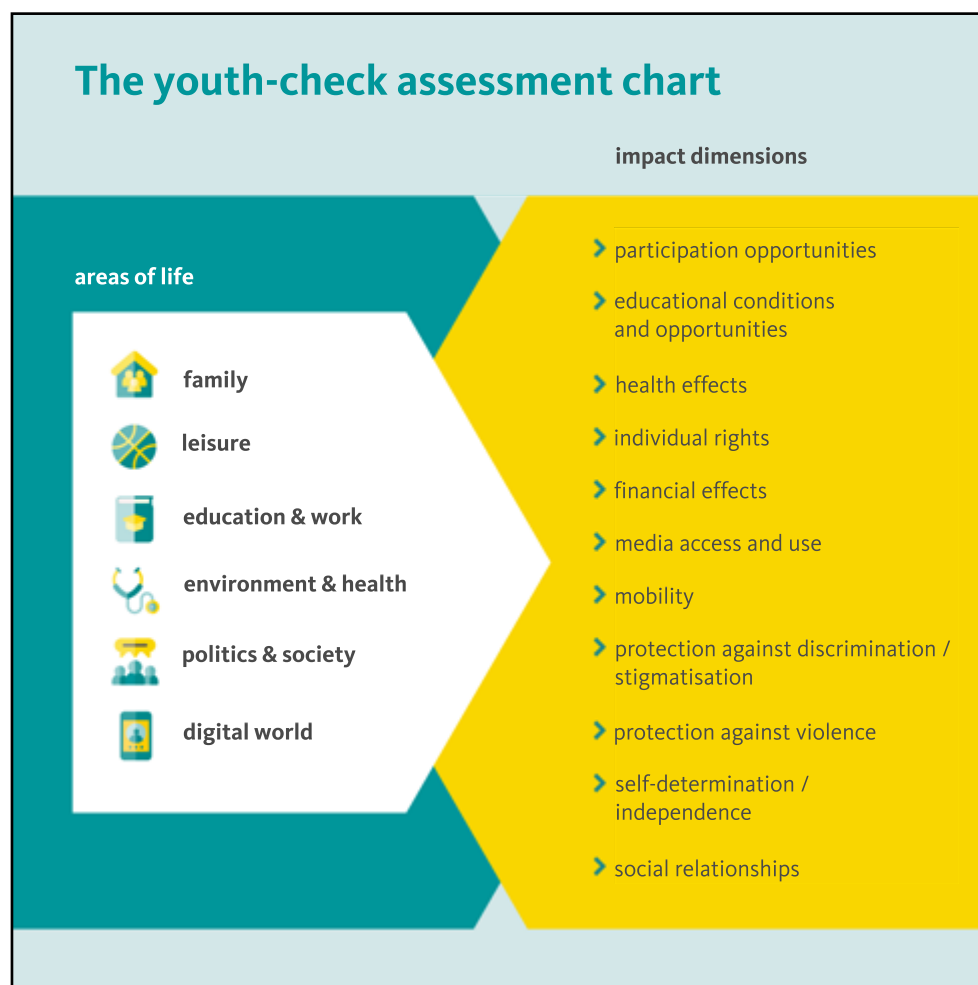


Figure 2: The assessment chart of the youth-check

Assessment process

A two-stage assessment process, consisting of a preliminary and a main assessment, characterises the drafting of youth-checks.

The preliminary assessment is the basis for the decision whether the bill is to be subjected to a detailed main assessment. In a first step it is determined whether young people or specific groups of young people between the ages of 12 and 27 are affected by the proposed legislation. If this is the case, the extent to which they are affected is assessed in a further step.

If the preliminary assessment reveals youth-relevant effects, the draft bill is subjected to the detailed main assessment. During the main assessment, each draft bill is examined as to which impact dimensions are affected by the proposed legislation in the individual areas of life. Hereby, various methodological approaches are used to identify the possible impact of a legislative proposal on young people. The main assessment systematically examines possible effects of the proposed legislation on young people. The use of the assessment tool enables a comprehensive and differentiated answer to the overarching question of what effects the bill will have on young people.

Various methodological approaches are chosen in order to obtain indications for the possible effects of

the draft bill. Firstly, the explanatory memorandum of the bill is examined, which generally already contains statements about the objective of the respective planned regulation. Scientific studies, secondary data or official statistics are consulted to determine further implications for young people. The German Federal Statistical Office, Eurostat or surveys by professional associations can be important bases for statistical analysis. Due to the often tight timeframe of the legislative process and the therefore limited time available to carry out the youth-checks, existing data and studies are predominantly used.

However, as data on the issues examined is often not yet available, it may be necessary for the ComYC to collect additional data and thus generate primary data. Therefore, on the one hand, qualitative data can be generated, e.g. by means of interviews, and on the other hand, quantitative data can be collected, e.g. using a standardised questionnaire. An example is the semi-structured interview, conducted especially with experts. This variant is particularly helpful for the ComYC: due to the youth-check's ex-ante nature, studies or data are often not yet available. Thus, expert knowledge is required to grasp the thematic breadth of the proposed legislation. Standardized questionnaires may serve purposes such as gathering young people's attitudes and opinions on a particular topic.



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The youth-check: publication and distribution

The results of the assessment are presented in standardised youth-checks. Different versions of these youth-checks are published through different channels.

Versions

The youth-check consists of a description of the affected groups and the relevant passages of the bill as well as the resulting effects on young people. In addition, the affected areas of life are identified and, if necessary, „notes and remarks“ are given. After the relevant bill has been dealt with in the Cabinet, a short version of the youth-check is created for the members of the German Bundestag based on the government bill. It contains a selection of the central youth-relevant effects with reference to the respective paragraphs of the bill as well as an overview of the groups affected.

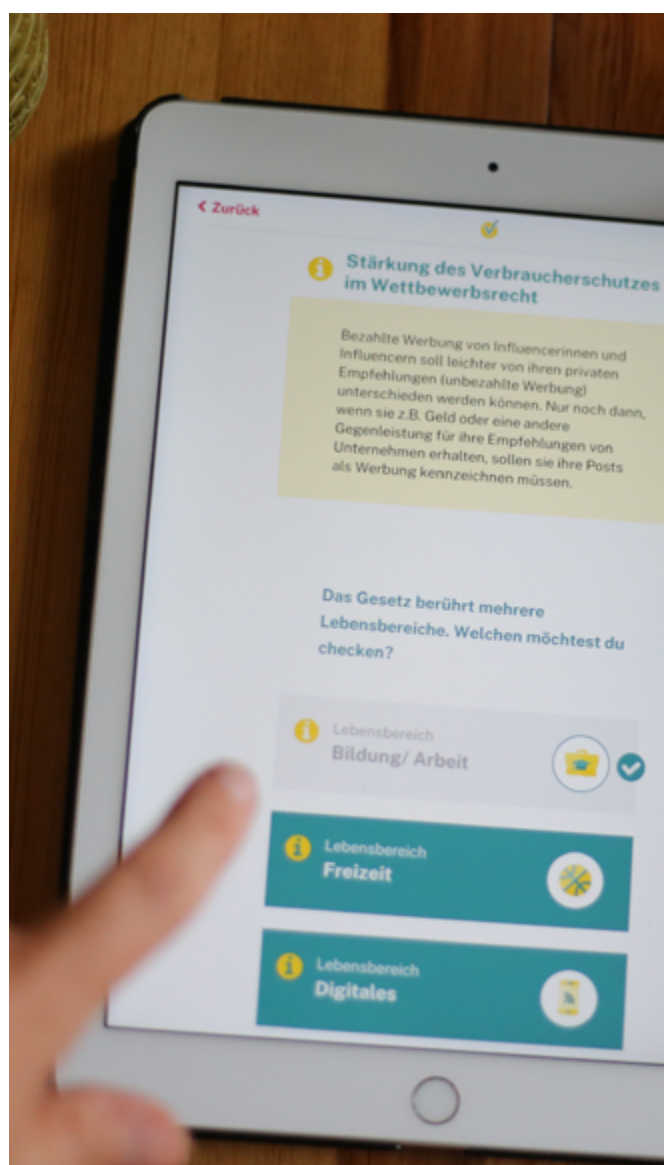
In addition, a short version of the youth-check is created in youth-friendly language. It is characterised by a shorter presentation and the explanation of terms not used in everyday language. The aim is to enable not only young people between the ages of 12 and 27, but also people with varying degrees of prior knowledge and different levels of language and reading skills to access the youth-checks.

All versions of the youth-check have in common that they explain the identified effects of the proposed legislation on young people in an objective and transparent manner. An evaluation of the effects does not take place, that is, no judgment is made as to whether effects are „positive“ or „negative“. This evaluation is the responsibility of the actors responsible in the legislative process.

Publication and media use

The youth-check is distributed by sending it to the ministerial administrations; the relevant committees of the German Bundestag receive the short version prepared for them by email. In addition, all versions of a youth-check are published on the ComYC's website. The youth-check in youth-friendly language is

published on the corresponding youth-friendly website of the ComYC. The publication of youth-checks is announced via the ComYC's social media channels. Furthermore, there is the ComYC App, which provides information on the legislative process and the assessment procedure and with which the youth-check can be tried out interactively. The app also has an event area that enables a regulatory impact assessment with the participatory involvement of young people.



The ComYC App is available for iOS and android.

Imprint

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