

The Swedish Approach to Clear Legislation

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Language experts take part in the legislative process

- **Revision of all draft legislation by legal advisers and plain language experts working in pairs in the Government Offices since the late 1970's**
- **No new legislation can be sent to the printers without the approval of the Secretariat for Legal and Linguistic Draft Revision**

Legal basis for plain language work in Sweden

- **The 1986 Administrative Procedure Act**
- **The 2009 Language Act**
- **The Ordinance concerning the Duties of the Government Offices**

The conflict between consistency and modernisation

- **Most day-to-day drafting involves amending existing legislation**
- **In modernising a certain section of a law, you may create inconsistency with the rest of the text**
- **If you can't modernise a few sections at a time, it becomes more difficult to modernise at all**

A modern Swedish act...

- is divided into chapters
- has informative sub-headings giving a clear picture of the structure and contents of the act
- has no more than three paragraphs in each article

...follows plain language principles

- **Avoid complicated sentence structure**
- **Avoid legalese and archaic words**
- **Be generous with informative sub-headings**

What we did with “skall” and “ska”

- Agreement at the top to carry out this reform
- New legislation must contain “ska” throughout
- If you amend a certain section, you have to change “skall” to “ska” in the whole section
- Making a blanket change from “skall” to “ska” in the preamble is not accepted

Two little letters bring about change

- **You should always strive to modernise the language of a section that is being amended, which often means more than the word “ska”**
- **Old legislation with archaic language should preferably be redrafted in its entirety, with the word “ska” throughout**

What you need for successful plain language work at the government level

- **Professional training at university level through a programme designed for plain language experts**
- **Training sessions for legal drafters and agency officials**
- **Support from the top**
- **Patience and persistence (and plenty of it...)**

Always remember...

...that legislative language influences official language at all levels