

# Copy and paste explanatory notes? Text reuse approach with data from Hungary

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# Introduction

Act CXXX of 2010 on law-making

## 6. Obligation to give reasons

### *Section 18*

(1) Those preparing a law shall attach a statement of reasons to the draft law to describe the social, economic, professional reasons and aims underpinning the need to regulate, as well as to present the expected effects of legal regulation and their position on disclosing the statement of reasons.

# Introduction

## The Fundamental Law of Hungary

### *Article 28*

In the course of the application of law, courts shall interpret the text of laws primarily in accordance with their purpose and with the Fundamental Law.

In the course of ascertaining the purpose of a law, consideration shall be given primarily to the preamble of that law and the justification of the proposal for, or for amending, the law. [...]

# Problem identification

Case study: Act CXXV of 2018 on Government Administration

## Copy and paste

Section 259 [Salary of the Head of the Office]

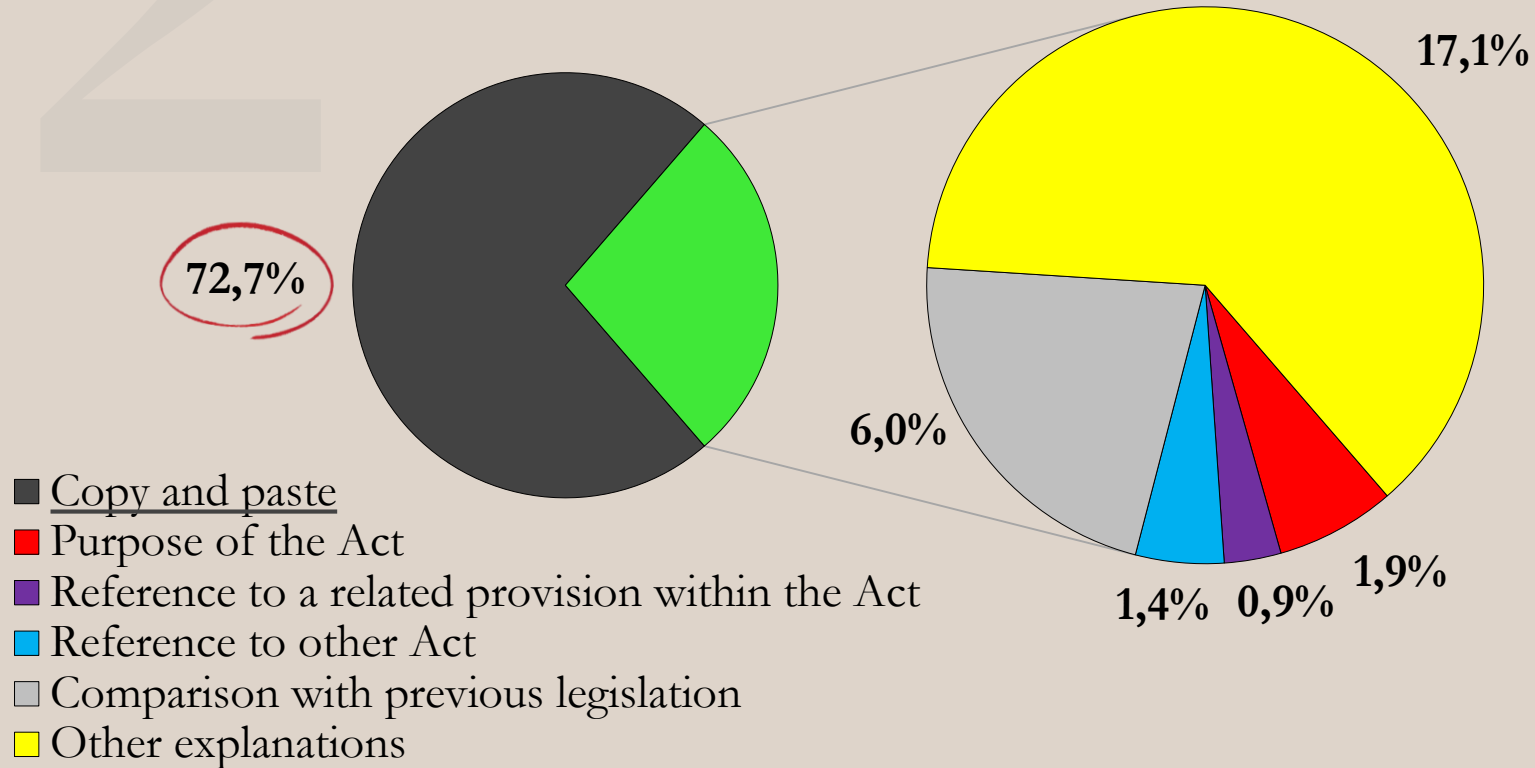
The salary of the head of the office shall be set by the Minister designated by government decree for the management of the government office on the proposal of the Government Commissioner – taking into account the characteristics of the district or district office concerned, in particular the population of the district, the organisation, tasks and staff of the district office –, at a maximum of twenty-two times the salary base.

„Explanatory” note to Section 259

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# Problem identification

Case study: Act CXXV of 2018 on Government Administration



# Problem identification


Case study: Act CXXV of 2018 on Government Administration


Usability?



What should they contain?

[Act CXXX of 2010 on Law-making, Section 18]

 Copy and paste

 Purpose of the Act

 Reference to a related provision within the Act

 Reference to other Act

 Comparison with previous legislation

 Other explanations

- Social reasons
- Economic reasons
- Professional reasons
- Aims underpinning the need to regulate
- Expected effects of legal regulation

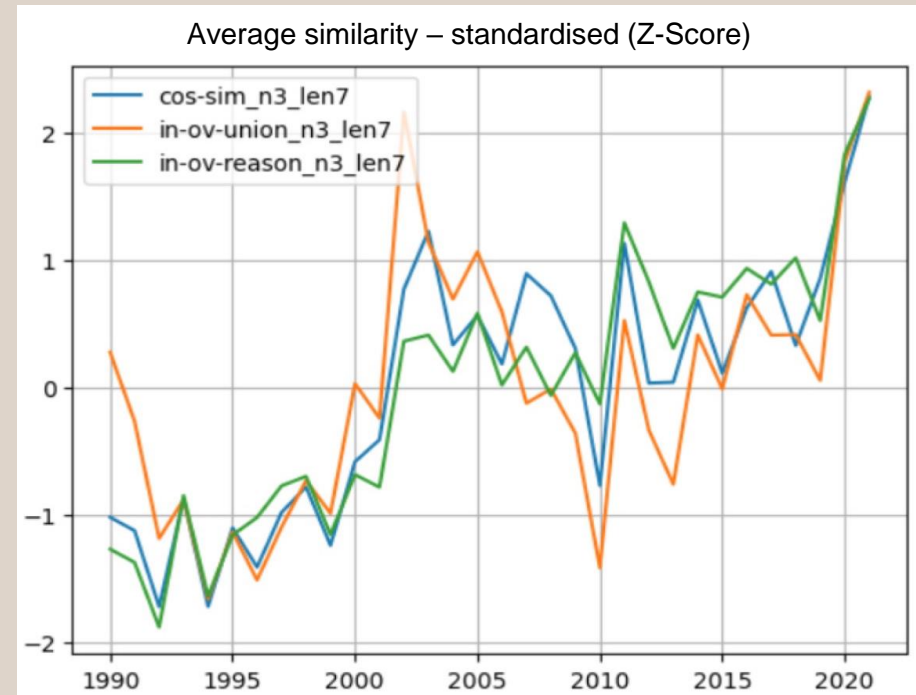
# Measuring the extent of „copy-paste” – text reuse

Analysis of legislation and explanatory notes  
1990–2022

Testing multiple measurement  
approaches

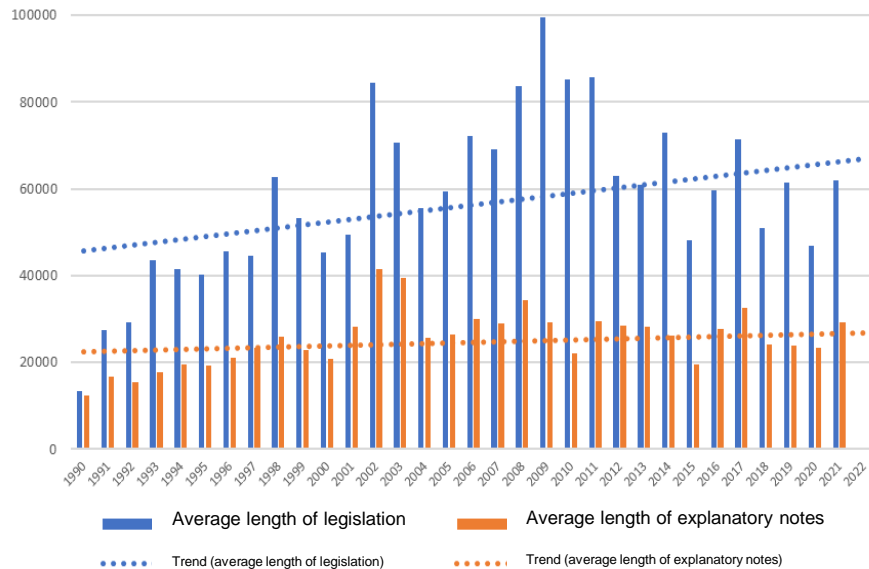


Based on preliminary data:  
**The rate of „copy and paste”  
shows an increasing trend**

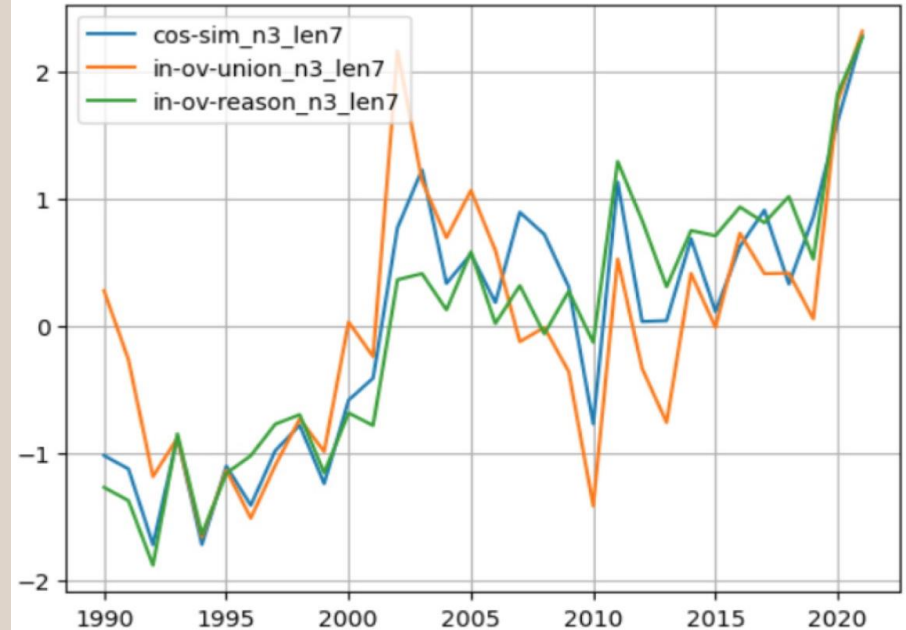


# Measuring the extent of „copy-paste” – text reuse

The ratio between the length of the legislation and the length of the explanatory notes



Average similarity – standardised (Z-Score)





# Conclusion

The explanatory notes attached to the draft law are currently functioning as *lex imperfecta*.

What can we do about this problem?

... *We rely on the self-control of those preparing a law.*

# Thank you for your attention!

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