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가

박 영 도

# 가

The Institutionalization of Standard Cost Model  
for Best Practices in Evaluation of Legislation

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Park, Young-Do

2009. 10. 31.

# 국문 요약

1990

“ (Better Regulation)”

가

가

( )

가

가

가

가

가

가

가가

※ : 가, , , ,

## Abstract

In 1990, The European Countries has launched a comprehensive strategy on The Better Regulation policy. It is aimed at simplifying and improving existing regulation in order to enhance the design of new regulations and reinforce rule compliance and effectiveness. Administrative Costs are an important determinant of the business environment. for example, unnecessary reporting a company's employees can spend more time on core business activities which reduce production costs and allow additional investment and innovation activities to materialise, which in turn should improve productivity and overall competitiveness.

Regarding the question of how to reduce these burdens, this report proposes that the Standard Cost Model(SCM) make a significant contribution to reducing administrative burdens. This Report include the presentation of cross-country comparisons to reduce administrative burdens on the basis of SCM document and the Review of SCM. In Conclusion, This Report demonstrate that a certain minimum level of technical harmonisation of definitions will be required to allow the SCM in our country, to produce meaningful results for setting up of Evaluation of Legislation.

※ Key Words : Evaluation of Legislation, Standard Cost Model, Regulatory Reform, Better Regulation, Better Law- making



I.	.....	47
II.	.....	56
III.	.....	65
IV.	.....	73
V.	.....	79
3	가	..... 91
I.	.....	91
II.	.....	123
4	.....	137
1	.....	137
2	.....	142
I.	.....	143
II.	.....	154
III.	.....	158
3	가	가 ..... 161
I.	.....	161
II.	.....	164
III.	가	가 ..... 167
5	.....	173
	.....	183

# 제 1 장 문제의 제기

## 제 1 절 규제완화를 위한 새로운 국가전략 으로서의 선진규제

가 , .1) 2)

가 ( )

, 가 가

가 .

. 3)

---

1) Ulrich Karpen, **Weniger Quantität**, in : Werner Jann(Hrsg.), Politik und Verwaltung auf dem Weg in die transindustrielle Gesellschaft(Festschrift für Carl Böhret), Baden- Baden 1998, S.438.

2) New Public Management(NPM) 가 , “ , , , 가 (let Managers manage), , (make Managers manage),

” . NPM , NPM “ ”

Philippe Mastronardi/Kuno Schedler, **New Public Management in Staat und Recht**, Bern 1998, S.47ff.

3) , Martin Attlmayr, **Verfassungsrechtliche Grenzen der Deregulierung**, in : Christoph Kleiser/Karl Lengheimer(Hrsg.), Deregulierung - Die Herausforderung einer verständlichen und überschaubaren. Rechtsordnung, St. Pölten 2002, S.106ff. ; Christoph Kleiser, **Deregulierung und Gemeinschaftsrecht**, in : C.Kleiser/K.Lengheimer(Hrsg.), Deregulierung, aaO., S.10ff.





1970 (Carter)

가

가가

1980

.5)

1990

“ (Better Regulation)”

“ ”

“ ” 가

“ (Simplification)”

.6)

“ ” “ (Better Lawmaking)”

“ ”

5) Stephan Korinek, **Staatsrechtliche Ansätze für eine Deregulierung im Wirtschaftsrecht**, JBl 1991, S.409f ; Peter Oberndorfer, **Deregulierung - Einführung in das Thema**, in : Ders.(Hrsg.), Deregulierung, Linz 1992, S.12 ; Maria Kaun/Reinhold Mitterlehner, **Deregulierung und Entbürokratisierung - Die Position der Wirtschaft**, in : P.Oberndorfer (Hrsg.), Deregulierung, aaO., S.70f. OECD 1995 “ (Regulatory Reform)”

가 . OECD, **The OECD Report on Regulatory Reform**, Sznthesis, Paris 1997, S.12ff.

6) Bertelsmann Stiftung (Hrsg.), **Better Regulation? Grundmerkmale moderner Regulierungspolitik im internationalen Vergleich**, Zukunft Regieren Beiträge für eine gestaltungsfähige Politik, 1/2009, S.36f.

가 가

( , , )

.7)

2000

3 23

10

“ (Lisbon Strategy for Growth and Jobs)” . , 2010

“

가

가

(Knowledge-based economy)”

.8)

(European Council)

.9)

7) (European Commission) “ ” “ (Screening Initiative)”

가? ② 가 ① 가( 가)? ③ 가 가 가( 가)? ④ 가( , 가 )? 가

8) [http://ue.eu.int/ueDocs/cms\\_Data/docs/pressData/en/ec/00100-r1.en0.htm](http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/00100-r1.en0.htm)

9) Presidency Conclusions Lisbon European Council 23 and 24 March 2000



가 가  
(Standard Cost Model)

,  
가 , 가

가

### 제 2 절 연구의 범위

가

( )

,

,

가

, , .

,

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가

, 가

가

가

, 가

가 . 가  
가

가 , 가  
가 . 가  
가

2

가

, 가 가  
, .

3

가  
가

1

4

3

가

가

. 4 5

## 제 2 장 표준비용모델에 관한 기초적 이해

### 제 1 절 표준비용모델의 의의

I.

(Standard Cost Model)

“

(Information obligations

: , , )”

.11) ,

6 1 ,

, 가

(administrative costs) ,

“ ”

.12) “ ”

11) Davide Codoni/Nicolas Wallart, **Administrative Entlastung in Europa mit Hilfe des Standardkostenmodells, Die Volkswirtschaft**, Das Magazin für Wirtschaftspolitik 2007.6, S.54.

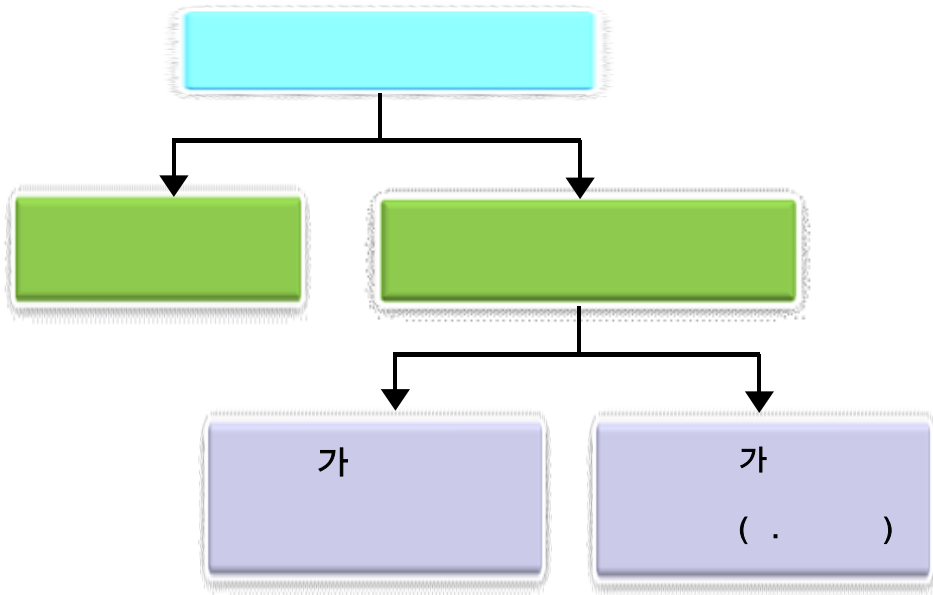
12) (Verwaltungskosten) (Bürokratiekosten)

가

Michael Schorn/Michael Richter, **Eine Definition des Bürokratiekostenbegriffs für Politik und Forschung**, 2. Auflage, Schriften zur Wirtschafts- und Politikforschung (Institut für Wirtschafts- und Politikforschung Richter & Schorn) Nr. 1, Köln, 2006 .

가 가

“ ( ) ”





가

가

“ ” “ ”

?

가

.13)

## II.

1.

가

(activity-based measurement)

가

①

가

(

). ②

가

가

(

). ③

13) Ronny Kai, **Handbuch zur Messung von Informationskosten**, Teil II : Grundlagen des Standard-Kosten- Modells, Bertelsmann Stiftung 2006, S.35.

, ( ).

④ ( ). ⑤  
가  
(  
,  
)<sup>14)</sup>

(1) 가  
가

1990 (better lawmaking)  
(better regulation)

가  
15),

---

14) Frank Frick/Henrik Brinkmann/Tobias Ernst, **Das Standard Kosten Modell. Ein neuer Ansatz für effektiven Bürokratieabbau**, in : Heinz Schäffer(Hrsg.), *Evaluierung der Gesetz/ Gesetzesfolgenabschätzung(II)*, Wien 2007, S.108f. 【 / ( ), 가 가(II), 2008, 144 】

15) Sylvia Veit, **Entpolitisierung staatlicher Regulierungsprozesse durch Gesetzesfolgenabschätzungen?**, Forum Junge Staats- und Verwaltungswissenschaft(FoJuS) Diskussionspapiere Nr 3/2005, S.3. <http://users.ox.ac.uk/~polf0035>



가 .  
 4가 .16)

	,
	( 가 )
,	가
가	, 1 2 1 가 .

가 가 . ,

, 가 가  
 가 가 .

(3)

가 .

가

16) Ronny Kai, **Der SKM-Quick Scan im Überblick**, Bertelsmann Stiftung, 2005, S.4.

가

가 .17)

.18)

2.

가

가

가

가

가

가

가

.19)

17) Kai Wegrich, **The Administrative Burden Reduction Policy Boom in Europe. Comparing mechanism of policy diffusion**, Discussion Paper 52(The London School of Economics and Political Science), 2009.3., p.8.

18) Deutsche Bank Research, **“Better Regulation” in Deutschland und der EU**, EU- Monitor 47(2007.8.2.), S.7.

19) , 가 , 가 ( / ), 2008.7., 142 .

가

가

”

“

“

”

가

가 가  
가 가

,  
가

가

가

가

### Ⅲ.

#### 1.

(Standardkostenmodell-Quick Scan)

가 . ,

가

.20)

.21)

① 가

( ,

, )

, ②

가

, ③


20) Landtag Brandenburg, **Quick Scan-Untersuchung der Gesetze und Rechtsverordnungen des Landes Brandenburg**, 2006.6.(<http://www.stk.brandenburg.de/media/bb2.c.457430.de>) . Brandenburg

. Brandenburg ( 56 , 92 ) 316  
1,327 148

21) Ronny Kai, a.a.O., S.6ff.

		가 , 가 ,
가		가
가		

[ ( ) ]

	가		가
<b>1.</b>			
,			
; ; 1/2	( 1/4 1/4		
( : )			



	가		가
2.			
가 : 가 가? 가?			
:			
3.			
가			
가			
4.			
가			
가			

2.

(Regulierungskostenmodell : RKM)

· , ( ,  
) .

( , , , , )가

22),

Bertelsmann

KPMG

.23)

Bertelsmann

가

	( , , , , , )	

22) (irritational effect) , (total costs of regulation)  
 (costs of delays) 가

23) Bertelsmann Stiftung, **Handbuch zur Messung von Regulierungskosten**, Version 1.0(Stand : April 2009)

	( , , ) , 가, )	
	, , ,	,
	( , , , , 가 )	

, , .

(Informationspflichten)	, , , ,
(Zahlungspflichten)	, 가
(Kooperationspflichten)	, ,
(Überwachungspflichten)	,
(Qualifikationspflichten)	,

(Ziel und sonstige Auflagenerfüllungspflichten)	,

(Ex post)

(Ex ante)

(bottom up, micro economic ap-

proach)

(Top down, Macro economic approach)

47†

①

, ②

, ③

, ④

	(Ex post)	(Ex ante)
<b>Top down</b> ( )	Ex post and Top down	Ex ante and Top down
<b>Bottom up</b> ( )	Ex post and Bottom up	Ex ante and Bottom up

[ ]

<b>1</b>																				
[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]																				
<b>2</b>	/																			
<table border="1" style="width: 100%;"><tr><td style="border: 1px dashed black; text-align: center;">+</td><td></td></tr><tr><td style="border: 1px dashed black; text-align: center;">+</td><td></td></tr><tr><td style="border: 1px dashed black; text-align: center;">+</td><td></td></tr><tr><td style="border: 1px dashed black; text-align: center;">=</td><td style="text-align: center;"><b>I</b></td></tr><tr><td style="border: 1px dashed black; text-align: center;">-</td><td></td></tr><tr><td style="border: 1px dashed black; text-align: center;">=</td><td style="text-align: center;"><b>II ( 가 )</b></td></tr><tr><td style="border: 1px dashed black; text-align: center;">+</td><td></td></tr><tr><td style="border: 1px dashed black; text-align: center;">=</td><td style="text-align: center;"><b>III</b></td></tr></table>	+		+		+		=	<b>I</b>	-		=	<b>II ( 가 )</b>	+		=	<b>III</b>	<table border="1" style="width: 100%;"><tr><td style="border: 1px dashed black; text-align: center;">가</td></tr><tr><td style="border: 1px dashed black; text-align: center;">가</td></tr><tr><td style="border: 1px dashed black; text-align: center;"> </td></tr></table>	가	가	
+																				
+																				
+																				
=	<b>I</b>																			
-																				
=	<b>II ( 가 )</b>																			
+																				
=	<b>III</b>																			
가																				
가																				



가

“ ” “ ”

II.

가

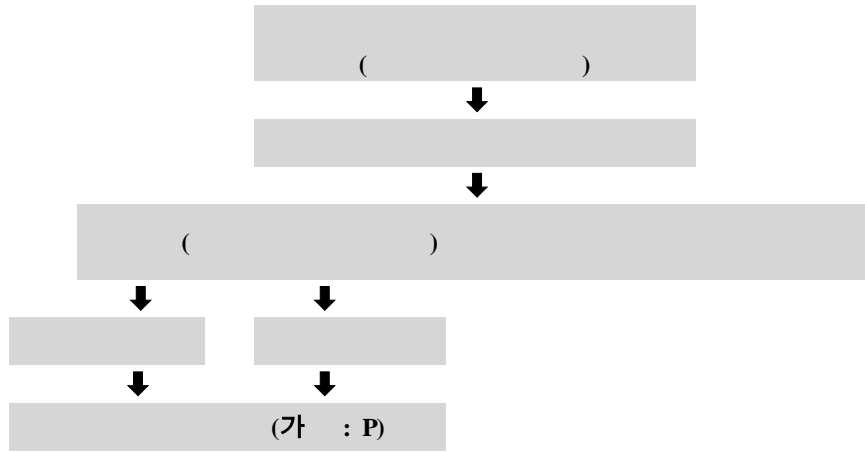
( , )

( )

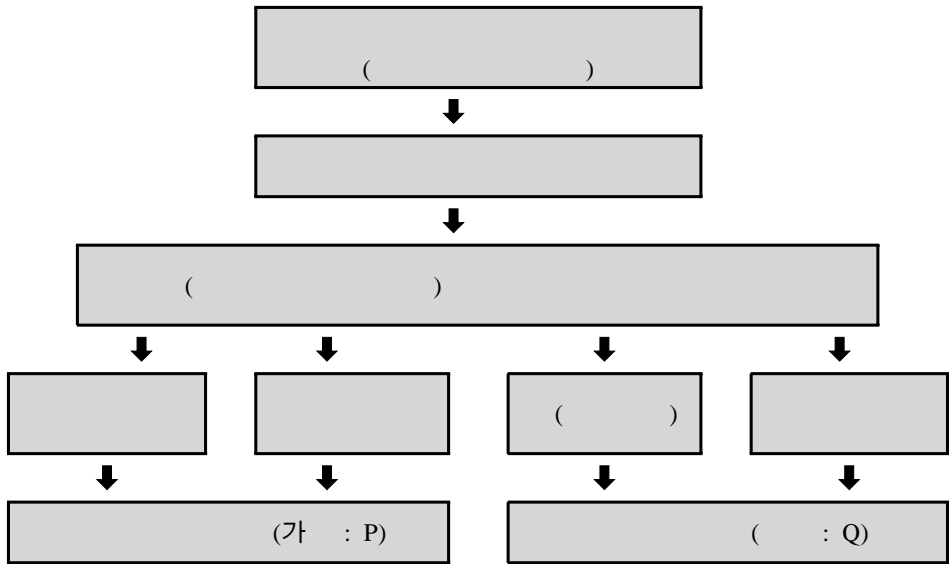


( )

(Price)



(Quantity)

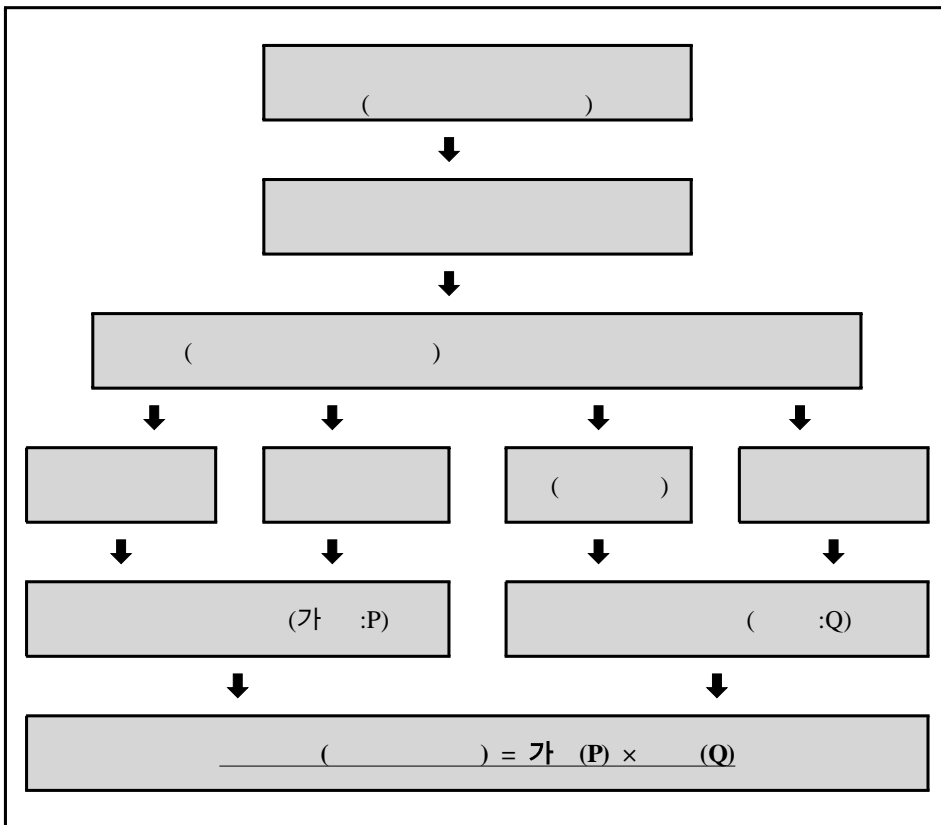




“가 (Price)”

“ (Quantity)” 가  
가 (P) (Q)

,24)



24) Ders., Ebd., S.10.

2

[ 1] : A

3

10,000  
 60  
 가  
 ,  
 가 60  
 .  
 가

- $(Q) = 4 \left( \frac{3}{40,000} \right) \times 10,000( ) =$
- 가  $(P) = 1 \left( \frac{60}{1} \right) \times 60 ( ) =$
- $[ (Q) \times 가 (P) ] = 60 \times 40,000 = \underline{\underline{2,400,000}}$

, A

2,400,000

[ 2] : A

A

1

. A

가 100,000

30

, 300 가

2

200 가

가

3

10,000

60 가 1 60 , 가

<ul style="list-style-type: none"> <li>• <math>Q = 1 ( 1 ) \times 100,000( ) = 100,000</math></li> <li>• 가 <math>P = (30 \times 300 ) + (2 \times 200 ) = 9,400</math></li> <li>• <math>[ (Q) \times 가 (P)] = 100,000 \times 9,400 = \underline{\underline{940,000,000}}</math></li> </ul>
--

가

가

( 가 ).<sup>25)</sup>

(normally

efficient business)

가

25)

가 (Vollständigkeitsannahme)  
100,000

가

,  
 .  
 . 가  
 , 가  
 , 가  
 가 가  
 가 . 가

III.

가 가  
 (ex-post) ,  
 (ex-ante) 가 .  
 (ex-post) ,  
 .  
 가

“ ”

, , , /  
 가 가 .26)

---

26) Bertelsmann Stiftung, **SKM: Unterschiede zwischen ex-post-Messung und ex-ante- Schätzung**, Erfahrungsbericht 2006.11, S.9.

( , , )

	<ul style="list-style-type: none"> <li>가</li> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> <li></li> </ul>
	<ul style="list-style-type: none"> <li></li> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
	<ul style="list-style-type: none"> <li>,</li> </ul>	<ul style="list-style-type: none"> <li>( )</li> </ul>
	<ul style="list-style-type: none"> <li></li> <li></li> <li></li> </ul>	<ul style="list-style-type: none"> <li>가</li> </ul>
	<ul style="list-style-type: none"> <li>, 가 ,</li> </ul>	<ul style="list-style-type: none"> <li>, 가 가</li> </ul>

IV.

가

가

가

(Preparatory analysis), ② (data capture and stan-  
 dardsation), ③ (calculation and reporting) ① 3

.27)

- 1

가

- 2

가

- 3

27)

가 ① , ② , ③가 , ④ , ⑤  
 가 ( ) , ⑥ , ⑦  
 ( ) 7 ,  
 , 2009, ( )  
 ) .

가 , 가 , ,  
 .  
 .  
 ( ×  
 ) ( × )  
 가

<b>1</b>	
	1 , ,
	2
	3 ( )
	4
	5 , ,
	6 vs. 가 가
	7
	8 가
	9 1 8 가
<b>2</b>	
	10
	11
	12
	13 10 12 가
<b>3</b> , ,	
	14 가
	15





[ 가 ]

가	가	SCM	
	-25%	○	2010
	-	○	-
가	-	×	-
	-20%	×	2012
	-20%	○	2010
	-25%	○	2010
	-	○	-
	-	×	-
	-25%	○	2011
	-25%	○	2011
	-25%	×	2012
가	-25%	○	2012
	-25%	×	2012
	-25%	○	2012
	-25%	×	2013
	-	×	-
	-	Pilot	-
	-15%	×	2012
	-25%	○	2011
	-25%	○	2010
	-25%	×	2012
	-25%	×	2012
	-25%	Pilot	2012
	-30%	Pilot	2012
	-25%	○	2010
	-25%	○	2010

2006 11 14 (Commission working document) 29) 가  
 (CPB)  
 25% 가  
 30), GDP가 1.5% 가 31)

가		25% 2025 가 (2025 GDP % )
	4.6%	1.8%
	2.8%	0.9%
가		
	6.8%	2.6%
	3.3%	1.3%
	1.9%	0.7%
	1.5%	0.6%
	3.7%	1.4%
	3.7%	1.3%
	6.8%	2.4%

29) European Commission, **Measuring administrative costs and reducing administrative burdens in the European Union**, COM(2006) 689, 690 final.

30) Henk Kox, **Intra-EU differences in regulation-caused administrative burden for companies**, CPB Memorandum 136, The Hague 2005.

31)

2007 2011 25% 1.5%  
 2011 (75%)  
 가

가		25% 2025 가 (2025 GDP % )
가	6.8%	2.6%
	2.4%	0.8%
	4.6%	1.7%
	6.8%	2.6%
	3.7%	1.3%
	5.0%	1.9%
	4.6%	1.7%
	4.6%	1.9%
	4.6%	1.7%
	1.5%	0.5%
	1.5%	0.5%
EU 25	3.5%	1.3%

가

, 가

2003

가

SCM-Network

.32)

SCM-Network

2004

8

32)

“  
(The Standard Cost Model)” 2005 10 “  
(International Standard Cost Model Manual)”

.33)

SCM 가 , ,  
, , ,  
/ .

## 제 2 절 주요국가의 경험과 시사점

### I .

#### 1.

(Informationskosten)

가 ,  
1975 ,  
. 1970 34)

---

( ), , , 가 ,  
. <http://www.administrative-burdens.com/>

33) ( ), 2009 .

34) 1970 1 가

가 가 가 , 가  
가 가 가 , 가  
가 가 가 , 가  
가 가

가 가 .

1993

,  
35)  
가  
1993 (Ministerie  
van Economische)

, 600 GDP 2%  
36)

가  
Wim Kok  
1994 , “MDW(Markt-  
wertung, Deregulering en Wetgevingskwaliteit)” 1998  
10%

15%

가

가

“ ”

(  
1994

35) 1984 Geelhoed Commission Report, 1985 Grapperhaus  
Commission Report, 1987 Commission on Assessing New Legislative Proiects(CTW)  
European Commission/OECD, **Better Regulation in the Nether-**  
**lands**, OECD 2009, p.20

36) Frank Frick, **Das Standard-Kosten-Modell, Ein neuer Ansatz fü effektiven Büokra-**  
**tieabbau**, Zeitschrift für Gesetzgebung 2006/1, S.30-32.

2 가

2002 8 6.5% ).

Mistral(Meetinstrument Administrative Lasten)

. Mistral 가

,

가 .37)

1998

“MDW 2”

, 11

Royal Shell

Oil

Jan Slechte

(Slechte ).

1999 11

60

,

,

.

. ,

,

Slechte

가

37) Mistral

**MISTRAL® A Model to Measure the Administrative burden of Businesses**, Research Report 0110, EIM, 2002. <<http://www.eim.net/pdf-ez/h200110.pdf>>



2 가

2007 2 17

, 7

Actual 2011

25% . 2007 1

가 2012 25% EU

(Action Programme)

IPAL

가 (Regiegroep Regeldruk

: RRG)

IPAL

RRG

EU

2008 2

2.

1994 , 2000

2003 2004 1

2002 12 31

16,000

127 ~164

GDP 2.9~3.7%( GDP 4,450 )

(43 2 €) - (32

€) - (25 3 €) - (25 1 €)

4 가 1/3



3 가

( ) 10  
 . 10  
 가 , 가 .

		(EUR billion)
		1.5
		1.4
		1.2
		1.0
		0.7
		0.7
		0.6
		0.6
가		0.5
		0.5
		8.7

[ ]

( )	43%
	13%
	44%

2 가

2007 25%

(41 )

[ ]

	(2002 )						
		2003	2004	2005	2006	2007	
	4,325	128	397	698	892	940	22%
	3,181	33	50	75	568	653	21%
	2,533	42	233	395	529	633	25%
	2,500	58	60	66	476	921	37%
'	1,714	7	49	138	151	505	29%
'	917	10	50	152	217	273	30%
	672	7	27	37	119	119	18%
'	430	36	82	108	108	108	25%
	18	0	0	0	0	5	28%
	17	-20	-20	-19	-18	-13	-76%
	<b>16,307</b>	300	927	1,650	3,042	4,144	<b>25%</b>

2007 12

23.9%

2003

2007

가

2007 7

2011

25%

3 가

2008 1 zero base 2007 3 1  
 2008 5  
 [2007 - 2011 ]

2007	2008	2009	2010	2011	
4.8	9.0	11.9	17.7	<b>25.2</b>	%
425	789	1,050	1,559	<b>2,221</b>	

Less (the reductions), Easier (better service), Noticeable(the total reduction) 3가 가  
 Less(the reductions) 2008 9 30 8%

3.

2000

가

OECD

EU

가

.39)

39) OECD, **Cutting Red Tape. Administrative Simplification in the Netherlands**, Paris 2007, p.20.

1990

가

. 2000 Actal  
2005

, Actal  
가 . Actal  
. Actal

. Actal

Actal

Actal

가

가

가

가

①

(Informationspflicht)

( ), ②

가 가

3 가

, ③ 가,  
, 가  
, ④ 가 (Actal)  
⑤ , ( )

## II.

1.

1980 가  
, 가 , 1990  
, 1999 12 1 “ 가-  
(Moderner Staat - Moderne Verwaltung)”

.40)

(Bürokratieabbau)

, 2003 2 26 “  
(Mittelstand fördern-Beschäftigung schaffen- Bürgergesellschaft stärken. Eck-  
punkte für den Masterplan Bürokratieabbau)”

가 2004 5 12

---

40) ,  
2003 .

(BMWA)가

29 가 . 29 가 ①  
( ), ② ( )  
) 2 ,41)

가 .

가

,42)

가

,43)

2005 11 11

(Koalitionsvertrag von CDU, CSU und SPD)

,44)

41) 34  
29  
가

Bremen, Ostwestfalen-Lippe, Westmecklenburg 3

42) Werner Jann/Kai Wegrich/Jan Tiessen, **“Bürokratisierung” und Bürokratieabbau im internationalen Vergleich - wo steht Deutschland?**, Berlin, 2007, S.24.

43) Nobert Röttgen, **Normenkontrollrat : Der Koalitionsvertrag als Wegweiser zu besserer Rechtsetzung und weniger Bürokratie**, ZRP 2006.2., S.50.

44) Koalitionsvertrag von CDU, CSU und SPD - Gemeinsam für Deutschland. Mit Mut

3 가

2006 4 25 “ (Pro-  
gramm Bürokratieabbau und bessere Rechtsetzung)”

가

“ (Einführung des Standardkosten-Modells. Methodenhandbuch der Bun-  
desregierung)” 2006 8 17 ,

가 2006 12 5

“ (Leit-  
faden für die ex ante Abschätzung der Bürokratiekosten nach dem Stan-  
dardkosten-Modell)”

2007 2 28 2011

.45)

2011 25%

· , 가 (Nationalen Normen-

---

und Menschlichkeit., Union Betriebs-GmbH, Berlin, 2005, S.74.  
45) Thomas Schleiermacher, **Durchbruch beim Bürokratieabbau läßt weiter auf sich warten,**  
**Industrie- und Handelskammer für München und Oberbayern,** München, 2007 .

2 가

kontrollrates)

가

(GGO)

2.

2006 9 30

2006

10,516

[ ]

	448
	30
,	1,702
	3,487
가 , ,	55
	525
	437
	293
	1,038
,	998
	9



3 가

	1,472
,	22
	<b>10,516</b>

,

가 1,173 .

9,279 <sup>46)</sup> . 가 9,279  
476 ( 86 ) .

225

, 251  
.47)

[ ]

( )	25%

46) Nationaler Normenkontrollrat, **Jahresbericht 2009 des Nationalen Normenkontrollrates**, S.22f.

47) Die Bundesregierung, **Bürokratieabbau und bessere Rechtssetzung. Gemeinsam mehr erreichen, Zwischenbericht des Staatssekretärausschusses Bürokratieabbau an das Bundeskabinett**, Juni 2009, S.5.

	20%
	55%

가 가

가 476 가

가 .

476 .48)

476

120 가 .

60 가 2009 . 가 2009 6

, 68 가

288 가 .49)

가 , 가 (476

) 14% .

68 25%

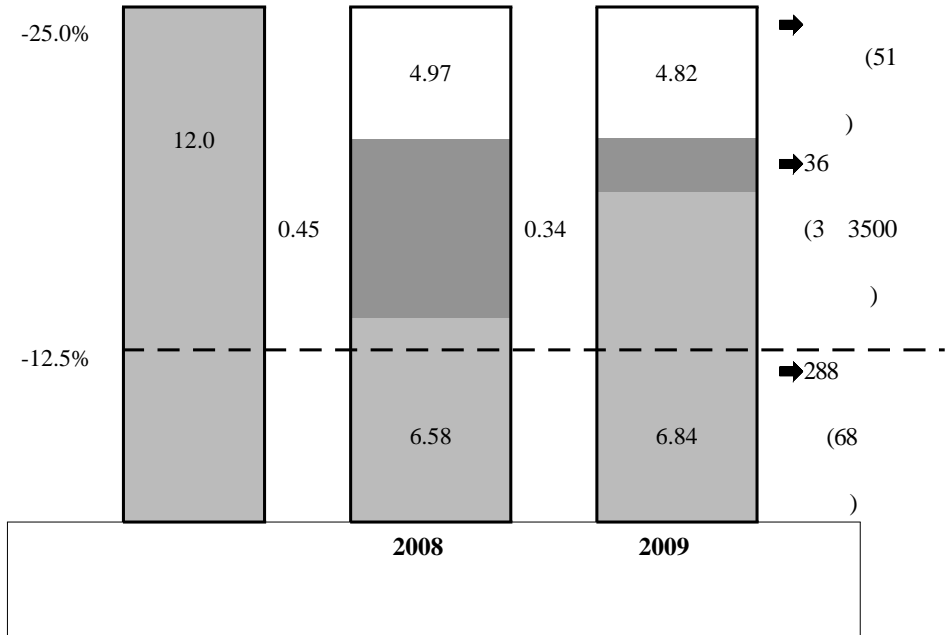
12.5% 60 .

48) Nationaler Normenkontrollrat, **Jahresbericht 2009 des Nationalen Normenkontrollrates**, S.24.

49) Bürokratieabbau und bessere Rechtsetzung -Gemeinsam mehr erreichen. Zwischenbericht des Staatssekretärausschusses Bürokratieabbau an das Bundeskabinett, 2009.6.

3 가

[ ]



( : 10 )

3.

2005

, 가 ( , )

가

,50)

2005

1990

50) Christian Ohr, **Standardkostenmessung und Bürokratieabbau in Deutschland**, GRIN 2007, S.4.

가 .

가

500

.51)

OECD

가

. 2006

(

가

)

2007

가

가

가

51) BT-Drs. 16/5323 v. 11. 05. 2007.

3 가

가

14

2006

2008

16

가

가

①

가

가

2

1

“

3

가

가

②

가

III.

1.

“1979

(Legistische Richtlinie 1979)”<sup>52)</sup>

90

(finanziell auswirken)

가

가

가

가가

53)

(Darstellung der finanziellen Auswirkungen)

가

, 1986

1987

가

(1986 )

1992

“

(Hand-

buch zur Berechnung der finanziellen Auswirkungen von Gesetzen)”

52)

(III) -

2005

53) Vgl Punkt 3 im RdSchr vom 29. Oktober 1980, GZ BKA 600.824/21-V/21/980, und Punkt 2.3 im RdSchr vom 9. Dezember 1981, GZ BKA 600.824/8-V/A/2/81.

.54) 1994

55)

(Richtlinien für die Ausarbeitung der Darstellung der finanziellen Auswirkungen neuer rechtsetzender Massnahmen)<sup>56)</sup>

가 . 1996 3 11

“ ”

“ , , 가

” .57)

,58)

1996 7 .59)

1999 1

가 ( , )

(Beschäftigungslage)

(Wirt-

schaftsstandort)

.60)

“

(Vorblatt

und Erläuterungen)”

.61) 1999 7

“

, , 가 ”

54) 1993 2 16

가

(V) - 가 -, 2007.5

55) BGBl. Nr. 960/1993

14 5

56) Verordnung des Bundesminister für Finanzen betreffend Richtlinien für die Ermittlung und Darstellung der finanziellen Auswirkungen neuer rechtsetzender Maßnahmen BGBl.

II Nr. 50/1999 zgd BGBl. II Nr. 165/2007(<http://www.bka.gv.at/DocView.axd?Cobld=25884>).

57) Arbeitsübereinkommen für die XX. GP, 40

58) Ministerratsvortrag vom 4. Juli 1996 (GZ BKA 690, 022/8-V/3/96)

59) Beschluss der Bundesregierung vom 9. Juli 1996 (TOP 21 DES 16. Ministerrates).

60) Beschluss der Bundesregierung vom 22. Jänner 1999 (TOP 57 des 82. Ministerrates).

61) RdSchr vom 19. Februar 1999, GZ BKA 600.824/0-V/2/99 (mittlerweise überholt).

2 가

“ 1 (Erste Bundesrechtsbereini-  
gungsgesetz)”<sup>62)</sup> 1946 1 1

1

1999 12 31

“

- 가 (Better regulation-Expertengruppe)

”

- 가

2000

“2001 (Deregulierungsgesetz 2001)”

가 .<sup>63)</sup>

2003 2 22

“ 가 (Einführung einer Folge-  
kostenschätzung durch externe Experten)”<sup>64)</sup> 2006

4 2001 2005 10

“ (Vereinfachungsinitiative)”

“2006 ”

62) BGBl. I Nr. 101/1999.

63) §1 Abs. 2 erster Satz des Deregulierungsgesetzes, BGBl. Nr. 151/2001 .

64) Regierungsprogramm der Österreichischen Bundesregierung für XXII. Gesetzgebungs-  
periode (28. Februar 2003), Kap 20 “Verwaltungsreform”, S.35 .



3 가

2006

4 27

(Verwaltungskosten) 2010

25%

.65)

가

2007 1 “

(Handbuch Standardkostenmodell Österreich)”

2.

(Bundesministerium für Finanzen)

2007

2006

12 31

가

, 561

5,687

43

1.6%

			( )
	243	1,656	994
	77	1,551	1,213

65) Beschluss der Bundesregierung vom 27. April 2006(TOP 18 DES 131. Ministerrates).



3 가

43 25%

10

2010

2012

	( )	( )
	994	248
	1,213	303
	208	52
가	425	106
	812	213
	184	46
	366	92
	58	15
	1.1	0.27
	45	11
	1.1	0.27
	1.1	0.27
	<b>4,300</b>	<b>1,086</b>

3.

가

가

가

가

가 가

가 .67)

1986

가

가

EU

가

가

(finanziellen Auswirkungen)  
(Bundesministerium für Finanzen)

가

가

2001

67)

가

가

가

가

Viktoria Enzenhofer/Franz Strehl/Barbara Leitl, **Berechnung und Abschätzung der Folgekosten von Gesetzen in Österreich**, Johannes Kepler Universität Linz 1999, S.182f

, , , 가

1 ,

.68) , 2005 10 “

(Less and Better Regulations)”

2006 69) (Deregulierung)

.70) 가 2006 4

2010 25%

.71)

①

2007 1 “

(Handbuch Standardkostenmodell Österreich) 2007

8 31 “ (Standardkostenmodell- Richtlinien)”

②

68) 1139 BlgNR 21. GP (Bundesstraßen-Mautgesetz 2002 - BStMG), 15 . http://www.parlament.gv.at/PG/DE/XXI/I/I\_01139/pmh.shtml

69) BGBl. Nr.1 113/2006.

70) Vorblatt der RV 1014 BgNR XXII. GP .

71) Beschluss der Bundesregierung vom 27. April 2006(TOP 18 des 131. Ministerrates). 2008 3

16 (TOP 25 des 47. Ministerrates).

IV.

1.

. 1997 5  
가

가

가 .72)

1998

, 1999 3 “ (Modernizing Government)” 73)

가 (Regulatory Impact Assessment)가

.74)

---

72) ernment 가 , ①Modernising Gov-IT

가

. ②

. ③

73)

①

, ②

, ③

, ④IT

, ⑤

74)

, 가 가

(IV) -

가

3 가

1997

23,000 가 400

가 가가

. 가 ,

가 ,

,

.75)

2004 10

“

(The Better Regulation Task Force: BRTF)”

, BRTF 2005 3

“ :

(Regulation-less is

more : Reducing Burdens, Improving Outcomes)”

.76)

가

,

“One In, One Out”

. ,

75) House of Commons Regulatory Reform Committee, **Operation of the Regulatory Reform Act 2001**, First Special Report of Session 2004-05, HC 273.

76) David Arculus at al., **Regulation-less is more: Reducing Burdens, Improving Outcomes**, A BRTF Report to the Prime Minister, 2005.

Philip Hampton( Sainsbury )  
 , 2005 3 “ : (Reducing administrative burdens: effective inspection and enforcement)”  
 가 .77)

,

4  
,78)  
,79)

2005 9 “ (Measuring Administrative Cost: UK Standard Model Manual)”  
 ,  
2006 9 “ (Administrative Burdens - Route to Reduction)”  
 , 2006 11 가 가  
(Regulatory Impact Assessment Guideline) . 가  
가  
 . 2007

---

77) Philip Hampton, **Reducing administrative burdens: effective inspection and enforcement**, HM Treasury, 2005.

78) National Weights and Measures Laboratory( ) Engineering Inspectorate( ) , (Companies Investigations Branch) (Insolvency Service Agency) 31 가 7 .

79) 가 가 가 가  
가 1  
( 1/3 )가 1/4



3 가

가 가 가(Impact Assessment) 가 , 가 .

2.

2005 19  
2006 12 2010 3  
25% .

Baseline £ m13.999	2006.5	2007.5	2008.5	2008.12	2009.5	2010.5
(£ m)	321	633	1,485	1,888	2,635	3,353
	12,878	12,566	11,715	11,311	10,564	9,847
	2.4%	4.8%	11.2%	14.4%	20.0%	<b>25.4%</b>

2008

External Validation Panel ,  
12 3 (Making Your Life  
Simpler. Simplification Plans) ,80) ,

80) <http://www.berr.gov.uk/files/file49273.pdf>

	(£ m)			2010.5	
		2008.12 (£ m)	2008.12 (%)	2010.5 (£ m)	2010.5 (%)
(BERR)	4,068	571	13.8%	1,048	25.8%
(Cabinet Office)	15	0	0%	2	15.6%
(Charity Commission)	37	0	0.3%	5	14.2%
(GLS)	2,487	363	4.6%	643	25.9%
(DCMS)	343	156	45.4%	161	46.8%
가 (DCSF)	210	0	0%	59	28%
(DEFRA)	460	38	8%	87	19%
(DfT)	585	79	13.5%	141	24.1%
(DH)	1,202	91	12.9%	89	26.6%
(DIUS)	543	130	24.0%	169	31.2%
(DWP)	471	136	28.9%	136	28.9%
(Forestry Commission)	2	0	26.5%	0	26.5%
(Food Standard Agency)	91	-68	-75.1%	13	13.9%
(GEO)	6	0	-4.4%	0	-4.4%
(HM Treasury)	159	-10	-6.0%	105	66.3%
(Home Office)	83	13	16%	19	23.2%
(HSE)	2,023	318	15.7%	544	26.9%
(MoJ)	369	39	10.7%	78	21.1%
(ONS)	49	6	13.0%	8	15.4%
	<b>£ 13.2bn</b>	<b>£ 1.9bn</b>	<b>14.4%</b>	<b>£ 3.4bn</b>	<b>25.4%</b>

3 가

3.

plification Plan) 가 (Sim-  
2010 25%  
(Better Regula-  
tion Executive : BRE)  
가 가 가 가  
가  
가  
2008 12 275  
10 9  
2010 30 5  
.81)

(2009.6.5)

(Department for Innovation, Universities and Skills : DIUS)

(Department for Business Enterprise & Regulatory Reform :  
BERR) (Department  
for Business, Innovation and Skills : BIS)

---

81) Better Regulation Executive(BRE), <http://www.betterregulation.gov.uk/about>, 2009. 7. 20.

BERR ( Better Regulation Executive : BRE)

BIS

BIS

V.

1.

1990

, 2004 3

가 2000 3

10

“ (Lisbon Strategy for Growth and Jobs)”

(Creating the right climate for entrepreneurs)

가

2005 2 2

가

(relaunch)

가

2005 3 16

“

(Better Regulation for Growth and Jobs in the European Union)”  
82)

가

가

(administrative costs)

가

“

”

(working document)

king document)

.83)

2003

,

가

가

가

,

가

. 2005 10

21

“

가

”

84)

82) Communication from the Commission to the Council and the European Parliament, Better Regulations for Growth and Jobs in the European Union, COM(2005) 97 final.

83) Commission Staff Working Document, Minimising administrative costs imposed by legislation. Detailed outline of a possible EU Net Administrative Cost Model, SEC(2005) 175.

84) Communication from the Communication, on EU common methodology for assessing administrative costs imposed by legislation, COM(2005) 518 final.

가

.85)

2005 4 9

가 가 가

가 . ,

가

,

2006 3 15

(Assess-

ing administrative costs imposed by legislation) , 가 가

(Impact assessment guidelines)

2006 11 14

“

(A Strategic review of Better Regulation in the European Union)” 2007 가 2012

25%

2012

.86)

“

(Measuring administrative costs and reducing administrative burdens in the European Union)”

.87)

가

가

2012

25%

가

85) Commission Staff working document, Outline of the proposed EU common methodology and Report on the Pilot Phase(April - September 2005), SEC(2005) 1329.

86) Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, A strategic review of Better Regulation in the European Union, COM(2006) 689 final.

87) Commission Working Document, Measuring administrative costs and reducing administrative burdens in the European Union, COM(2006) 691 final.

3 가

. , 25%  
GDP가 1.5% 가

. , 1,500  
가 가 .

“ (low hanging fruits)” 가

2007 1 24

, “

(Action Programme for Reducing Administrative Burdens in the European Union)” .88)

,

. , 가 가  
( , 가 )  
( ) ,

- (Company Law)
- (Pharmacy legislation)
- / (Working environment/employment relations)
- ( 가가 )(Tax law)

88) Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, Action Programme for Reducing Administrative Burdens in the European Union, COM(2007) 23 final.

- (Statistics)
- (Agriculture and agricultural subsidises)
- (Food safety)
- (Transport)
- (Fisheries)
- (Financial services)
- (Environment)
- (Cohesion policy)
- (Public procurement)

2012

25%

, 2008 10  
2007 10

. 2007 12 11

(Strategic report on  
the renewed Lisbon strategy for growth and jobs : launching the new  
cycle 2008-2010) 89) 2012 25%

, (ambitious simplification programme)  
2008

---

89) 가 2008 -2010 가 3 , 2005 -2007 3  
EU 2005 가 renewed



3 가

2008 1 30 “ 2  
(Second strategic review of Better Regulation  
in the European Union)” .90) ,

2008 3

(fast track proposals)

2008

(company law)

. 2008 3 10 “

2008 (2008 Fast Track Actions to reduce ad-  
ministrative burdens in the European Union)” .91)

가

가 (Fast  
Track Action : FTA) ,

2009 1 28 “ 3  
(Third Strategic Review of Better Regulation in the Euro-  
pean Union)” .92)

---

90) Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, Second strategic review of Better Regulation in the European Union, COM(2008) 32 final.

91) Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, 2008 Fast Track Actions to reduce administrative burdens in the European Union, COM(2008) 141 final.

92) Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, Third Strategic Review of Better Regulation in the European Union, COM(2009) 15/3.

2008 Fast Track Actions

(paperless)

2.5

37

10

가

가

13

가

(Reducing Ad-

ministrative burdens in the European Union, Commission Working Document)<sup>93)</sup> 2008

2009

2.

EU

(baseline measurement)

42

EU

27

13

42

EU

, 355

EU

EU

, 27

9,500

가

,

가

700

EU

42

EU

1,150 €

1,300 €

93) Commission Working Document, Reducing Administrative Burdens in the European Union Annex to the 3rd Strategic Review on Better Regulation, COM(2009) 16/3.

3 가

, 13 가 (Company law)  
 (Taxation and Customs) 가 가 60% 20%  
 가 가 .  
 (Food safety), (Working environment),  
 (Agriculture and agricultural subsidies), (Transport)  
 , 57 € 30 €

	(€)
(Agriculture and Agricultural Subsidies)	39 ~44
/ (Annual accounts/Company law)	22 5 ~26 5
(Cohensive policy)	8 6 ~11
(Environment)	6 8 ~9
(Finalcial services)	11 5 ~14
(Fisheries)	7 5 ~8 5
(Food Saftey)	54 ~58
(Pharmaceutical legislation)	9 1 ~9 3
(Public Procurement)	2 ~2 8
(Statistics)	6 5 ~9 7
(Taxation and Customs)	720 ~800

	(€)
(Transport)	30 ~31
/ (Working environment/employment relations)	40 ~50
	<b>1,153 2500 ~</b> <b>1,304 6500</b>

EU

가 가

(30 40% ).

가

,

가

,

.

EU 42

EU 가 가 ( , )

. 2009

42 가 26

가 16 2008

12

.

.

25

,

€

3 가

2004

370,000 ( ,

) 가 .

2010 1,000 € , 2010 2,000 €

가 .

6 €

가 EU

, 80 € 가 .

(electronic invoicing)

가가

(VAT)

180 € .

3.

(better regulation)

(obligations to provide information)

(report on the application)

“ (EU Standard Cost Model)” .

2 가

,

, 2006 3 15

-

가 가

(Impact Assessment

guideline)

.

,

가

가

,

.

2012

25%

,

. 2012

25%

,

1.5%,

1,500

가

가

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,

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가

가

.

,

(

)가

3 가

2007 8

(High Level Group of Independent Stakeholders  
on Administrative Burdens)

가

2008 1

가

2007 9 21

94)

95)

96)

---

94) <http://ec.europa.eu/enterprise/adminburdens-reduction>

95) Sachstandsbericht des portugiesischen Vorsitzes über bessere Rechtsetzung, Absatz 7= Anlage zu Ratsdokument Nr. 14625/07 vom 14. November 2007 [COMPET 334].

96) Zweiter Strategic Review der Kommission (KOM (2008) 32), 5

### 제 3 절 주요국가의 표준비용모델의 핵심적 요소

(SCM) 가

가

가

가

I .

1.

(activity-based measurement) (Dereglierung durch Rechtsbereinigung) 97)

가 , “ ( )”

---

97) (Dereglierung durch Rechtsbereinigung)

Helmut Hörtenhuber/Wolfgang Steiner, **Normsetzung und qualitative Deregulierung - Das oberösterreichische Modell zur Qualitätsicherung**, JRP 2002, S.7f ; Peter Bußjäger/Friedrich Lachmayer(Hrsg.), **Rechtsbereinigung und Landesrechtsdokumentation**, Wien 2001



(1)

(la réglementation gouvernementale)

. “ ” (contraignante)  
 , . ( ) .  
 (réglementation stratégique/policy re-  
 gulation) (les au-  
 torités gouvernementales décentralisées, )  
 가 .  
 가  
 (une réglementation générale) .

EU

가 . EU (Directive)

(Autoréglementation)

, 가

(2)

(central government)

“ ”

(non-statutory schemes or agreements)

- ① EU (Regulation) , ②
- , ③ (statutory instrument) , ④
- (Rules),
- (orders), (schemes), (regulations) , ⑤
- 가(licenses and permits) , ⑥
- (Code of Practice), ⑦ (Guidance),
- ⑧ ‘ , 가 / /
- (Self Regulation)/ (Industry Agreement) , ⑨
- (Bye-laws)
- , ① / , ②
- / , ③

3 가

, ④  
(Common Law) , ⑤  
, ⑥ ,

,

(3)

“ (

, , )”

가

가

2

2

2

3 가

, 가 2

EU

가 EU

가

가

가

( , )

(4)

3

“ ”

2006

12 31

가

,

가

( ,

)

,

(Hoheitverwaltung)

가

가

EU

3 가

가

( , ). 50%

(5)

“ ”

( )  
(Regulation) (Directive)(  
) ,

가 가

( , 가 )  
( )

2.

(Information Obligation : IO) , 가

3 가

가

,

가

가

가

가

(1)

formations) “

“

”

(les obligations d'in-

3 가

3

(Les obligations faites à des tierce partie)

가

3 ( )

3

17가

[ ]

/	① , ② , ③ , ④
가	① , ② , ③ 가 , ④ 가 , ⑤ 가
	① , ② , ③ , ④ ⑤ ※① 가
/	① , ② / , ③ , ④ ( , 1-5 ), ⑤ , ⑥
	① , ② , ③ , ④
	① , ② , ③ , ④ ⑤

( )	<p>① ( ) : ( ) , ②          , ③ ( ) , ④ ( )          , ⑤          ※ ( )          ( )</p>
가	<p>① , ② , ③</p>
( )	<p>① ( ) , ②          가, ③ , ④          , ⑤</p>
/ /	<p>① / / , ②          ( 2 1 ), ③ , ④          가 , ⑤ , ⑥</p>
3	<p>① , ② , ③</p>
3	<p>① , ② , ③ 3          ※ 3</p>
	<p>① , ② /          ※ ( )          가</p>



	① , ② , ③ ※ 가 ( )
	① , ② , ③ , ④ ※
	① , ② , ③3
	① , ② , ③

(2)

“

”

,

,

가

,

가

가

3

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, 3

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[ ]

	•
가	• 가
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	• ( 가 )
	• ( )
/	• ,
3	•
3	• ( ) 3

3 가

	• ( 가 )

(3)

가  
2 1 , “  
, , (Satzung)  
3  
, ,  
, ,  
”  
, ,  
가 , ,  
가 .  
, ,  
( , , , ,  
, , 가 )가 .  
가 ,  
, -  
, 3  
( , ) .  
,

( , 가  
 가 ) . ,  
 “ ,  
 가 ” .  
 [ ]

	<ul style="list-style-type: none"> <li>• / ( :</li> <li>)</li> <li>•</li> <li>•</li> <li>•</li> </ul>
	<ul style="list-style-type: none"> <li>• 가 ,</li> <li>•</li> </ul>
3 가	<ul style="list-style-type: none"> <li>•가</li> <li>•가</li> </ul>
3 가	<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>• , ( :</li> <li>)</li> </ul>
가 : ( 가 가 ) 가, 가,	<ul style="list-style-type: none"> <li>• 가/ 가 ( 가, 가, )</li> <li>가,</li> <li>• 가,</li> </ul>

,	<ul style="list-style-type: none"> <li>• ,</li> <li>• ,</li> </ul>
	<ul style="list-style-type: none"> <li>•</li> <li>• 가</li> </ul>
/	<ul style="list-style-type: none"> <li>•</li> </ul>
가 ( )	<ul style="list-style-type: none"> <li>• , 가 , , , ( )</li> </ul>

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<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<p>가 .</p>
<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<p>가 가 .</p>
<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<p>가 .</p>
<ul style="list-style-type: none"> <li>•</li> </ul>	<p>( , , )</p>

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(regulatory obligations)

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-		'가
•		(Costs induced by inspection)
-	(	).
	(	).
•	가	(Costs induced by policy assessment)
-	가	(national reform pro-gram)
	가	,
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	가	.
•		(Costs induced by the obligation of drawing safety plans)
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•		(Testing costs)
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3 가

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가

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(Office for National Statistics)

tor)

(charities)

(voluntary sec-

가

가

가

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(10~49 ),

(50~249 ), (250 )

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2009 1 1

가 “ ”

가

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가

99)

(4)

“ ( )” , 가

“ ”

22,000

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99) Die Bundesregierung, **Bürokratieabbau und bessere Rechtssetzung. Gemeinsam mehr erreichen, Zwischenbericht des Staatssekretärausschusses Bürokratieabbau an das Bundeskabinett**, Juni 2009, S.6.

(5)

, ( ) , “  
가 , (voluntary sector)  
(significant administrative costs) ”

가

4.

가

가

가

가

가

가

가

3-4가

11- 14가

가

가

4

가



3 가

(1)

4

- 1 (Preparing the survey) ,  
(zero measurement)  
가
- 2 (Clarifying the survey)
- 3 (Classification of information obligations) 3가
- 4 (Consolidating results)

(2)

4가

14가

가

<p style="text-align: center;"><b>0 :</b> <b>(Start-up)</b></p>	<p style="text-align: center;">, , 가</p>	
<p style="text-align: center;"><b>1 :</b> <b>(Prepara</b> <b>tory analysis)</b></p>	1	<p style="text-align: center;">,</p>

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	7	
	8	1-7 가
	2 :  (Time and cost data capture and standardisation)	9
10		
11		
12		9-11 가
3 : ,  (Calculation, data submission and reports)	13	가
	14	

(3)

Bertelsmann 100)

가

4가

13가

100) Ronny Kay, **Teil III: Anwendungsverfahren des Standard-Kosten-Modells**, in: Bertelsmann Stiftung(Hrsg.), Handbuch zur Messung von Informationskosten, 2006.

3 가

- 1

(Definition und Analyse des Gesetzgebungsgebietes).

- 2

(Festlegung von Standardprozessen).

- 3

(Ermittlung der Kostenparameter).

- 4

(Festlegung der Untersuchungsergebnisse).  
가

**1:**

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(Projektinfrastruktur/Projektum-  
fang). ①

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TF ⑤
- 1 (Vorbereitung der  
Basiserhebung). ①

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(Aufbereitung der Erge-

bnisse). 3

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11가 . 3가 (Preparatory analysis), (data capture and standardsation), (calculation and reporting) .

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2 : (data capture and standardisation)		
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3 : (calculation and reporting)		
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“Actal(Adviescollege Toetsing Administratieve Lasten, the Dutch Advisory Board on Administrative Burdens)” 가 .<sup>101)</sup> Actal

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101) <http://www.actal.nl/>



3 가

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(Council of Ministers)

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(Better Regulation Commission: BRC)”가 .102)

1997

(Better Regulation Task Force) 2006

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“ 가 (Nationaler Normenkontrollrat)”

102) <http://archive.cabinetoffice.gov.uk/brc/>

3 가

.103) 가 2006 6 1

가 8 14

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(Gesetz zur Einsatzung eines Nationalen Normenkontrollrates)

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8

가

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(Standardkosten-Modell)

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103) <http://www.normenkontrollrat.bund.de/Webs/NKR/DE/Homepage/home.html>

104) Johannes Ludwig u.a., **Auftrag und Organisation des Nationaler Normenkontrollrat, Nationaler Normenkontrollrat**, Berlin, 2007, S.4.

( , , )  
, EU

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2007 8 “  
(High Level Group of Independent Stakeholders on  
Administrative Burdens)”

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14 가  
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Edmund Stoiber 2008 1  
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.105)

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(Best Idea for Red Tape Reduction)”<sup>106)</sup> EU  
. 2009

105) [http://ec.europa.eu/enterprise/admin-burdens-reduction/highlevelgroup\\_en.htm](http://ec.europa.eu/enterprise/admin-burdens-reduction/highlevelgroup_en.htm)

106) [http://ec.europa.eu/enterprise/admin-burdens-reduction/competition\\_en.htm](http://ec.europa.eu/enterprise/admin-burdens-reduction/competition_en.htm)

2.

(1)

(Ministerie van Economische)가 , 2003  
 가 ,  
 “IPAL(Inter-  
 ministerielle Koordinierungseinheit)” . 2007 2  
 IPAL 3  
 “ (Regiegroep Regeldruk : RRG)”  
 IPAL .107)  
 (joint organisation) RRG  
 (target) ,  
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 RRG , ①  
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107) <http://www.rr.nl/>

3 가

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EU . 2007 , RRG EU

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2008 가 . RRG EU  
가 . ④

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. RRG  
. Actal .

(2)

2005 (Regulatory Impact Unit: RIU)

“ (Better Regulation Executive: BRE)”

.108)

(2009.6.5) “ (Department  
for Business, Innovation and Skills : BIS)” ,  
가

108) <http://www.berr.gov.uk/whatwedo/bre/index.html>

가 가 가 가

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“ (Koordinator für Bürokratieabbau und bessere Rechtssetzung)” “ (Staatsekretärausschuss Bürokratieabbau)”

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(Geschäftsstelle Bürokratie-

abbau)가

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“ (Bundesministerium für Finanzen)”가

.<sup>110)</sup>

가

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“ (Thematische Begleitgruppe)” “

(Methodengruppe)”

(Wirtschaftskammer Österreich),

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110) <https://www.bmf.gv.at/>

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⑦ 가 , ⑧ ,

⑩ 가, ⑪ , ⑫ , ⑬

( ), 가 ( )

가 ① , ②SKM- , ③

( , ), ④

가

(5)

“ (Directorate-General for Enterprise and Industry)” ,111)

EU , ①

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111) [http://ec.europa.eu/enterprise/index\\_en.htm](http://ec.europa.eu/enterprise/index_en.htm)

3 가 , , ④ , ⑤ .

(Competitiveness and industrial policy),

, (Competitiveness, SMEs and innovation),

, (Competitiveness, internal market for goods and sectoral policies) 3 가 ,

“ ” (industrial policy and Economic reforms) B5 (Impact Assessment and Administrative Burden Programme) .

## 제 4 장 우리나라에서의 표준비용모델의 제도화

### 제 1 절 개 설

가  
(auftragsorientiert)

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( , , )<sup>.112)</sup>

.

, (Wirksamkeit)

(Rechtmässigkeit)

, (Legitimität)

가 113)

.<sup>114)</sup>

가

,<sup>115)</sup> 가

가 가

112) Kuno Schedler, **Systemanforderungen des NPM an Staat und Recht**, in : Philippe Mastronardi/Kuno Schedler, a.a.O., S.41ff. ; Christoph Meyer, **New Public Management als neues Verwaltungsmodell**, Basel 1998, S.65f., 137ff. ; Hermann Hill, **Gesetzgebung und Verwaltungsmodernisierung**, in : Hermann Hill/Helmut Klages(Hrsg.), Die Rolle des Parlaments in der Neuen Steuerung, Düsseldorf 1998, S.180ff.

113) , H.Hill, a.a.O., S.179f.

114) P.Mastronardi, **Zur Legitimation des Staats durch die Wirkungen seines Handelns**, LeGes 1996/1, S.26.

115) Dieter Stempel, **Perspektiven der Rechtswirkungsforschung**, in : Hagen Hof/Gertrude Lübke-Wolff(Hrsg.), Wirkungsforschung zum Recht I. Wirkungen und Erfolgsbedingungen von Gesetzen, Baden-Baden 1999, S.627f.



2006 11 3 “ 가 , ”

.117)

“ . . . ”

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Pilot Study ,

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117)

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118) , (2007.7), 6 .

119) , Issue Paper 09-02, 44 .

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	<ul style="list-style-type: none"> <li>• , (non-statutory schemes or agreements)</li> <li>• ,</li> <li>• EU (Regulation)</li> <li>9 (6 )</li> <li>•</li> </ul>
	<ul style="list-style-type: none"> <li>• ,</li> <li>• 2 , 가</li> <li>• EU 가 EU</li> <li>가</li> <li>가</li> </ul>

	<ul style="list-style-type: none"> <li>• 2006 12 31 가 가 ( , ) ,</li> <li>• 가 ,</li> <li>• 가 가 EU</li> </ul>
	<ul style="list-style-type: none"> <li>• ( ) ,</li> <li>• 가 가 가 ( , ) ( )</li> </ul>

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121)

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	<ul style="list-style-type: none"> <li>•</li> <li>• 3</li> <li>• 12</li> </ul>
	<ul style="list-style-type: none"> <li>• , , (Satzung)</li> <li>• 3 ,</li> <li>• 3</li> <li>• 9</li> </ul>
	<ul style="list-style-type: none"> <li>• , -</li> <li>• , -</li> <li>• 3 ( , , )</li> <li>• 3</li> <li>• 15</li> </ul>
	<ul style="list-style-type: none"> <li>• , ,</li> <li>• 3</li> <li>• 12</li> </ul>

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 ( , , 가 ) (Datenanfor-  
 derung) . “  
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3.

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가

.122)

가

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“ ”

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122)

Ministry of the Interior and Kingdom Relations, **Standard Cost Model for Citizens. User's guide for measuring administrative burdens for Citizens**, Hague 2008.11

, “ ”

가 . 가

“ ” 가  
,123)

가 . 가

, 가

가

가

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123) Erwin Merck(Hrsg.), **Bürokratieabbau und Bürokraatiemessung in der Bundesrepublik Deutschland**, Fachhochschule des Mittelstands, Bielefeld 2005, S.48

4

가

가 500

, 40 20,000 (500 \*40  
 ) , 20,000

, 가 .

	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>
	<ul style="list-style-type: none"> <li>• , (charities) (voluntary sector)</li> <li>• (Office for National Statistics)</li> </ul>
	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> <p>가 ,</p> <ul style="list-style-type: none"> <li>• 2009 1 1</li> </ul> <p>가</p>

	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul> <p style="text-align: center;">, 22,000</p>
	<ul style="list-style-type: none"> <li>• , (voluntary sector),</li> </ul>

가  
가

가

-	(Micro) (0~9 )
-	(Small) (10~49 )
-	(Medium) (50~249 )
-	(Large) (250 )

, (

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1			$\leq 2$
	9	$\leq 2$	$\leq 10$
	10      49	$\leq 10$	$\leq 43$
	50      249	$\leq 50$	43
	250	50	

124),

,125)

II.

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124) , , 16 .

125) , , 42 .

① 가

②

③ 가

④

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⑥

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<ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li><li>•</li><li>•</li><li>•</li></ul>	<ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li><li>•</li></ul>

<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>	

가

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가 가

가 ①

, ②

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, ⑤

	<ul style="list-style-type: none"> <li>• (Adviescollege Toetsing Administratieve Lasten : Actal)</li> <li>• (Regiegroep Regeldruk : RRG)</li> </ul>
	<ul style="list-style-type: none"> <li>• (Better Regulation Commission: BRC)</li> <li>• (Better Regulation Executive: BRE)</li> </ul>
	<ul style="list-style-type: none"> <li>• 가 (Nationaler Normenkontrollrat)</li> <li>• (Koordinator für Bürokratieabbau und bessere Rechtssetzung)</li> <li>• (Staatsekretärausschuss Bürokratieabbau)</li> </ul>

	<ul style="list-style-type: none"> <li>•</li> <li>• (Bundesministerium für Finanzen)가</li> </ul>
	<ul style="list-style-type: none"> <li>• (High Level Group of Independent Stakeholders on Administrative Burdens)</li> <li>• (Directorate-General for Enterprise and Industry)</li> </ul>

III.

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가

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15

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	• 4 ( 10 )
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### 제 3 절 입법평가모델에서의 표준비용모델의 적용가능성

#### I .

“ 가(Gesetzesfolgenabschätzung : GFA)” “

가 ” . 가

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“ (Rechts-  
optimierug) ” “ (Optimierung des Re-  
chtsetzungsprozesses)” . 가가

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.126)

(Wirkungen vorsehen und prüfen)

① 가

가 가( 가), ②

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가 가( 가)

.127) 가

126) , 가 2007 .

127) Ingo Unkelbach, **Die Institutionalisierung der Gesetzesfolgenabschätzung auf Landesebene**, Aachen 1998. S.9f ; Götz Konzendorf, **Innovationen im Rechtssetzungsprozess durch Gesetzesfolgenabschätzung**, aaO., S.108ff.

가 , , 가  
 가 .  
 , 가 , , 가  
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 가 가

			가
가	<ul style="list-style-type: none"> <li>◦</li> <li>◦</li> <li>( , )</li> <li>, 가</li> <li>◦</li> <li>◦</li> </ul>	<ul style="list-style-type: none"> <li>◦</li> <li>◦</li> <li>◦</li> <li>가 - 가</li> <li>◦</li> <li>가</li> </ul>	◦
가	<ul style="list-style-type: none"> <li>◦</li> <li>( )</li> <li>, 가</li> <li>◦</li> <li>가</li> <li>◦</li> <li>◦</li> </ul>	<ul style="list-style-type: none"> <li>◦</li> <li>가 가</li> <li>◦</li> <li>가</li> <li>◦</li> <li>가</li> </ul>	<ul style="list-style-type: none"> <li>◦</li> <li>, , 가</li> <li>, ,</li> </ul>

128) Werner Maihofer, **Gesetzgebungswissenschaft**, in : Günther Winkler/Bernd Schilcher(Ed.), **Gesetzgebung. Kritische Überlegungen zur Gesetzgebungslehre und zur Gesetzgebungstechnik**, Wien / New York 1981, S.24.

			가
가	<ul style="list-style-type: none"> <li>◦</li> <li>◦</li> <li>◦</li> </ul>	<ul style="list-style-type: none"> <li>◦ 가 ( ) )</li> <li>◦ ( ) , ( ) )</li> <li>◦ 가 ( ) )</li> <li>◦ 가 ( ) )</li> <li>◦ 가</li> <li>◦</li> <li>◦</li> <li>◦</li> <li>,</li> </ul>	<ul style="list-style-type: none"> <li>◦ , .</li> <li>◦ .</li> </ul>

가 ①

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.129)

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II.

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(Compliance Cost Assess-

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129) Hellmut Wagner, **Gesetzesfolgenabschätzung-Modeerscheinung oder Notwendigkeit**. ZRP 1999, 480ff, 481f.

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130) Deutsche Bank Research, **Better Regulation** in Deutschland und der EU, EU-Monitor 47, 2007. 8. 2., 8 .



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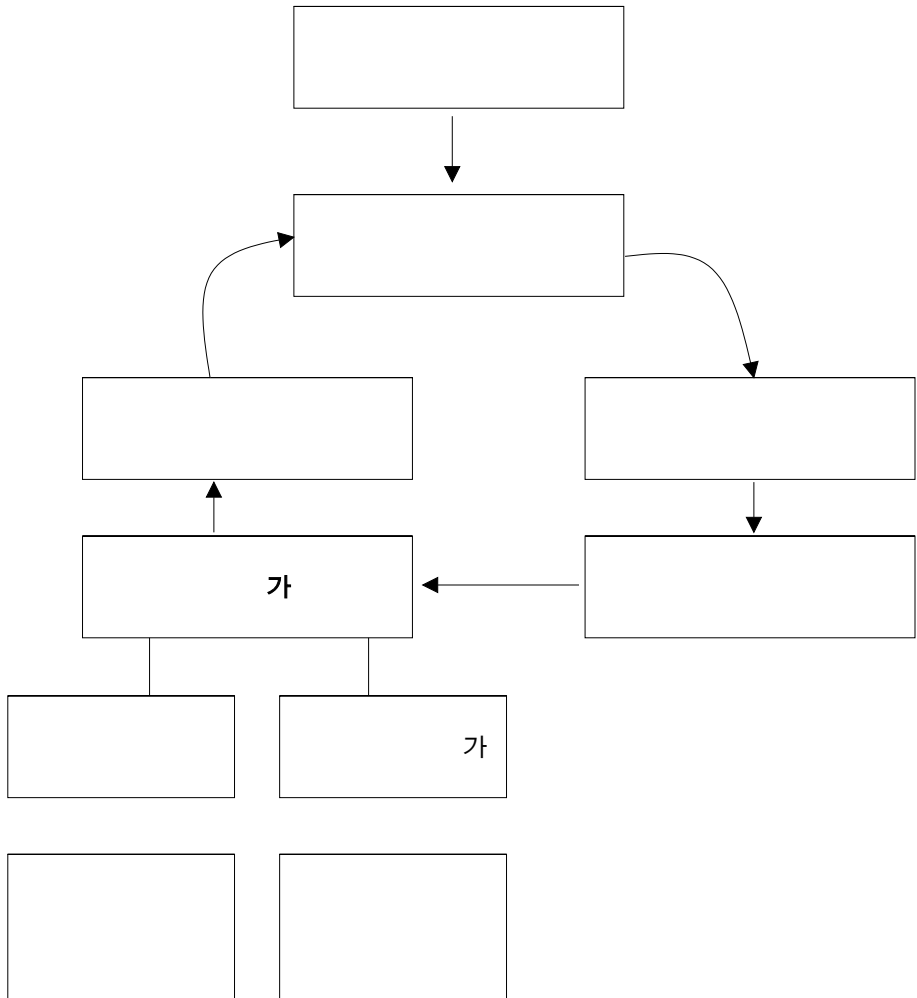
137) 가 가 .  
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138) 가 . 가  
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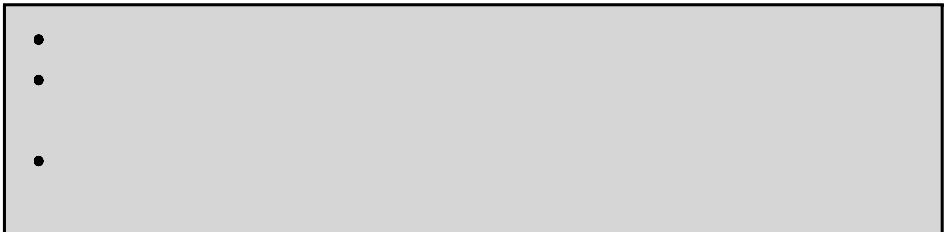
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.141)

140) Trube “ (Effektivität) ”

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