Federal Ministry for
Economic Cooperation
and Development

gtz Partner for the Future.
Worldwide.

GOVERNMENT OF MACEDONIA
SECRETARIAT FOR LEGISLATION

RULEBOOK ON NOMOTECHNICAL RULES

RULEBOOK ON NOMOTECHNICAL RULES

Skopje, December 2007

For the editor:

Government of Macedonia, Secretariat for Legislation

Financed by:

The Government of the Federal Republic of Germany, implemented by the GTZ Project "Technical Support to the EU Law Approximation Process"

Editoring board:

Lila Pejcinovska Miladinovska

Evica Dimoska

Liljana Mitevska

Olivera Necovska

Snezana Nadzakovska

Miroslav Trajanovski

Veronika Efremova

Translation into English language:

GTZ Project "Technical Support to the EU Law Approximation Process"

Legal editoring:

GTZ Project "Technical Support to the EU Law Approximation Process"

Technical preparation and publishing:

Vinsent Grafika

Circulation:

5000 copies

CIP- Каталогизација во публикација
Национална и универзитетска библиотека "Св.Климент Охридски", Скопје

340.134(497.7)(035)

Прирачник за номотехнички правила / [уредувачки одбор Лила Пејчиновска Миладиновска, Евица Димоска, Лилјана Митевска...и др.]
.-Скопје: Влада на Република Македонија, Секретаријат за законодавство, 2007.-52,51 стр. ;25 см

Насл. стр. на припечатениот текст: Rulebook on nomotechnical rules,
. - Обата текста меѓусебно печатени во спротивни насоки

ISBN 978-9989-2796-0-7
1. Пејчиновска Миладиновска, Лила [член на уредувачки одбор]
2. Rulebook on nomotechnical rules
а)Правни прописи-Изготвување-Македонија-Прирачници
COBISS. MK-ID-70916618

Dear Sirs/Madams,

You have in front of you the nomotechnical rules in written form, which are the result of the continuously transferred experience from one to another generation of employees in the Secretariat for Legislation and of the perennial experience of the current team working within the Secretariat.

This Manual of nomotechnical rules is the work that reflects the creativity of the employees in the Secretariat for Legislation.

Until now, these nomotechnical rules were referred to by the Secretariat for Legislation during the written and oral harmonization with the ministries and other bodies from the State Administration, within the procedure for preparation of laws and other regulations.

This year, 2007, we had an especially increased scope of preparation of laws and other regulations, as well as increased standardization dynamics from the aspect of harmonization of the national legislation with the EU legislation, and I use this opportunity to express my gratitude for the persistence and will of the employees within the Secretariat for Legislation, who, apart from the regular tasks and operations, offered their assistance through mutual cooperation for preparation of the text of the Manual for Nomotechnical rules, hereby presented.

I hope that the positive energy as an input in the preparation of these nomotechnical rules shall be transferred to you, and that this Manual shall be useful and shall facilitate the work during the preparation of laws and other regulations, for the employees in the State administration and all others whose regular operation is related to the normative activity and who require information in this area.

Lila Pejcinovska Miladinovska
Secretary of the Secretariat for Legislation
of the Government of Macedonia

INTRODUCTION

The manner used for the preparation of a law regulation is among the other things an indicator of the quality of that regulation. The regulation which has logical structure, as well as clear and precise style can be better understood and applied. The lack of clarity of the prepared law regulation can lead to difficulties in the interpretation and application, finally resulting in difficulties in the implementation of the regulation, as well as frequent amendments and alterations to the initial insufficiencies and flaws. The result of the abovementioned refers to higher expenses, as well as negative effect on the citizens' safety and the credibility of the legislative bodies, or the legislative body which adopted the regulation. The adequate structure of the regulation is equally important as its content and form.

The accountability regarding the quality level of the regulations is an integral part of the efforts for successful functioning and protection of the legal state. The regulations form the basis for every legal state which defines its law order, as well as the functioning of the entities and their inter-legal relations. The main precondition for the rule of law, as well as for an adequate functioning of the state as a legal state, is content adequate, legally based, and nomotechnically defined regulations. The content of the regulation must be easily understandable, unambiguous, useful and applicable. This level can be achieved only if the regulations are nomotechnically adequately prepared. The regulations must be prepared and furthermore their content must be expressed through the principle of unity of the nomotechnique. The regulations must also be legally correct, which means that they should be in accordance with the Constitution and the laws, they should be adopted by the competent bodies, and should be in accordance with the defined procedure. The incorrectly prepared regulation shall cause many difficulties and problems when implemented in the practice, and shall also reduce the legal safety and trust in the law and the legal state.

The major societal changes, such as the transformation of the single-party system into multi-party system, the division of the power into legislative, executive and judicial power, the development of the market economy, etc., have led to a growth of the normative activities. From normative-legal perspective, the beginning of the harmonization of the domestic regulations with the legislation of the European Union (acquis) is an additional burden in the process of the preparation of the regulations.

In such circumstances and for the purpose of providing higher level of consistency of the legal system in Macedonia on one hand, and avoiding the legal-normative incompliances on the other hand, The Secretariat for Legislation has decided to prepare a Rulebook on Nomotechnical Rules.This shall result in facilitating and unifying the process of preparation of the regulations in

accordance with the principle of unity of the nomotechnique, which principle comprises the linguistic, logical and political expression, the structure of the regulations, and the adequate expression of the legal logic in the regulations.

The purpose of the Rulebook on Nomotechnical Rules is to present the nomotechnical rules so as to provide certain standard quality level and unification of the nomotechnical solutions, which should be taken into consideration when preparing and drafting the proposals for the regulations. This Rulebook serves as a general professional basis, a tool and an instrument for the preparation of the proposals for the regulations.

The unification of the rules and practice during the legal editing of the regulations, means raising the general quality level of the texts of the regulations. Without this unification of the rules, the same legal institutes may be differently interpreted in different cases of same or different regulations. This can lead to inadequate implementation of the regulations, as well as to non-fulfillment of the objective for which they were adopted.

This Rulebook has been prepared in order to clarify the procedure and to facilitate the process of preparation of the regulations, and its purpose is to facilitate the work of the civil servants, especially the work of the lawyers who deal with the preparation of the regulations. However, we are on the opinion that the Rulebook shall also be of great help to all other interested parties in this area, namely to all that need to acquire greater knowledge from this area, which knowledge is necessary for the activities that they perform.

The Rulebook is a result of the long experience of the employees in the Secretariat for Legislation, as well as of the application of the nomotechnical rules in their everyday work, when giving oral comments or written opinions on the prepared regulations by the competent authorities.

The Rulebook has been prepared with the technical support of the German Enterprise for Technical Cooperation (GTZ).

I. INTERNAL STRUCTURE AND INTEGRAL PARTS OF THE REGULATION

The internal structure, i.e. the construction of the regulation and its separate provisions, should be designed in such a way that the provisions which are an integral part of the regulation should be related and should create a logical system. The correctly constructed and defined system of provisions, as well as internal relations between the provisions in the regulation, would constitute a regulation without contradictories, as well as illogical, unclear or legal omissions. Such regulation is internally compact, harmonious and coherent. The provisions from the regulation, which are linguistically understandable and precise, as well as defined and positioned in the regulation on an adequate manner, are in accordance with the nomotechnical requirements for defining the societal relations by abstract, legal norms. The correct, logical and clear internal structure of the regulation can contribute to its application in the practice, as well as to the manner of defining the regulations and legal order in general. When preparing the legal regulation, special attention should be paid to this part of the nomotechnique. The internal structure of the regulation and the integral parts of the regulation from nomotechnical perspective refer to the structural units (parts) of the regulation, the internal integral parts of the regulation, and their order and position in the regulations.

1.Structural units (parts) of the regulation

The smallest basic and comprehensive structural unit (part) of the regulations is the article. Thus the article in this sense is the essential basic part of every regulation. The title "article" is sometimes (very rarely) replaced with Roman or Arabic numerals (in both cases: Article 1, Article 2, etc., is replaced with I, II, or 1, 2, etc.). Such marking (as a replacement of the use of the title "article") can be used in some types of regulations, for e.g. decisions, programmes, decisions as single acts, etc . The basic structural units in the Law, Decree, Rulebook, Manual, etc. are always marked with articles, despite the length or the range.

An article should contain one or two thoughts, which combined together, form a linguistic, substantive and logical sequence. As in the case of the Constitution and the laws as well, the article can contain only one sentence or paragraph. Quite often the article can contain more than one sentence or paragraph, and the rule regulating this stipulates that every sentence which seems as a new idea should be placed in different paragraph, and the provision of the paragraph is thus not entirely independent; whereas if the provision is considered to be independent, it should be incorporated into a different article.

The paragraph can also be used for defining an exception, special circumstances, different or additional provisions in relation to the first or the previous paragraph. The paragraph can contain only one thought, one sentence (thought-provision), or two or three sentences. Certain paragraphs can contain additional divisions in the form of lines, items with Arab numerals or lowercase letters in brackets or without brackets: **for example: a), b), ...or: a., b.,..or:.1), 2),..or:...1., 2.,.....**The use and the choice of the abovementioned elements depend on the type and the range of the regulation, as well as on how often listings appear in certain regulation. The lowercase letters with brackets can be used for more detailed division of separate numbers in the paragraph; in fact the nomotechnical marking with numbers is preferential in comparison to the marking with letters.

For example: Law on Misdemeanors

„Article 4

Under the conditions of this law, the following sanctions shall be imposed for a conducted misdemeanor:

1) **misdemeanor sanctions for adult perpetrators;**
2) **misdemeanor sanctions for underaged persons;**
3) **misdemeanor sanctions for legal persons and**
4) **special misdemeanor measures."**

For example: Law on Organization and Functioning of State Administration's Bodies:

„ Article 11

(1) For the purpose of carrying out the functions of the state administration, the following ministries shall be established:

1. **Ministry of Defense;**
2. **Ministry of Internal Affairs;**
3. **Ministry of Justice;**
4. **Ministry of Foreign Affairs;**
5. **Ministry of Finance. ....."**

For example: Law on Electronic Communications

„Article 118
Data on the subscriber

(1) The operators can acquire the possession of the following data on their subscribers:

a) name or title of the subscriber;

b) personal identification number for natural persons, and tax and registry number for legal persons;
c) professional activity of the subscriber, upon his/her request;
d) the subscriber's address;
e) subscriber's number; .....

All paragraphs of the law (unless the article has only one paragraph) must be marked with the relevant ordinal number put in brackets, placed at the beginning of the paragraph's text.

For example: Law on Civil Servants

„Article 8

(1) The Agency is run by a director appointed and dismissed by the Assembly of Macedonia for a mandate of 6 years, upon proposal of the Government of Macedonia.
(2) The Agency has a vice-director appointed and dismissed by the Assembly of Macedonia for a mandate of 6 years, upon proposal of the Government of Macedonia.
(3) The director and vice-director of the Agency shall present their activities, as well as the activities of the Agency, to the Assembly of Macedonia.
(4) The director of the Agency shall submit a report on the work of the Agency to the Assembly of Macedonia, at least once a year."

This adequate marking of the paragraphs can lead to clear overview and practical use of the text, and at the same time facilitates the correct quotation, amendment, reference, as well as the preparation of the clear texts.

The lines shall be marked with hyphen:**„ – ".** The lines can be integral parts of the paragraph and the item.

For example: Law on Judicial Budget

„Article 5

The expenses of the judicial budget are consisted of:
1. Current expenses:
- for salaries and compensations for the judges;
- for salaries and compensations for the civil servants, the judicial police and other employees in the courts;
- for products and services for the work of the courts;
- for expenses arising from the procedures;
- payment of other expenses from the regular work of the courts, and

- for professional training of the judges, the civil servants, the judicial police and other employees in the courts;

2. Capital expenses:

- gaining capital assets for the courts, and

- maintenance of the premises and the equipment of the courts."

In relation to the larger system laws (Codes), the titles above or under the articles can be an additional contribution to better overview and implementation of the law **(see for instance: Law on Obligations, Law on Preservation of Nature, Law on Misdemeanors, Law on Electronic Communications, etc.**).

For example: Law on Misdemeanors:

"Misdemeanor

Article 5

Misdemeanor is an anti-legal act stipulated by law as a misdemeanor, the characteristics of which are defined by law, and for which a misdemeanor sanction is stipulated.

Accountability of a natural person

Article 6

(1) A natural person shall be considered as accountable on the basis of negligence, if the law stipulating the misdemeanor does not stipulate that the person shall be sanctioned only if the misdemeanor is conducted with premeditation. ....."

For example: Law on Electronic Communications

„Article 5

Competent bodies

The following bodies defined in this law shall be competent for regulating the affairs in the area of electronic communications:

- the ministry competent for the affairs in the area of electronic communications, and

- the Agency for Electronic Communications".

The decision whether the title of the article should be placed above or under the marking of the article shall be made by the one who prepares the law, but due to the uniform interpretation of the nomotechnical practice, we believe that the title of the article should be placed above the marking of the article,

since the title of the article is not a normative part of the provisions of the article, and moreover this would facilitate the reference when amending the article.

The titles of the articles, which titles are not normative integral part of the regulation, have the purpose of helping and supporting the correct understanding (interpretation) of specific provisions. The titles of the articles must be as short as possible, and at the same time they must reflect (summarize) the essence of the content of a specific article. The last article of the regulation in such a case must have the title "Entering into force".

Connecting the articles into higher (larger) internal structural units (parts) in laws (and other regulations) with fewer articles (such as for instance: regulations with less than fifteen articles) is not necessary nor logical, since this process would not result in better overview and an increased use of the regulation. In longer regulations, connecting the articles into higher (larger) structural units of the regulation is useful due to the good overview and use, and is thus necessary if the regulation has many articles. The good overview and the usefulness of the laws such as the Law on Criminal Procedure, the Law on Obligations, the Criminal Code, the Law on Trade Companies, etc., can hardly be provided without the use of higher structural units than the article.

Our nomotechnical practice uses first and foremost "parts" (in longer laws or codes) as the greatest structural unit of some regulation, which are higher forms than the articles, and those parts are then comprised of chapters, headings, sections, possible subsections and components.

The part of the law is marked as **"First part, second part, third part, or Part one, Part two, etc."**, and it can also be marked with Arabic or Roman numerical (**e.g. I Part, II Part, 1. Part, 2. Part).** Separate structural parts are usually marked with an ordinal number, or with Arabic or Roman numericals. This manner of marking is necessary and useful due to the quotation or reference to such parts of the specific provisions of the law.

The headings, usually marked with ordinal Roman numericals, have a significant role in determining the use of the structural parts in the longer legal texts. It is also important that the sequence of the ordinal numbers of the headings should not be terminated throughout the text of the law, and that numeration should not be interrupted by any other division of the articles in the law into separate structural parts. Thus, such defined and used structure of the text of a longer law can make an essential contribution to the good overview and use of the text, as well as to the orientation in the law (code). Even though the titles of the articles are not always necessary, the other structural parts of the regulation must as a rule have adequate titles, usually written under the listed structural part (e.g. Heading, section, etc.).

For example: Criminal Code

"GENERAL PART

Chapter one

GENERAL PROVISIONS

Legitimacy of the Determined Criminal Acts and of the Determined Criminal Sanctions
Article 1"

"Chapter three

SANCTIONS

1. Aim of the Sanctions, Types of Sanctions and Conditions for
2. their Imposing

Aim of the Sanctions
Article 32"

"SPECIAL PROVISIONS

Chapter fourteen

CRIMINAL ACTS AGAINST LIFE AND BODY
Murder
Article 123"

For example: Law on Obligations

"Part one
BASIS OF THE OBLIGATIONS
(GENERAL PART)

Chapter I

GENERAL PROVISIONS
Aim and Content of the Law
Article 1"

"Chapter II

CREATION OF THE OBLIGATIONS

Section 1
CONTRACT

Component 1
CONCLUDING THE CONTRACT
AND WILLS AGREEMENT

Time of Concluding the Contract
Article 18"

"Chapter III
OBLIGATIONS ACTS

Section 1
RIGHTS OF THE PLEDGEE AND OBLIGATIONS OF THE DEBTOR

Component 1
RIGHT TO COMPENSATION OF DAMAGES

I. GENERAL RULES
Fulfillment of the Obligation and Consequences from the
Non-fulfillment of the Obligation
Article 251"

2. Internal integral parts of the regulation

The internal, substantive composition of the regulation or its integral parts should also be organized with the help of the structural units (parts) of the regulation. Every published regulation has its own accompanying, technical parts, and these parts do not present the normative part of the regulation; the title of the law or regulation belongs in the group of these parts. The normative integral parts of the law are the following: introductory part (basic or general provisions), middle (central) part, (possible) punitive or misdemeanor provisions, and transitional and final provisions of the regulation. Special provisions may appear in certain cases as integral part of the law.

The title of the regulation, as its essential part, has a significant importance in relation to the non-normative parts of the regulation. The title of the regulation - as a name of the regulation - shall always be written with capital letter when the entire title of the law is written.

From a grammatical perspective, the title must be consisted of a sentence as short as possible, which can be used without imposing difficulties, should be easily remembered and referred to, and if possible should be used without punctuation. The title must at the same time reflect the essence of the content of the regulation. The title entails (and starts with) the reference to the

type of the regulation: **Law on..., Decree on..., Rulebook on...** Although the title is not considered to be normative part of the regulation from a legal perspective, it can contribute to the marking of the regulation, as well as to the interpretation of the content of the regulation.

The introductory part of the regulation is (normally) directly connected to the title of the regulation, and furthermore comprises the basic and general provisions of the regulation. The basic provisions are only consisted in the system laws, which contain provisions regarding issues of principle importance for the entire content of the regulation, and thus this part is different than the general provisions of the regulation.

All other laws and regulations that comprise additional issues of comprehensive importance for the entire regulation, contain general provisions. This part of the regulation contains the following provisions:

1. framework of the content determined by the regulation, i.e. the subject of the content of the regulation is determined;
2. defining the meaning of the expressions used in the law (or in another regulation): which are usually formulated in the following manner: "Certain expressions in this law (or another regulation) have the following meaning:„";
3. the competencies of the authorities, usually the title of the authority is used with an abbreviation throughout the rest of the text of the regulation (for instance: "hereinafter referred to as:Ministry, Minister, Authority, Commission" etc.);
4. subsidiary application of the regulation (for instance: "The provisions of the Law on General Administrative Procedure apply to the administrative procedures stipulated by this law, unless otherwise determined by the former law"), or termination of the application of this regulation to certain issues determined by another regulation.

The central part of the regulation is the most important part of the regulation. The central part refers to the part for the purpose of which the regulation is adopted.

The punitive or misdemeanor provisions of the laws are placed before the transitional and final provisions.

The norms for defining the punitive or misdemeanor provisions must be very precise, and thus the constitutional principle of legality must be respected when defining an act as a criminal act or as a misdemeanor.

The criminal act can be stipulated by special law, not only by the Criminal Code. In order to determine a sanction or misdemeanor sanction in the punitive or misdemeanor provisions, the normative behaviour should be defined, the violation of which shall be considered as criminal act or misdemeanor, i.e. the nature of which violation shall detemine whether it is criminal act or misdemeanor, and furthermore the text of the normative behaviour (command or prohibition) shall be formulated in such a way that it shall be in compliance with the constitutional requirements for clear and precise definition of such behaviour. The definition of the criminal acts or the misdemeanors more or less summarizes the behaviour (command or prohibition) in the central part of the regulation, the lack of respect or violation of which behaviour is defined as criminal act or misdemeanor, and at the same time there is a precise reference to these provisions, as well as a defined sanction or misdemeanor sanction for the perpetrator.

When formulating such provisions, either a precise reference to the articles where the normative behaviour is considered to be criminal act or misdemeanor can be stated in brackets, or they can be quoted (description of the act).

If the punitive provision refers to a criminal act for which certain fine is determined, it shall be formulated in the following manner:

"The legal person/responsible person in the legal person/natural person shall be fined with a sum from _____ to _____ Euros in denar currency, if (the description of the activities follows) from .....(Article ..... of this Law)." or

The legal person/responsible person in the legal person/natural person shall be fined with a sum from _____ to _____ Euros in denar currency, if the person does not act in accordance with the provisions of Article ..... of this Law."

If the punitive provision refers to a misdemeanor for which certain misdemeanor sanction - fine - is determined, it shall be formulated in the following manner:

"The legal person/responsible person in the legal person/natural person shall be fined for a misdemeanor with a sum from _____ to _____ Euros in denar currency, if (the description of the activities follows) from . .....(Article ..... of this Law)." or

"The legal person/responsible person in the legal person/natural person shall be fined for misdemeanor with a sum from _____ to _____ Euros in denar currency, if the person does not act in accordance with the provisions of Article ..... of this Law."

Apart from the usual manner of formulating the misdemeanors, there is another manner which is nomotechnically acceptable. Due to practical reasons, the legislator has decided to use another manner (shape) of formulating the misdemeanors. In this case, the misdemeanors are not formulated and compiled in separate part of the law (misdemeanor provisions), but are formulated and defined in separate articles of the regulation, which determine or prohibit specific behaviour. From the nomotechnical perspective, this formulation of the misdemeanors would after all remain in the frames of the exceptions to the general rules for formulation of the misdemeanors in the regulations. **Such is the case with the Law on Misdemeanors against the Public Order, the Criminal Code, etc.**

The final part of the regulation consists of the transitional and final provisions. This part of the regulation should be clearly marked and separated in every longer regulation, where there is an internal division between separate structural parts, such as sections, headings, etc., since from nomotechnical perspective, this is useful for the good overview and applicaiton of the regulation. Certain separate structural units (sections) are necessary in the longer legal texts for the purpose of better overview, preciseness and applicaion in the final part of the law: namely a division between transitional and final provisions.

The essence of the transitional provisions refers to the fact that they formulate the issues, namely the word "transitional" refers to the transition from one (current) into another at least different legal formulation, when the new formulation completely or partially replaces the old one. Such transition (and thus the special need for formulating the issues with transitional provisions) does not exist in case when the law or other regulation formulates an issue that has not been previously legally formulated. This period shall exist if an issue has previously been legally formulated.

The transition regarding the use of the new law, as well as the period from the application of the previous regulations to the application of the new ones, is a combination of issues which should be formulated in the new law, which on the other hand may determine the future application of the current regulations, as long as it is necessary and until the new regulations are adopted. Thus those regulations have the new necessary legal basis, which shall lose its validity with the termination of the validity of the previous law. In case when the new law replaces the old one, the transitional provisions must always precisely and separately comprise and process all current regulations which are valid, and adopted for the application of the previous law, and must also contain titles and reference to the publishing; the following approximate processing is not allowed: **"(All) regulations, adopted on the basis of...."** The period regarding the application of the new law refers also to the harmonization of the current

regulations with the new law. If the new law has a system nature, and its content is related to other regulations or areas of other regulations (laws, or sometimes even secondary regulations), which must be harmonized with the law, the new law must at least as a framework determine their harmonization, as well as determine the issue of their application until the period of harmonization.

In simpler examples of transition of use of a new law, the old version (the current law) of the law completely seizes to exist and be applied, and thus, the new law becomes valid and applied. In these cases, the expiry of the validity, and at the same time the application of the current law, according to the time framework, coincides with the beginning of the validity and application of the new law. In this case also, if necessary, the application of the current regulations should be continued until new ones are adopted. If the continuation of the application of the regulation is not completely accepted, the necessary provisions or parts of that bylaw should be stated and only they should be subject to continuation of application. Thus, the formulation **"if they are opposite to that law"** should not be used, with which the correct and precise interpretation of the decision is on the part of the direct beneficiaries and executors of the clause applied to those regulations. The termination of the validity of the bylaws, whose application has been continued with the new law, shall be determined with the new bylaw, which shall replace the current regulations.

Sometimes, the initial phase of the entry into force and the initiation of the implementation of the new law should be mutually separated, thus, determining the start of application of the law after a certain time after entry into force. Furthermore, the application of the current law (the previous law) should be determined until the beginning of the application of the new law, although the previous law shall seize to exist with entry into force of the new one. Thus, the new law, in a simple manner determines the period of application of the previous law, while the new law would be valid (however, not yet applied). The application of the previous law and other regulations may also be corrected (adjusted) to the new law, including certain provisions from the new law, in order to obtain compliance of the regulations with the new law. Determining the period of application of the old law and entry into force (but, without application) of the new law should provide enough time for making various necessary preparations and harmonization for application of the new law. This is related to the necessary organizational changes, establishment, i.e. initiation of the work of new bodies or other institutions, continuation of the operation of the same under new status, i.e. title of the body or institution as legal successors of the existing legal entity prescribed by the new law, adoption of new bylaws, terms of harmonization of the operation of the subjects within the law, termination or continuation of the mandate of appointed persons with public positions, overtaking employees, equipment, means, documents, etc. from the current subject, in case of establishment of a new one, etc.

Example: Law on Primary Education

"Article 113

The existent primary schools shall continue working as public institutions according to the provisions of this law.

Article 114

Primary schools shall harmonize their organization, operation, statute and other general acts of this law, within 6 months of its entering into force.

Article 115

All bylaws prescribed in this law shall be adopted by the Minister, within six months of its entry in force."

Example: The Law on Academy for Training Judges and Prosecutors

„Article 48

The Academy for Training Judges and Prosecutors is the legal successor of the Centre for Permanent Education within the Association of Judges of Macedonia"

Example: The Law on Amendment of the Law on the Government of Macedonia (55/05)

„Article 7

Employees, equipment, inventory, documents and means of operation of the Sector for European Integration of the General Secretariat shall be overtaken by the Secretariat for European Affairs".

Example: The Law on Public Prosecution

„Article 84

The appointed Public prosecutors shall continue performing their prosecutors' function until the expiry of their mandate.

After expiry of their mandate, the deputy public prosecutors shall be appointed without limitation of duration of their mandate, according to the provisions of this law".

Furthermore, the transitional provisions shall also regulate the issue, under what conditions and scope certain acquired civil rights shall be realized starting from the day of entry in force of the new law.

Example: The Law on Pension and Disability Insurance

„Article 32

Beneficiaries who have exercised their rights to pension and disability insurance before the day of application of this law, their rights shall be provided after the day of application of this law, in the same scope and amount, and shall be harmonized according to the provisions of this law."

Example: Law on Primary Education

„Article118

Teachers, professional associates and educators who have been employed in a primary school until entry into force of this law, shall not take the professional exam."

The reasons why the entry into force of the law should be differentiated from its application are due to introduction of the new law to the entities subject to the same, as well as the professional preparation for its implementation, for which it is necessary to provide long enough vacatio legis.

Other issue which should be regulated with the new law is the harmonization of other laws with the new one. For example, if harmonization of violation sanctions is necessary, the following should be determined: **"The laws that regulate the violations, not in compliance with this law, should be harmonized within three years from the day of entry in force of this law".**

Having in consideration the harmonization of other regulations, after entering into force of the new "system" law, which encompass other fields, i.e. the content of other regulations, the following shall be applied: All new regulations adopted (amended or readopted) after entry in force of the new law, should respect and apply the order and terminology of the new law in that field.

The generally known rule and practice show that transitional and final provisions often regulate certain other issues regarding application of the regulation, which simply do not belong in any other part of the regulation, however, they must be incorporated in some part of the regulation. Still, since they do not belong elsewhere, it is adequate to be regulated as "special provisions" of the relevant regulation, and not incorporated in the transitional and final provisions.

Transitional provisions, according to rule, should not be subject to amendment, except in case of prolongation of the period of harmonization of the work of the entities or due to prolongation of the period for adoption of bylaws, and in that case they cannot be proposed for deletion.

Certain transitional provisions of the law, if necessary, prescribe that other provisions of the regulation or the whole law, i.e. regulation shall be applied until or from accession of Macedonia in the European Union, depending on whether this law, i.e. other regulation transposes directives, regulations or other regulations of the European Union, and depending on the possibilities of Macedonia for complete or partial harmonization with these regulations, according to the political, economic, social and other necessary capacities.

Example: The Law on Plant Health

„Article 84

The provisions from article 3, paragraph (3), item 2 of this law shall be applied until accession of Macedonia in the European Union".

The final provisions are integrated part of each regulation. They regulated the beginning of entry in force, and by way of derogation, the termination of validity and start of application of the regulation. The last provision of the regulation is always the provision for the beginning of entry in force, expressed in real time. Sometimes it includes the provision for delayed initiation of application of the regulation. The simplest and most usual provision for entry in force of the law has the following wording: **This Law shall enter into force the eight day from the day of its publication in the „Official Journal of Macedonia".**

Furthermore, the usual provision for entry in force of bylaws is the following – "**This decree/decision/Rulebook shall enter in force on the eight day or the following day or on the day of its publication in the "Official Journal of Macedonia".**

By exception, pursuant to article 52 from the Constitution of Macedonia, the regulation may enter in force on the day of its publication.

II. LANGUAGE OF REGULATIONS

The language in regulation is a manner and means of presenting the content of the regulation to the recipient. The written form of the regulation represents a written lingual transposition of the content, inseparable link between the lingual form and content. Lingual expression is used to express the content of the regulation, which with this is an integral part of the nomotechnique. Lingual expression is the main means of communication between people and in context of regulations, language is the means of expressing thoughts – in this case in form of legal norms with role, place and meaning, as determined in the legal order. The core characteristic of regulations is their obligatory aspect, obligation on the part of subjects, in a manner as determined within the regulation. This mandatory behavior of subjects may be imposed and required, if regulations are clear and comprehensive. The clarity and comprehensiveness of regulations are also one of the fundaments of the legal security and legality in the State in general. Lingual expression in regulations, language, has a special place and meaning both in nomotechnique and in the interpretation of regulations.

Regulations are only expressed in written form. The basics of lingual expression in regulations is written form (the general) spoken language. The nomotechnique in the process of preparation of regulations explores and emphasizes those characteristics of language in regulations, due to which language in regulations is separated from the generally spoken language.

One of the crucial characteristics of language in regulations is the use of words and expressions. Due to the fact that the basis of language in regulation is in spoken language, most part of the words have the same meaning as in spoken language. Many words and expressions, which are used in regulations, are significantly different from the same used in spoken language or they are never used in (ordinary) spoken language. Words and expressions used in spoken language which if used in regulations (and law generally) have specific meaning are for example **responsibility, child, guilt, etc.** Many of these words and expressions have mutually different, specific meaning, even in law (regulations), because their meaning and correct content used in the field of criminal code, significantly differs from the use in other fields, as for example civil law. The third group of words and expressions are special expressions in the field of law, words, and expressions within the legal terminology. Apart from professional expressions in the field of law, regulations use professional expressions in the field of other sciences. These professional expressions are usually domestic words; however they also may be foreign words.

The content of the provisions in regulations is linguistically established as a norm, and not as a narrative (descriptively). The narrative aspect may occur

only in form of clarification data or in special form (manner) of determination of the obligation.

Furthermore, the syllabic mistakes may adversely affect the regulation. The basic linguistic rule of standards is to express and precisely define, without use of numerous pleonasms (use of two synonyms for the same term), synonyms and repetitions: apart from the aspect of standardization, there are also clarity, comprehensiveness and unambiguous presentation of the meaning of different provisions, including their inter-relatedness and interdependence. In the process of legal editing, the correct linguistic expression in regulations is also directed towards removal of all syllabic discrepancies.

Subjects applying the law should first understand the provision before they apply the same. The legal professional who is the editor should provide that the application of the regulation should not cause "too big" interpretations and overuse of numerous possible forms of interpretation, which are available in the legal terminology. The end result from excessive ambiguity of the law, understandably, is the need of authentic interpretation, and even, amendment of the law, i.e. adoption of a new law.

The order of regulation does not just follow only the relation from aspect of hierarchy (law – bylaw), but also the sentences in the regulation, especially in the articles, must be closely content related, thus providing that one thought follows the previous and logically continues and supplements the same. The notion which is "new" requires editing in a new paragraph or new (following) article. If there is a case of a "general rule", the same, if necessary, is furthermore analyzed in details and edited for each paragraph. For the purpose of clarification, sometimes the text must incorporate descriptive paragraphs or sentences, in order to provide enough clarity and comprehensiveness of the content.

The formalization of expression is part of the linguistic expression of regulations. This formality contributes to rational use of language, and due to the same meaning of certain terms used in this manner; it contributes to the stability of regulations. Thus, the same standardized expressions are used (even sentences) for determining the beginning and end of validity period of regulations, for the texts in the amendments to the laws, i.e. for change in the primary text with updates to the laws, for establishment of provisions on violation or criminal acts; the introductory sentence for definition of the meaning of certain terms, etc.

A common manner of expression in the language of regulation is the use of so called legal standards. Because of these, the text is shorter (more economic use), still, that is the external effect; legal standards in the texts of regulations are

used due to the fact that in these cases it is not possible to express or it is not adequate to express what is intended with the regulation, which is directly connected to the issue of definition of terms (expressions) in regulations, i.e., the level of their definition.

The language is the carrier of the normatively regulated and harmonized content of the regulation as a whole, as well as its separate provisions. Because of this, language expression in regulations, as much as possible, must be flawless. Emphasis should be put on the text of the regulation, to prevent incorporation of inadequate elements, which may crucially impede the clarity of the regulation and to hinder its implementation – with adverse consequences on the legal security. Among the weaknesses in texts which must be detected and avoided, there are also too long sentences and long sintagmas and digressions and (obviously) overuse of words in the text, whereas the course of the text and expression cannot, because of overuse, lead to ambiguity or doubt regarding the content of the provisions. In the use of some expressions, it is necessary to be careful and moderate in use, due to the loose meaning of the terms and lack of definition, thus, in the process of implementation of a law or regulation they should be interpreted (more that other expressions) such as: **above all, especially, many/much, less, significantly, etc.** Regulations must avoid repetitions of same thoughts with different words (which in certain places occur in these nomotechnical rules for the purpose of clarity). Still, different expressions for the same notion (synonyms) must not be used in regulations, due to the fact that it shall cause ambiguity and doubt in the meaning of the expression.

Regarding use of tense in regulations, the use of present tense is correct, general and mandatory. However, due to the linguistic characteristics of certain language, the use of present tense is combined with the use of future tense. This means that in present tense, in regulations, it may be discussed for future events (such as: "**Persons, at the age of 60 in 2010…").** Certain linguistic rules and criteria relate to the use of foreign words in regulations. Foreign words occur and are used in the professional language of different areas, and also in the legal terminology, as well as all other professional fields. It is a general rule that use of foreign words is allowed (even necessary), when Macedonian language lacks an adequate expression, which can precisely be used for the concept. As a result of this, the use of domestic expression shall always prevail over the use of foreign words.

III. SPECIAL EXAMPLES OF WRITING, EXPRESSION AND DEFINITION IN REGULATIONS

1. Definition of obligations in regulations

The definition of order and prohibition has a central place in standardization of regulations. Definition of mandatory behavior (in form of orders or prohibitions) is the basic element and essence of the legal standard, i.e., regulation. Regulations are obligatory, because they determine mandatory behavior. The manner of defining an obligation is an integrated part of the nomotechnique and an immanent part of the linguistic expression in regulations. The legal professional editor should differentiate, depending on whether the case is definition of behavior of State bodies or other subjects, physical and natural entities. Generally and principally in both cases, the fact that for certain obligations the simple use of present tense is satisfactory, should be respected, without use of unnecessary words, forms and emphasis, which on one side burden the text, and on the other side this editing reflects insufficient knowledge on the part of the editor, because the editor fails to take in consideration the fact that the obligation arises from the standard as its legal essence. Behavior is mandatory, because it determines the regulation. This is especially expressed in definition of the obligation of State bodies: the provision (for example) **"the Body shall adopt a decision within 15 days from the day of receipt of the request"** is not less obligatory for the Body (the consequences on the part of the Body in case it breaches the provision are not any different), then if the text included "**must adopt"** instead of **"adopt".** In case of expansion of the mandatory behavior of physical persons, the use of the expressions **"must", "must not"** is more often, although in these cases there is unnecessary emphasis, which does not change the content and it does not belong in the rules for standardization of regulations. Expression of the obligation **"is obliged"** in regulations is as much as often as it is incorrect, because it has been overtaken from concrete debtor relations in the field of civil law. The nomotechnique also incorporates a special manner of standardization of obligations (i.e. prohibition) by expression, which grammatically seen is normative – descriptive. In this context, the provisions of the law should clearly determine the obligation, in order to prescribe an adequate penalty in case of its breach, i.e. misdemeanor sanction for the party that breached the obligation.

2. Definition of rights in regulations

Rights of citizens, legal and physical entities are subject to law, and not bylaw, i.e. act of Minister, which may be used for additional amendments, i.e. prescribing the manner and procedure for their implementation.

3. Definition of exceptions

One of the manners and means of closer determination of the general are exceptions which mean derogation from the general definition of what is general

rule. Determination of exceptions incorporates reference to the provision, in relation to which there is exception.

Example: "By way of derogation, from paragraph (1) of this article…" or "By way of derogation from article 25 from this law…"

Derogations always regulate something different from the general rule, however there may be a legal (and nomotechnical) nature of a special provision in relation to the general one, and in such cases it is not defined as in the stated examples, characteristic for definition of derogations in the text.

In this context, it is very important to state the reasons, cases or conditions where the derogations are used, especially in laws, in order to define the legal framework for subjects obliged with the derogations, and to avoid excessive discretion in application of the same, as when they are amended with bylaws or directly applied.

4. Legal terminology

In the text of the regulations there are also other expressions, which as special expressions do not belong in the field of law, but they are taken for use in regulations. Due to the fact that their legal and content meaning is very difficult to comprehend for the public, they must be carefully used and only when necessary and if there is a foreign and domestic term available, then the domestic term is preferred. Consideration should be taken for the use of expressions in some of the system laws that have longer periods of validity, and to perform inspection of how the term was used there.

IV. AMENDMENT OF LAWS

1. General rules

According to the rules, laws, as abstract acts, which (apart from the Constitution) are the most important acts of the legal order, are adopted for a longer period of time and generally without predetermined period of validity. Changes in the social relations require changes (amendments, harmonization) of legislation, by adoption of amendments or even adoption of new laws. These amendments of the valid legal order are necessary and justified.

Frequent amendments to laws indicate weakness of legislation, they have adverse effects on the stability of law and endanger the legal security and the confidence in law, its predictability and definition. Due to the frequent amendments of laws, there is a danger of lack of knowledge of the law on the part of physical and legal entities (they do not have enough time to familiarize with it), and also State bodies lack enough knowledge of the law, and they are obliged with implementation, which seriously endangers legal safety. The need, i.e. reasons for amendment of the law may be objective and subjective. Among objective reasons is the need of harmonization or "transition" period, which means adoption of new Constitution, as well as harmonization of our legislation with EU legislation and harmonization with the international agreements. Among subjective reasons for amendment of laws is bad operation of public servants in bodies, those working on the preparation of laws, furthermore the operation of the State bodies, which adopt laws, where there are ill conceptualized and rapidly adopted laws due to fast political decisions (changes) and requests, but here there are also nomotechnical deficiencies and mistakes in laws (which again may be a consequence of adoption and change of legislation) such as for example: legal flaws, discrepancies with other regulations, forgotten termination or prolongation of application of certain regulation, unreal terms, unfeasible decisions, lack of clarity in editing certain provisions, etc.

The existent legislation is amended with legal amendments. The usual headings of the legal amendments are **"Law on amendment of the Law on…" "Law on amendment of the Law on…" and the "Law on amendment of the law.."**

The changes of the current legislation (law) also include expiry of validity of a law as a whole. Such termination of validity may be determined by a new law in the same field or other law or (special, independent) **"Law on termination of the validity of the Law on..".** Such law contains only two articles, the first contains provision for termination of validity, and the second for initiation of the validity period of the new law. The termination of validity of a law by implementation of a new one is possible if the law whose termination is determined is not adopted by two thirds of the majority votes. In order to amend

a law, it is characteristic that even if only some parts of certain law do not comply with the changed circumstances, a new law should be adopted. There is a certain measure here: in any case (regardless whether there is obligation for revised text), it is more adequate to adopt a new law (instead of amendments), in case the scope of the amendment comprises almost one third (or more) of the law. Additional greater (projected) amendment of the law requires adoption of a new law, and not amendment. There is also a criterion, which is not directly related to the scope of the amendments, in comparison with the text of the applicable law. If the amendments change the concept of the current law, its basic disposition, completely or partially, a new law should be adopted, and not amendments, although legally and technically amendments are possible. A special criterion is the fact that due to smaller amendments (or one greater amendment), the text of the applicable law becomes unclear and difficult to apply, even to quote its provisions. This is also one of the reasons in favor of adoption of a new law instead of amendment of the existent applicable law.

2. Vocabulary in the law amendments

The vocabulary in the amendments is formalized because, in general, the same expressions are always used for the amendments to the law. The amending always begins in the same way, that is, Article 1 contains the title of the law which is being amended, then the 'Official Gazette of Macedonia', in which the law text and all its amendments are being published, is listed in parenthesis, and finally the first amendment follows.

For example: 'In the Law on Civil Servants ('Official Gazette of Macedonia' no....) in Article 10 the words 'secretary general' are replaced with the words 'state secretary' or

'In the Law on Civil Servants ('Official Gazette of Macedonia' no….) in Article 10, following the paragraph 1, two more paragraphs, 2 and 3, will be added which are entitled:…'

Each amended article is amended with special (independent) article of amendment. The above mentioned rule has two exceptions when more articles, in succession, are erased by one article of the amendment.

For example: 'The Articles 19, 20 and 21 are erased'

Thus, a whole chapter can be erased. Another example is when homogenous change is being made in the complete law which is being amended, so such provisions in the text should be explicitly listed by name. If the same change is made in the title of the article and in the article itself, this can be done with one article.

For example: 'In the title of Article 64 and in the Article 64 the term 'penalty' is replaced with the term 'sanction'.

If different words in the title of the article and the article itself are being changed then this should be done with special articles.

For example:

'Article 25

In the title of Article 64 the term 'penalty' is replaced with the term 'sanction'.

Article 26

In Article 64 the phrase 'will be penalized' is replaced with the phrase 'will be pronounced'.

The general rule for formulating the text of the amendments, which defines the amendments in the fundamental text, is that initially the position is being determined, that is, the article, the paragraph, the item or the line where the amendment is being made, and afterwards the amendment itself:

For example: 'In Article 149 the paragraph 3 is erased'

If it is a matter of change in a minor component of the article, such as the paragraph, the determination of the position usually does not begin with the same minor component, but with the article, and the paragraph takes a definite article.

For example: 'In Article 57 the paragraph 2 is amended and states:...'

The amending, the changing or the erasing of words, parts of sentences or separate sentence or a paragraph is determined in the actual text of the provision that determines the change:

For example: 'In Article 50 the full stop at the end of the sentence is erase and the words 'and educator' are added, or

'In Article 50 the full stop at the end of the sentence is replaced with a comma and the words 'teacher and educator' are added.'

All other bigger changes demand formulation of independent paragraph in the amendment articles, in which such amendment is determined, and the stating of the new 'integral text' of that part of the regulation (paragraph, item, line) is introduced with the words: **'which states'.** Instead of larger, that is, more changes in the text of a certain paragraph or article it is always more appropriate to define a completely new text of the paragraph or the article.

If the paragraphs in the laws are in parenthesis

For example: 'Article 11

(1) The President of the Government manages the work of the Government……..
(2) The President of the Government directs the actions of the Government…. "

In that case, when such law is being amended, the paragraphs, which are listed for amending, are put in parenthesis .

For example: 'In Article 11 in the paragraphs (1) and (2) the words 'the President of the Government' are replaced with the words 'the President of the Government of Macedonia'

Also, the paragraphs that are referred to in text of the articles are indicated with numbers in parenthesis (**for example**: **'the civil servants of Article 3 paragraph (2)....').**

If the article, that is, the paragraph which is composed of ten items is amended with a new item (or items), among the actual ones, in that case the actual items are being shifted.

For example: 'In Article 5 paragraph (1) following the item 3, two new items are added, 4 and 5, that state:
4. .....
5. .....
The items 4, 5, 6, 7, ….. become items 6, 7, 8, 9, …..'

If the article, that is, the paragraph which is composed of more than ten items is amended with new items, among the actual ones, in order not to shift the actual items, it is better the new items to be marked as, for example: **2-a, 2-b, 2-c, ... 3-a, 3-b, … or 2-1, 2-2, 2-3 … 3-1, 3-2, 3-3, … (if the items are marked with numbers), or a-1, a-2, a-3, … or a-a, a-b, a-c, …b-a, b-b, b-c,… (if the items are marked with letters).** If the items are marked with bracket, for example: **'2) or a)'** in that case the new item which is added will be marked with bracket, **for example: '2-a), 2-b)… or a-1), a-2)… or a-a), a-b)….'.**

If the article, the paragraph and the item are amended with lines among the actual ones in that case the actual lines are not moved.

3. Use of feminine gender for indicating people in the regulations

In general, the use only of the masculine gender in the regulations in cases when the use of feminine gender is possible, is based on the fact that it is not a matter of regulation (provision), which refers solely to men, but it is only a regulation which refers to people whose gender is not known (in advance) and it has no significance for a certain real situation (generic use of the masculine gender with generalized meaning). Sometimes only the female gender is used in the same way with generic meaning because the masculine gender form

grammatically is impossible; for an example such is the case with the use of the word ‘party’ in the regulations (‘The party must list the circumstances in its request upon which it bases its request for exemption’ – the word ‘party’ in Macedonian is feminine noun). Such use of the genders in the regulations is based upon the fact that the intention and the meaning of the regulations is to determine an abstract and general organization and at the same time the use of one of the genders not to create any legal or content differences, except in the cases when this is specially and explicitly requested and needed due to the content. Despite this, the use of the masculine gender in the regulations undoubtedly seems as if it wants to leave an impression that women have been forgotten during the standardization in the regulations, which leads to wider and simultaneous use of both genders for referring to the people in the regulations.

4. Quoting of the publications of the laws

The listing of the numbers of the 'Official Gazette of Macedonia' in which the regulation in nomotechnics is published is very often. The publication of the law is always listed in the beginning (in the first provision) of every amendment, such is also the case when abolishing the entire or only part of the law, and often when referring to certain law, as well as in other cases. The listing of the law publication numbers is always chronologically arranged, starting with the first publication of the law and in sequence the subsequent amendments. This does not include the numbers of the published decisions of the Constitutional Court of Macedonia (which abolish certain law provisions), the authentic interpretations of the law, the published corrections of the law text, the refined law texts etc.

If we enlist the refined text of the law in written materials in that case after the number we put a hyphen and add ‘refined text’.

For example:

‘The Law on Civil Servants (‘Official Gazette of Macedonia’ no. 108/05 – refined text)’

When amending a law the refined text of the law is not used, the amending is done to the basic text of the law, and the past law amendments, which are integral text of the law, are taken into consideration.

5. Writing dates

When putting the dates in the laws, the one-digit numbers for a certain day are written without the zero in front of the number. The month is not put in number, but the complete name of the month is written. The number, indicating the year, is written with four digits.

For example:

‘This law enters into force on the eighth day upon its publication in ‘Official Gazette of Macedonia', and it will be applied from 1 September 2008’.

An exception is the marking and the listing of the year in the official gazette when the publications of the laws are quoted, in such case (even for the year 2000) only the last two numbers are written (example 37/00).

6. Writing numbers

In the law texts the numbers, including the number ten, whether used as cardinal or ordinal numbers, are written in letters, the number 11 and the following numbers are written in numbers. The numbers with more than three digits (in front of the possible decimal point) are written separated with spaces, which group three numbers, written together, and points (for separation) are not used (for example: **20 000,00 denars).** If it is a matter of determining vacatio legis or of a delayed application the number of the days, the months and the years is written in word.

For example:

'This law enters into force on the eighth day upon its publication in 'Official Gazette of Macedonia', and it will be applied a year/ six months upon the day of its entering into force'.

The paragraphs in the articles, as well as the articles that are referred to in the law, are always, regardless of the index number, written in number **('paragraph 1', 'paragraph 6', 'article 1', 'article 25'…).**

7. Writing of the amounts of money and the units of measurements

The money amounts in the laws are written in numbers and the word 'denars', follows the amount. In misdemeanor provisions, as well as in other provisions, the money amount is written in numbers and letters (**for example: '1000 euros in denars'; '100 denars' and so on).**

The units of measurements in regulations are written in the original abbreviations (symbols) of the measurement units in accordance with the system of measurement units.

For example: 'kg', 'g', 't', 'KWH' …. etc.

8. Use of abbreviations

In principle, the abbreviations are not used in text. The aim of the use of abbreviations is to cut the words short, which is not appropriate and, in principle, is not allowed as a mean and way of abbreviating the word in the laws. With exception, only the abbreviations, which are familiar to everyone and whose use in the text is common, can be used. An example for this is the use of the abbreviations **etc., no., e.g., et al.**

The abbreviation 'RM' by rule is not used when listing state body or institution, when the state body or institution is written in full name.

For example: 'The Government of Macedonia', 'The Assembly of Macedonia', 'The Constitutional Court of Macedonia', 'Central Registry of Macedonia', 'Agency for Foreign Investments in Macedonia" etc.

The word 'article', 'paragraph' or 'the titles of the laws' are never written with abbreviations.

9. Listing in laws

The listing in the laws is used in standardization by name and standardization with examples, or in a form of cumulative listing, for example, listing the requirements that have to be met so that a certain legal consequence can take place. When more elements need to be listed (for example requirements etc), lines or lower-case letters with parenthesis (closed parenthesis), and Arabic numbers (items) are usually used. Some lines (or letters i.e. items or ordinal numbers) are separated from the following ones with semicolon or with commas. If commas are used, in cumulative listing, the penultimate definite element and the last element are joined with 'and', and in alternative listing with 'or'.

10. Use of conjunctions

Conjunctions are words that connect or separate words, or groups of words. Wrongly used conjunction can change the meaning and make the decision ambiguous, so in the regulations the conjunctions, as well as the punctuation marks, should be used correctly. The real meaning always has to be considered, so the conjunction **'and'** is always used cumulatively, and the conjunction **'or'** alternatively, and in cases when both situation are comprised the conjunction **'and/or'** is used.

11. Punctuation

In the text of the regulations the punctuation marks should be used precisely because wrong application of the marks can fundamentally change the content of the sentence.

V. WAYS OF STANDARDIZATION

1. Standardization by name

The standardization by name consists of the fact that the standards (of such regulations) should be applied only in (established) cases determined and organized by the standard. In this context – although by form is not a matter of legal listing, from contextual point of view the cases are legally 'listed' in the standard (regulation). The examples, which are arranged by such regulation (or certain standard), are actually a closed and final circle. All the cases, which the legislator wanted to arrange with the regulation, are arranged, and for the other cases the regulation is not applied. Such standardization excludes any possibility for use of analogy (as a standardization method, and also as method for interpretation of the regulations). Even more, such standardization, if correctly used, makes concise expression formulations, so the possibility for any use of analogy does not exist, and even if the analogy is used the wanted standardization by name will not be realized because the nomotechical product does not express the will and the intention of the legislator. This might happen with the use of only one wrong word in this case (**for example the words: 'above all', 'particularly', 'other' or 'alike').**

The standardization by name was in general the first standardizing method. It is used even today in two different forms. It is rarely used independently. Such is the regulation, which (except for transitive and closing provisions) contains (arranges) only cases listed by name and nothing else. The standardization by name is often used as part of the regulation, in its separate standards, when actually the abstract standardization prevails.

The regulations, which contain only standardization by name (independent standardization by name, standardization by name in independent form), must not be put on the same level or be replaced with the so-called singular regulations.

2. Standardization with examples

The standardization with examples (the term 'exemplary' is also used, which is basically incorrect) is a way (form) of standardization, which in principal is equivalent to the standardization method by name. This is also a standardization with help of (different) cases. However, when using such standardization form one or more similar situations is (are) used and arranged as typical situation (situations). While the circle of cases which are arranged according to standardization by name is closed, when making standardization with the help of cases (standardization with examples) the circle is open, so certain and arranged case will be used only in those (similar) cases, which are

not explicitly established and arranged. In such standardization, the circle of arranged cases, opposite to the standardization by name, is not closed and 'listed', but it is open. Only the most common and often examples have been established and arranged, the importance and the use of the norm extends to all similar cases, which are not explicitly listed. Such standardization is not closed, as it is the case with the standardization by names, and it directly defines i.e. leads towards use of analogy. So the use of expressions such as **'particularly'**, **'and alike'**, **'is'**, **'still'**, **'above all'**, **'etc'** is typical for this kind of standardization. This type of standardization uses (includes) analogy as a way and mean of standardization, and refers to explicit use of analogy, as a way and mean of standardization. It is not used independently, it is often used as an integral part of the standardization in certain regulation (certain provisions).

This type of standardization (as the standardization by name) should be separated from the singular (particle, individual) laws, which have been adopted (solely) for certain defined case and for the arrangement of certain (particular) situation.

All the cases which seem to be similar to the standardization method with examples in the nomotechnics should be separated from the it. In certain cases it is a matter of necessary or appropriate additions (the additional text) of certain provisions, that is, terms, which are necessary due to the obscurity, the lack of preciseness, the ambiguity of certain phrase or term applied. In such cases, in order to make the standard more clear one or more cases should be added (in parenthesis or with an appropriate conjunction), with the purpose to provide better illustration i.e. explanation of the used expression. It would be wrong if such cases are realized as standardization with examples or standardization by name. In such cases it is a matter of (necessary) explanation that will contribute to clear meaning and content.

3. Abstract standardization

The abstract standardization is only a general standardization method and also a fundamental (general) characteristic of the regulations. The abstract legal rules (norms) have no limitations that arise from standardization with examples or standardization by name. The abstract rule refers to unlimited number of certain, concrete examples, but it does not organize them as such. The abstract rule is established (formulated) in such way that for each case that will occur, the rule will adequately be applied to the current case and it shall adequately subsume under the abstract norm of the legal rule. This generalization as a standardization method directs the legal entities towards the expected (requested) conduct, and such future cases should not be classified by name or individually. Such abstract obligatory conduct stipulated in advance, regardless whether the norm is cogent or (solely) dispositive, gives to the norms

a common generic name - regulation. Such standardization is fundamental element of the legal safety because entities have been familiar in advance with the defined obligatory stipulated conduct, although (i.e. considering the fact that) all concrete conduct examples cannot be defined and arranged in advance and individually. Without the method of abstract standardization there would be few thousand concretely established (specified) cases, however all the cases – that can be covered only with the abstract standardization – would not be included (although this method of standardization – and thus the legal safety – is endangered by the legal gaps). The consequence of the correctly used abstract standardization is fundamentally quantitative reduction of the standardization.

The bad aspect of the abstract standardization is that as a result of large abstractness, above all, when using certain concepts and other attributes, the concept itself, that is, the standard as a whole, is fundamentally fading due to being too general, it becomes ambiguous and in the end it becomes incomprehensible or little comprehensible. Due to the mentioned risks, the method of abstract standardization in terms of its abstractness has its limit which must not be crossed. The abstractness must not spoil the clarity and the comprehensibility of the text and its, although abstract, yet fundamental and clear content orientation. It is in the nature of the abstract standardization to face the subject, which implements the regulation, as directly as possible with the problem of interpretation (interpretation of the regulation and special standards). In this context, the editor of the regulation must be careful the abstract standard not to cause, that is, not to induce the need for interpretation of the regulation which (due to bad standardization) would cross over the normal level of comprehension and interpretation of the regulation that is needed each time the abstract norm is used in certain case.

The abstract standardization has its own superstructure in the form of 'standardization by principles'. Such standardization begins and ends with defined rules of conduct in the form of and on the level of determining the principles. Due to large generality such standardization as general method is insufficient, in the practice it is unusable and therefore impracticable. This way of standardization also avoids the definition (of the law) as one of the elements of legal safety. The numerous legal principles cannot be directly operational, they cannot be directly turned into a form of legal rules (norms), that is, most of them derive from principles in the form of legal rules established in the law (most often the Constitution). Only the principles that (still) can be written in the form of directly useable legal rule and in such form present integral part of the standardization are taken into consideration when it is a matter of direct legal (law) standardization. And in this case, the principles as an integral part of the legal norm (or the complete regulation in general), in most of the cases are subject to analysis (interpretation) when they are directly used in concrete case. In the mentioned cases, in certain circumstances, the standardization by

principles is integral part of the general standardization, as its associate and additional form. Introducing the legal principles, besides the Constitution itself, as a standardization form, is also used by the legal codifications of generally important legal areas of the legal order. For example, such is the principle of conscientiousness and honesty (**Article 5 of the Law on Contractual Relations)** or the constitutional principle of legality in the criminal law **(Article 14 of the Constitution and Article 1 of the Criminal Code).** By regulation, in such cases the established legal principles are valid for the use and interpretation of the complete law and in certain cases, as much as it is necessary, they are additionally turned into legal norms and they are respected.

VI. REFERENCE IN THE REGULATIONS AND ANALOGY

The reference in the regulations is a way of standardization and nomotechnics mean that helps avoiding repetitions in the regulations and thus it reduces the volume of the regulation. Such reference is in question when the regulation refers to the use of another regulation and the latter regulation (or its provisions) becomes integral part of the regulation that refers upon it. The reference is (often) possible within the frameworks of the same regulation.

The reference can have different forms. It can refer to use of other regulation - with no modifications, amendments or concessions. This kind of reference is formulated so that it says: **'The provision(s)…. of the Law on…are applied …. for'**

Certain reference characteristics exist in the so-called complete laws or conditionally complete laws.

The organization, which is defined by the complete law, is applied to all the other cases for which the mentioned law will define the same, and in meanwhile such organization does not allow other type of organization in other laws.

In the conditionally complete laws the specific subject is completely organized, however, with the provision for subsidiary use of the law, certain affairs, which are arranged by the law, can be partly or completely arranged differently by another law. Examples for such laws are the Law on General Administrative Procedure, Law on Institutions and others. . Both laws state that certain affairs can be arranged differently in a 'special' law. In **the Law on General Administrative Procedure -** in Article 3 it is established that '**in the administrative fields for which a special procedure has been established by law, it is acted upon the provisions of the law',** and in Article 1 of the **Law on Institutions** it is established that **'the provisions of the law have subsidiary use unless differently arranged by another law'.**

The reference must respect the hierarchy of the legal acts. In principle, the reference in the regulations refers to a regulation at the same level, however, when it is a matter of by-law a reference can be made to a higher-rank regulation. In certain cases, the law might refer to generally current principles of the international law or to the international acts.

For example: The Law on Citizenship of Macedonia states: 'A citizen of Macedonia who has a citizenship of another country, in Macedonia is regarded only as a citizen of Macedonia, unless otherwise established by an international agreement,' the Law on Contentious Procedure states: 'When the delivery should be made to entities or institutions abroad or to foreigners that enjoy the right of immunity, the

delivery will be conducted in diplomatic way, unless otherwise established by international agreement or by this law' etc.

The bad aspect of the reference is that (at least) two regulations should be used simultaneously – the one in which the reference is made and the one which the reference is directed to. Nomotechnically this difficulty can be mitigated with detailed listing (quoting) of the provisions that the law refers to and maybe with the quoting of the edition number of the 'Official Gazette of Macedonia' in which the regulation that the law refers to has been published. Considering this, and considering the reference in general, often in practice the question occurs whether the provision that has been referred to should be coordinated (harmonized) if later the regulation that the law refers to is amended, even more, if the regulation is not only amended but replaced with another regulation. When making a reference, the legislator is aware that the regulation he refers to might be later amended, or replaced with a new regulation. There are two basic forms of reference. According to one of the reference forms, the provisions and the publications of the law in official gazette are quoted in details.

For example:

'The provisions of Article ….. of the Law on …. ('Official Gazette of RM' no….) are applied upon the procedure established by this law'.

According to the other form the reference is more descriptive and by principle does not quote the publication of the law in official gazette.

For example:

'Regulations from the field of … are applied to the procedures established by this law'.

In practice, there is an option, which is not a rule, to refer to certain regulation by indicating 'adequate application' of certain provisions of another regulation. The good aspect of such reference is in the escaping to undertake the same solutions, even legal institutes and terms, that have already been established with the concrete regulation. The bad aspect of such reference example is mostly the opinion of the legal editors that this provides basis for discretionary use of the regulation provisions that are referred to for application. However, if it is considered that the legal theory and practice have different types of interpretation of the regulations which have been previously explained in details, the appropriate application should be considered complementary, taking into account the general regulation provisions where such reference has been applied and the subject matter which is organized by the regulation whose application has been referred to.

VII. INITIAL VALIDITY OF THE REGULATIONS

The general formulation of the initial validity of the regulations is constitutional issue (Article 52 of the Constitution of Macedonia). The Constitution stipulates publication of the regulation as a condition for its entering into force. This opportunity for introducing the regulation before it becomes valid is an integral part of the law and of the principle of legality. Until the moment of the publication of the regulation in an adequate official journal ("Official Gazette of Macedonia", an adequate official journal of the units of local self-government), it will not be valid. The Constitution and the Constitutional Law are an exception of this rule, and they become valid through the announcement, as determined in the laws.

The regulation can be considered as a regulation from a legal perspective if it has been published in an official journal, but it does not however mean that it has entered into force. The regulation can not be amended or altered in any way, nor can it be abolished during its formulation and entering into force. The editor must respect this fact when determining (proposing) vacatio legis for a specific regulation.

Determining the initial validity is actually a compulsory integral norm of the regulation, and thus the direct application of the constitutional provision regarding the initial validity is not allowed. The shortest possible time limitation regarding the initial validity of the regulation is the day upon its publication in the official journal (which is a result of the constitutional requirement for publication before the regulation has become valid). The day which is marked as the day of publication in the official journal is never included in the determined vacatio legis.

Defining the length (duration) of vacatio legis, as well as the chosen manner of determining the initial validity of the regulation, is a serious process which must be carefully designed. The substantial part of the decision for these elements is a duty of the legislator (the issuer of the regulation), whereas the nomotechnical aspect is reserved for the editor. In the procedure of adopting the regulations, which procedure lasts for a longer period of time, and there is also a determined procedure for adopting (laws and regulations of the Government), the stipulated provision for the initial validity should constantly be monitored in the text of the regulation, and should later on be adequately amended or adjusted. The lack of attention can result in determining the initial validity of the regulation before its publication, or in inadequate shortening of the duration of vacatio legis in the regulation (due to late adoption of the regulation).

The provision for initial validity is an essential element of the text of every regulation, its compulsory integral part, and is always the last provision

(article) of the regulation. The usual "standard" length of duration of vacatio legis is eight days **("This law shall enter into force on the eighth day upon its publication in the "Official Gazette of Macedonia").** However, the circumstances can shorten or extend the duration of vacatio legis.

The following circumstances can affect the decision for expanding the duration of vacatio legis:

- regarding an issue, legally formulated for the first time;
- regarding great changes and new items in already formulated issue (legal news);
- one or several longer by-laws are necessary to be adopted; and
- an extended time limitation between the publication and entering into force of the law is necessary, due to the opportunity to introduce the law (its new items) and due to the preparations for its implementation (vacatio legis is necessary for the entities that implement the law, and for the direct entities to whom this law refers).

Determining shorter vacatio legis than the usual one is considered to be justified if the reason for such intervention is stated, which intervention might refer to adopting, publication and initial application of the new (amended) regulation; whereas the shortest possible vacatio legis is the day of its publication, or the day after its publication. It should also be stressed that the too short vacatio legis endangers the legal safety, since it is contrary to the opportunity for introducing the regulation, and thus the short time limitation before the entering into force of the regulation should be used only as an exception in a stabile legal order (for the purpose of preventing possible misuses or in the case of unexpected circumstances that demand necessary measures).

The ways of determining the initial validity or the application of the regulations (as well as determining the duration of vacatio legis) are the following:

- direct determination of the day, month and year of the initial application of the regulations according to the calendar: **"This law shall enter into force as of the eighth day of its publication in the „Official Gazette of Macedonia", and its application shall start as of 1 January 2009."** This determination of the initial validity of the regulation is not only precise and safe, but practical as well (but it is not the only possible in the practice). Thus it can be decided that one separate provision may become applicable on a specific day at 00:00 hours. Such decision on the application of the regulation in practice can be made when a relatively long vacatio legis has been determined, or in cases of determining customs, tax measures, etc.;

- the initialization of the application, determined by certain event (related to the application) or legal activity (e.g. from the adoption, more precisely from the initial validity of some other regulation, which in certain cases is determined in delayed application of separate provisions).

For example: "Article 53 of the Law on Financing the Units of Local Self-Government, according to which: "The provisions of Article 37 shall become applicable as of one year upon entering into force of the Law on Internal Audit of the Public Sector."

This determination of the initial application of the regulation (from a legal perspective) is a conditional provision for the initial application of the regulation (the comparable legal structures refer to it as such). The initialization of the application of the regulation depends on the fulfillment of the condition determined in the regulation. Since the condition in law is considered to be future and uncertain circumstance which can influence the occurrence or lack of some specific legal situation, the initialization of the application of the regulation, which depends on some condition, is also uncertain. The usefulness and certainty of the determined initialization of the application depends on the level of certainty that the event or the legal activity shall take place, and on the previously determined timing of the arising circumstances (the event or the legal activity). For establishing such norms, the occurrence and lack of certain circumstance can be taken into consideration (positive and negative condition). Examples of such norms (in our and in the compared foreign practice) are for instance the connection of the initialization of an application of a regulation with an occurrence of some (specific) contagious disease, occurrence of an extraordinary situation, (legally determined) start of the school year, initial validity (or application) of international agreement, etc.

VIII. TERMINATION OF THE VALIDITY OF THE REGULATIONS

The regulations are adopted and entrenched in the legal order as if every regulation shall last "forever". The exceptions of such policy or approach are very rare, for instance when the law explicitly stipulates the termination of its validity together with its initial validity. A specific **example** regarding the abovementioned is the provision according to which: **"This Law shall enter into force as of the eighth day upon its publication in the "Official Gazette of Macedonia", and its validity shall be terminated as of the expiry of the fifth year upon its entering into force" or "This Law shall enter into force as of the eighth day upon its publication in the "Official Gazette of Macedonia", and shall be applicable for five years upon the day it has entered into force".** This means that it must be determined either when the validity of the regulation is terminated, or the time of application of the regulation. Those are usually defined laws in which the previously determined duration of their validity (to be more specific, application) is a result of their purpose, meaning and content. Such is the example of the Law on Census of Population, which census is performed in certain time and its title contains the year of the census, performed on the basis of this law. Among other similar laws is the Law on Enforcement of the Budget of Macedonia, which is of the same nature since it refers to a specific year. Such law (or other regulation) loses its direct importance throughout the time, and moreover it can not be enforced or applied directly.

The common and legally correct nomotechnical way of termination of the validity of the regulation is the direct derogation. It takes place usually when certain regulation is no longer necessary and can not be valid anymore since it has been replaced by new regulation. If certain regulation is no longer necessary, its validity can be terminated without replacing it with new one. In case of replacement of one regulation with new one, the termination of the validity of the previous regulation can be defined in the final provisions of the new regulation.

The termination by direct derogation can be either complete (the entire regulation is terminated), or partial (by terminating separate provisions or parts of some regulation). Certain provisions can also be terminated from other laws or regulations. The validity or invalidity of some regulation is important for the legal safety, and thus it is not allowed for any regulation (or separate provision or provisions) to be terminated in such a way, that the termination would be elaborated by the formulation "if it is not in accordance with this law". The use of this word or sequence of words, that demands from the entity that implements the law, or from the entity to whom the law refers, correct interpretation of every provision, is allowed (and very frequently necessary) when referring to another regulation, i.e. referring to the use of another regulation. In relation to the

validity or invalidity of some regulation or some of its provisions, the legal order and the legal safety must not tolerate any lack of preciseness, and this issue in the legal state must never be subject to interpretation. When there is a need for interpretation regarding a situation in relation to the entity that the law or some other regulation refers to, it is only a direct consequence of a nomotechnical mistake or inconsistency which must be removed immediately. Beside the reference to the regulations, the word “if” in the nomotechnique is frequently used for explicit determination of the future use of certain regulations when necessary, namely when the new law or other regulation shall replace the previous one.

The regulation may terminate the validity of a regulation of the same or lower hierarchy. The opposite is not allowed: a regulation of a lower rank cannot terminate the validity of a regulation of a higher rank.

The premise of the permanent "constant” validity of regulations, has a great meaning for the State, due to the fact that most of the regulations do not contain any provision for termination of the validity of the regulation. With timely undefined validity (predetermined validity period), regulations become element of stability of the legal order, and on the part of those involved in its application create confidence in the law. Apart from this timely undefined validity period of regulations (predetermined validity period), at least from psychological aspect and in case of doubt, it prevents fast adoption of decisions on change, as well as easy change of regulations in general. In relation to legal security of subjects, the beginning and end of the validity period of regulation are equally important elements. Thus, they should also be viewed from the aspect and in the frames of nomotechnique.

Most regulations enter in force without predetermined (limited) validity (validity period). For these legal regulations, the legal order, if necessary, determines termination of the validity period, and the nomotechnique regulates the manner, as well as how to legally determine the same. It is very important to precisely regulate and technically define the termination of validity period of regulations or their parts (provisions), and there must not be any doubt regarding termination of validity. By termination of the validity period of the regulation or its provision, also seize to exist its obligations which arise from this regulation or its provisions. Similarly, as in the case of regulations, whose validity is predetermined, the manners of termination of the validity period of regulations are divided in two groups. The first is formal, and the second actual termination of the validity period of regulations.

The nomotechnique definition of direct derogation has its nomotechnical manners (variants), which are mainly similar or equal with those used for determining the beginning of validity of the regulation. It does not have to be

precisely determined by way of derogation when certain regulation (or provision) shall seize to be valid. In most cases the termination of validity is determined starting from the day when the new regulation enters in force, i.e. it shall be determined that by entry into force of this law (regulation), the Law (other regulation) on.. shall seize to exist…..

Other possible manner of determination of termination of the validity period is defining the expiry of the period with time units (days, months or year). In the process of defining the expiry of validity period, the legal professional and user of that law must be familiar with the difference between the definition of the beginning of the validity period and termination of the validity period of the relevant regulation. The beginning of the validity period shall be related to the beginning on a particular day, and the termination of validity shall be considered after expiry of a particular date.

The third manner (variant) for determination of termination of the validity period of the regulation is nomotechnically equal to the manner (variant) for definition of the beginning of the validity period of regulations: expiry of the validity period shall be related to occurrence (termination) of certain event or legal action. All characteristics of such definition, which are valid for definition of the beginning of the validity period, shall be applicable also for definition of expiry of the validity period.

IX. SECONDARY REGULATIONS

For the purpose of correct and direct performance of the law, and for direct realization and exercise of the rights and obligations of the subjects to whom this law applies, i.e. the secondary regulation, are not only important, but often necessary. These continue standardization where legal standardization stops and must be completed, thus, the secondary regulation should complete different issues, in case there is no authorization for them in the applicable law.

Without the secondary regulations, certain laws could not be applied, except if their role and content would be undertaken by the laws themselves. This would be contrary to the principle of division of authority, which requires division of the nomotechnique in this field also, between the legislative authority (the Parliament) and the executive authority (the President of Macedonia and the Government). A law shall determine the rights and obligations of the legal, physical persons and citizens, and the detailed regulation shall be done by secondary regulations, which, together with laws comprise the wholeness of the applicable legislation.

From the aspect of nomotechnique, the crucial characteristic of secondary regulations is that according to their legal nature and constitutionally – the legal position in the hierarchy of legal regulations without valid basis, they cannot result in legal action. If the law seized to exist, and certain bylaw, adopted according to that law (at least temporary), is still necessary, this regulation should obtain its basis for further validity from the adequate provision in the new law, replacing the old one. Without formal and content legal framework, secondary regulation is invalid (and in its essence against the Constitution). However, the absence of this basis shall not constitute automatic termination of the validity of this secondary regulation (or certain provisions from the same).

Apart from the legal basis, other significant issue is legal regulation of the authorizations, in relation (of possibility) to adoption of secondary regulations. According to our legislation, it is allowed to adopt bylaws solely based on expressed legal authorization for each case separately. According to the Law on organization and operation of the State bodies, the Minister, i.e. Director of the independent body of the State administration, i.e. of the administrative organization, may adopt secondary legislation by authorization from relevant law.

Secondary legislation shall be formulated by firstly stating the legal basis for its adoption, the title, and normative part formulated in articles or items marked with roman or Arabic numbers. In this context, articles may be comprised of paragraphs, items, and lines and items comprised of lines.

Secondary legislation always ends with a provision for its entry into force. Thus, if it is a general secondary act, it shall enter in force after its publication in the "Official Journal of Macedonia" or other official journal, and the individual bylaw shall enter in force on the day of its adoption.

The nomotechnical rules for amendment of laws included in this Manual shall also be applied in amendment of bylaws.

X. RETROACTIVITY

Retroactivity, i.e. return action is action of the law in the opposite direction. Laws may regulate certain behavior (action, non-performance of action) only for future. In the legal order of a State, everybody may refer to the existence or non-existence of a law in relation to their behavior. The validity of the law backwards is contrary to the essential elements in the legal framework of the State – with the principle of confidence in the right and the predictability in advance, and also with the principle of legal security. Because of this the Constitutional ban for opposite validity of regulations is applied, except by way of derogation, in cases when that is in favor of the citizens (article 52, paragraph 4 of the Constitution of Macedonia). This means that the permanent characteristic of the applicable legislation is also its upgrade, completion, amendment and replacement with new legislation. The general, i.e. the public interest may require that the law, having in mind the strict constitutional limitations, by way of derogation, also determine validity (of certain provision) of the law in the opposite direction – backward. However, the provisions from secondary legislation only execute the law, they are content related with its framework and cannot originally determine use in the opposite direction.

XI. REVISED TEXTS OF THE LAWS

The revised texts of the laws shall be prepared, in relation to the laws for which due to the greater number of smaller amendments or the scope of certain amendments the need of preparation of a revised text of the law has been determined.

In this case, the proposing party of the law on amendment of the relevant law, shall propose establishment of a revised text, and the Parliament of Macedonia, if it determined justified, shall authorize the legislative committee with the proposed law, to determine a revised text of the law and to publish the same in the "Official Journal of Macedonia". This provision is standard and has the following wording: **"The Legislative Committee of the Parliament of Macedonia is hereby authorized to establish a revised text for the Law on….."**

The revised text of the law shall be prepared by the proposing party of the law, within a period of 15 days from publication of the Law on amendment of the relevant law (article 183 from the Rules of Procedure of the Parliament of Macedonia).

Apart from the practice in the legal systems of other countries, according to the legal system of Macedonia, the revised text is not the official version of the law and a link in the hierarchy of regulations, which in its bylaws may be referred to by the adopters of the regulations. Furthermore, this revised text cannot be subject to amendment, they are incorporated in the basic text of the law, having in consideration all previous amendments. According to this, the revised text has only practical meaning for the subjects competent for implementation of the law, or those competent for its amendment.

The presented nomotechnical rules in this Manual have been established according to the practice so far, in the preparation of the national legislation, whereas these nomotechnical rules to a certain extent differ from the nomotechnical rules of the European Union, from the aspect of creation of the European legislation. Having in consideration that Macedonia has an obligation to transpose EU legislation in its national legislation, as part of the process of Euro-integration, in the current stage of this process the national nomotechnical rules are used. In this context, we emphasize that the presented nomotechnical rules in this Manual are not final, i.e. they may be adjusted according to the needs in the process of harmonization of the legislation of Macedonia with EU legislation.