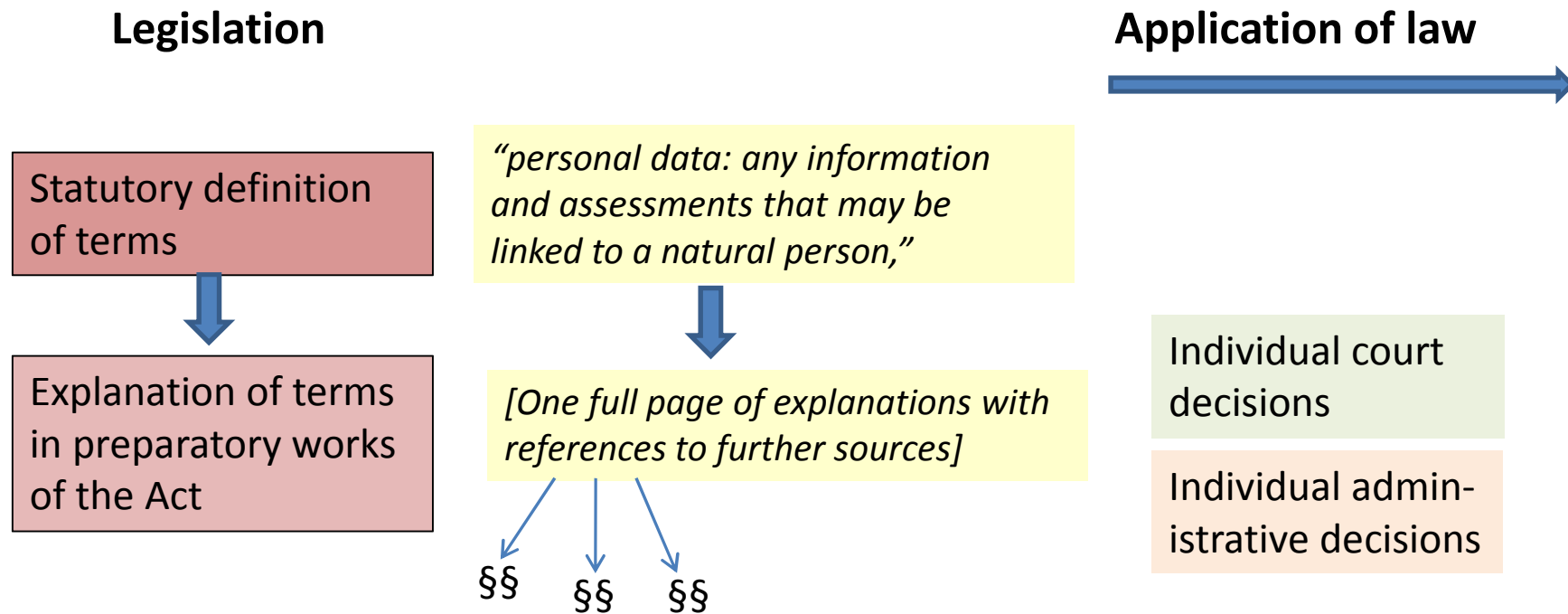


# **May legally defined terms be useful for improved interoperability in the public sector?**

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# How may terms be legally defined?

Point of departure: [Legal regulation pervades public sector](#)  
Semantic interoperability within the legal domain is thus crucial



# Some results from an investigation of statutory definitions in Norwegian legislation, 2007 - 2010

- 66% of new Acts of Parliament in Norway contained statutory definitions;
- defining a total of 210 terms; (170 in Norwegian and 40 in English language);
- normally 5 – 10 novel defined terms per Act;
- 118 of the defined terms were single words, 52 terms contained two or more words
- Only *one* definition was exhaustive (not explained in preparatory works);
- approx. 70 % of defined single words in Norwegian are in common use, while the remaining words are composed for the regulatory purpose;
- approx. 20% of common words were defined in a clearly divergent way;
- statutory definitions was generally more detailed than definitions in dictionaries
- Statutory definitions often use references to decisions etc, i.e. defined by means of formal and rather fixed elements;
- several terms are defined in accordance with other, existing definitions in related Acts

# To what degree should terms be legally defined?

(Depends on what you wish to achieve)

Complete statutory definition  
*Strict and fixed*



If objective is to *make laws easier to read*:  
Strict solutions should be preferred

Explanations of terms in  
preparatory works  
*Firm and flexible*



If objective is to *accommodate IS*:  
Median strict solutions should be preferred

Terms which occur in Acts  
(without definitions or  
explanations)  
*Soft and dynamic*



If objective is to *govern emerging problems*:  
Median soft solutions should be preferred



Each definition should consist of/be described by means of clearly structured elements, of which only principal and stable elements should be expressed in the Act



### **In the Act**

#### § 3 Definitions

Live-in partner:

- a) Dette er en tulletekst OR
- b) tullet ekst dette eren tulle tekstde OR
- c) entull etekst detteeren tulletekstde.

Other elements should be expressed in preparatory works as explanations

### **Preparatory works**

“Live-in partner”:

- a) Dette er en tulletekst OR
  - I. Clarification
  - II. Clarification
  - III. ...
- b) tullet ekst dette eren tulle tekstde OR
  - I. Clarification
  - II. Clarification
  - III. ...
- c) entull etekst detteeren tulletekstde.

# Definitions should preferably be modular

P1 and P2 are live-in partners if they

*[fixed conditions]:*

1. have identical residential address in the Population Register and
2. are not registered as members of the same family in the Population Register; and
3. are not registered as a married couple in the Marriage Register.

*[soft/discretionary conditions]*

3. live in a stable and established relationship
4. have the intention of continuing to live together
5. have joint housekeeping

## Concluding remark

We need to accumulate a “library of legal definitions and explanation of terms in statute law”, in order to facilitate better interoperability between laws