Checklist for assessing the ICT implications of EU legislation
Version 4.30

INSTRUCTIONS FOR THE DETAILED CHECKLIST	*This checklist is part of the method for assessing the ICT implications of legislation and is used in the Expert Group process where business, legal and ICT experts discuss the ICT implication of legislation.*
Expert Group	Assemble an Expert Group by joining legal and business experts with ICT professionals experienced in working with the business and interpreting business processes as an input for ICT assessments. This process is called the Expert Group (EG) and is led by the Expert Group Facilitator. The EG Facilitator is leading the group process and has no immediate interest in the legislative text as well as in ICT. The interest of the EG Facilitator lies in the need to stimulate the discussion, drill down on questions and get clear answers on the discussions in the checklist to provide insight into all checklist items.
Expert Group facilitator	Led by the EG Facilitator, the Expert Group walks through the checklist while listing and discussing each of the items relative to the legislative text under examination. Experiences with the Dutch ICT Implementation test have shown that at least three half-days are required for the assessment. It is the task of the EG Facilitator to manage the meeting agenda and the timeframes and based on the outcome of discussions, have decisions taken by the Expert Group.
Meeting process	Walk down the checklist and scrutinize each item by briefly discussing the item between legal and business experts and ICT experts to find the meaning and possible ICT implications. For ICT experts: do not go into detail in explaining the ICT backgrounds or risks - lawyers/policymakers are usually not very interested. For lawyers/policymakers: note that the success of implementation of the legislative text through effective and efficient use of ICT is mainly dependent on your ability to work with the feedback and ideas voiced by ICT experts in the Expert Group.
Objective of the discussion	It is the objective of the method to combine knowledge of business processes, legal processes and ICT to assess the implications of the legislation on ICT aspects before the legislation is approved. To do this, ICT experts need to take part in discussions on the legislative text by using an open and consultative approach to find ambiguous descriptions and language and to describe possible ICT support for the legislation.
Note and categorize answers	Distinguish the answers according to which parties or stakeholders are affected (e.g. Central, Regional or Municipality level). Implications may be different at different levels.
Disseminate the checklist before the meeting	Distribute this checklist up front to the participants of the Expert Group. This is for the purposes of preparation so that all come to the meeting well-prepared with a good background on the material and the subjects at hand.

INSTRUCTIONS FOR THE HIGH-LEVEL CHECKLIST	*This checklist is part of the method for assessing the ICT implications of legislation and is used in the Expert Group process where business, legal and ICT experts discuss the ICT implication of legislation. It has been derived from the detailed checklist by removing the explicit questions to be answered and discussed by the Expert Group.*
Expert Group	Assemble an Expert Group by joining legal and business experts with ICT professionals experienced in working with the business and interpreting business processes as an input for ICT assessments. This process is called the Expert Group (EG) and is led by the Expert Group facilitator. The EG facilitator is leading the group process and has no immediate interest in the legislative text as well as in ICT. The interest of the EG facilitator lies in the need to stimulate the discussion and use the subjects provided in the checklist to get a common high-level understanding on the ICT implications.
Expert Group facilitator	Led by the Expert Group facilitator, the Expert Group walks through the items of the checklist while listing and discussing each of the items relative to the legislative text under examination. The facilitator should thoroughly prepare the meeting by reading the questions of the detailed and the high-level checklist and introducing the items for discussion. As an estimate, the entire discussion should take a half day. It is the task of the EG facilitator to manage the meeting agenda and the timeframes and based on the outcome of discussions, have decisions taken by the Expert Group.
Meeting process	Walk down the checklist and scrutinize each item by briefly discussing the item between legal and business experts and ICT experts to find the meaning and possible ICT implications. For ICT experts: do not go into detail in explaining the ICT backgrounds or risks - business/legal people are usually not very interested. For business/legal people: note that the success of implementation of the legislative text through effective and efficient use of ICT is mainly dependent on your ability to work with the feedback and ideas voiced by ICT experts in the Expert Group.
Objective of the discussion	It is the objective of the method to combine knowledge of business processes, legal processes and ICT to assess the implications of the legislation on ICT aspects before the legislation is approved. To do this, ICT experts need to take part in discussions on the legislative text by using an open and consultative approach to find ambiguous descriptions and language and to describe possible ICT support for the legislation.
Note and categorize answers	Distinguish the answers according to which parties or stakeholders are affected (e.g. Central, Regional or Municipality level). Implications may be different at different levels.
Disseminate the checklist before the meeting	Distribute this checklist up front to the participants of the Expert Group Session. This is for the purposes of preparation so that all come to the meeting well-prepared with a good background on the material and the subjects at hand.

Detailed checklist for assessing the ICT implications of EU legislation
Version 4.30

Aspect	Section		Questions for discussion	Assessment Level EC	/ MS	Comments *(this area is to be used for writing comments during the Expert Group session)*	Risk Areas	Notes/instructions for the facilitator of the Expert Session
1	**Context aspects**							
	1,1	**Objectives**						
		1.1.1	Is the objective of the legislation clear to everybody/all parties involved? Explain the objectives in the context of your stakeholder.	X	X		Objectives not well understood, unclear language, unknown role for ICT support, unknown goals of ICT support.	GUIDANCE: This section guides the discussion on the objectives of the new legislation and is to ensure that the objectives are well understood by everybody/all stakeholders involved. It should become clear to every stakeholder what the implications of the objectives of the legislation are in the stakeholder's context. As this is a basic issue, the facilitator should not move away from this subject if not all stakeholders have agreed that they understand the objectives of the legislation.
		1.1.2	Can you identify parts that are not clear in the objectives of the legislation? If so, what are the parts and what is the unclearity?	X	X			
		1.1.3	Can the ICT implications be determined and understood from the legislation? If not, where is the text unclear about this?	X	X			RESULT: After the discussion, the objectives of the legislation should be understood by everybody involved OR an action point should be taken to - based on the remarks made in the discussion - review and improve the formulation of the objectives of the legislation.
	1,2	**Stakeholders and Scope**						
		1.2.1	Identify all stakeholders for which the legislation may have ICT implications.	X	X		Good understanding of stakeholders and scope. Stakeholders including their interactions should be identified where possible.	GUIDANCE: The discussion on stakeholders and scope must be held to identify and understand the information flow between all stakeholders involved. There must be a good understanding whether the information exchange is unilateral / bi-lateral and between which of the stakeholders it has been defined. The result should preferably be an agreed diagram, constructed from the text - listing the stakeholders and the high-level flows of information exchange between them. The discussion should provide insight into and understanding of the type of stakeholders involved (and the number of instances per stakeholder group) and identify if the legislation describes an information flow between them. Stakeholders to be considered are (amongst others): global stakeholders, national government, national-decentral government, citizens, businesses, national organisations, European Commission, European Institutes and Organisations.
		1.2.2	What interaction between stakeholders are identified and/or required?	X	X		Unclear scope of the legislation. Unidentified stakeholders. Unidentified interactions between stakeholders. Larger stakeholder groups imply a larger risk associated with ICT implementations.	
		1.2.3	What is the estimated average size of each stakeholder group?	X	X			RESULT: After discussion a high-level understanding should exist about the business processes involved, the type of information flow between them, the direction of the information flow and the number of and the information exchanged between them. Preferably a chart or equivalent should be produced identifying on a high level the stakeholders and information flow.
	1,3	**Context**						
		1.3.1	What are the effects of the legislation on existing national legislation (and consequently on national supporting ICT systems)?		X		National ICT consequences of EU legislation. Misalignment of objectives on the EU level and the national level, leading to incorrect assumptions of ICT implication. Affected ICT components. Mis-alignment with national government business model, leading to increased risk associated with the ICT implementation.	GUIDANCE: The discussion, fuelled by the questions focuses on the aspect whether the legislation affects or conflicts with national legislation, base registries or business model. It provides a means to discuss and understand the implications of EU legislation in the national domain.
		1.3.2	What discrepancies do the objectives of the new EU legislation show with objectives at the national level? How would a resulting ICT strategy show discrepancies with the national ICT strategy?		X			RESULT: The result is to understand the legislation in the context of the existing national ICT infrastructure.
		1.3.3	What already existing ICT infrastructures, data handling or national base registries will be affected by the legislation?		X			
		1.3.4	What conflicts does the legislation impose with the current and existing national government business models?		X			
2	**Content aspects**							
	2,1	**Process**						
		2.1.1	Identify all the business processes. Explain the business processes and their intention.	X	X		Unclear understanding of business processes. Unclear understanding of necessary changes. Unknown understanding of change. Unknown understanding of information exchanged between processes. Larger volumes of information exchange may imply larger risk on the implementation. Integration of information channels increases ICT implication. Adoption of e-Government guidelines decreases risk associated with ICT implementation.	GUIDANCE: Before any implementation, all the business processes need to be clearly described and defined. By identifying and assessing the business processes on a high level at this stage it will create understanding about the information to be exchanged between the processes and in what way this exchange can be automated. Good understanding of the business processes is of utmost importance as this is the first step of modelling a possible automated solution for the business processes of this legislation. Additionally, taking into account larger volumes of exchanged information or high- criticality of this information or relationship between information acquired through different (integrated) information channels may significantly increase the risk associated with ICT implementation. On the other hand, e-Government guidelines (specifications) may decrease the risk associated with ICT implementation.
		2.1.2	To what extend are the business processes expected to change as compared to existing processes? (a lot, medium, some)	X	X			
		2.1.3	Describe the information exchange between the business processes. Produce a drawing showing the high-level processes and high-level information exchange.	X	X			
		2.1.4	What is the volume of information exchange between business processes? (think of estimated number of businesses/citizens/other objects affected, number of transactions, number of users, amounts of money etc.)	X	X			RESULT: The result of this discussion should be a clear high level understanding of the business processes, the information exchanged and the characteristics of the information (type, size and volume).
		2.1.5	Which information channels are involved in the implementation of the legislation and is integration between these channels imposed by the legislation? (physical counter, telephone, virtual counter or other)?	X	X			
		2.1.6	What e-Government guidelines on defining or implementing business processes and information channels are described as mandatory implementation aspects?	X	X			
	2,2	**ICT solutions**						
		2.2.1	Which of the business processes identified can be automated (by ICT) and which business process are to be implemented manually (without ICT support)?	X	X		Lower dependency on ICT support decreases the risk associated with ICT implementation. New ICT solutions are introducing a higher risk associated with ICT implementation.	GUIDANCE: This part of the discussion focuses on automation of the business processes. After going through this section of the checklist it will be understood what the extent of automation (and hence an aspect of ICT implication) can be. The discussion should also include proactive support of implementation.
		2.2.2	If automation is needed, can existing automation be used to support the business processes? What new ICT solutions does the implementation of the legislation require?	X	X			
		2.2.3	In what way can ICT proactively support the implementation of the legislation?	X	X			RESULTS: After the discussion it should be understood whether the business process requires significant automation, or that manual (or other) support is involved. In cases where possible and appropriate a prescribed way for communication could be made (e-mail, paper, portal,.....).
		2.2.4	What Open Systems specifications are required for implementing this legislation?	X	X			
	2,3	**Specifications**						

			No.	Question	A	B		Risk	Guidance
			2.3.1	What European specifications are declared mandatory in the legislation?	X	X		Non-compliancy with specifications increases the risk associated with ICT implementation.	GUIDANCE: Discussion on this checklist item provides insight into the understanding whether specifications or guidelines are declared mandatory in executing on the legislation. Specifications may help in decreasing the ICT complexity where industry has been implementing the specifications in ICT services and products. Making use of these services and products will decrease the risk associated with ICT implementation.
			2.3.2	What national specifications are declared mandatory in the legislation?		X			
			2.3.3	What guidelines for the use of any other specification are available or provided?	X	X			RESULT: Overview of the specifications and or guidelines used in or associated with the legislation.
	2,4	Architectural principles							
			2.4.1	What is the required flexibility of the legislation when seen from a process/ICT point of view? How can architecture help implementing the required flexibility?	X	X		Known architectural principles decrease the risk associated with ICT implementation. Reuse may decrease the risk associated with ICT implementation.	GUIDANCE: The architectural principles are the key important item for implementation of any legislation. Therefore the discussion in this checklist item is meant to discover the architectural principles of the legislation. The architectural principles should be defined including the assessment to what extend they decrease the complexity of the implementation. The application of architectural principles (whether from a guideline or else) may decrease the risk associated with ICT implementation by providing insight into the information architecture.
			2.4.2	What are the performance requirements (in volume or time) and how can architecture help implementing these requirements?	X	X			
			2.4.3	What are the scalability requirements (upscaling/downscaling in volume) and how can architecture help implementing scalability?	X	X			RESULT: The result should be a listing of defined and checked architectural principles (each of the items listed) of the legislation.
			2.4.4	What are the accessibility requirements and how can architecture help implementing accessibility?	X	X			
			2.4.5	What are the multiliguistic requirements in the legislation?	X	X			
			2.4.6	What are the requirements for transparency of information in the legislation?	X	X			
	2,5	Semantics							
			2.5.1	To what level does the legal text make use of domain semantics (specification of guidelines or none)?	X	X		Direction to semantic definitions decreases the risk associated with ICT implementation.	GUIDANCE: specification in the legal text of semantic definitions will decrease the risk associated with ICT implementation because it is not left to the implementor but clearly defined as a common definition. Therefore this discussion focuses on the semantic aspect where these definitions are implied in the legislation.
			2.5.2	What data handling is required by this legislation (integration, modelling, transformation)?	X	X			
			2.5.3	Does the legal text refer to/take into account/ define metadata (Ontologies, Dictionaries, Mapping Tables, Taxonomies, Thesauri)?	X	X			RESULT: Discussed and listed semantic definitions.
			2.5.4	What semantic specifications does the text identify for the data definitions?	X	X			
	2,6	ICT Architecture Framework and Interfaces							
			2.6.1	In what way does this legislation conform to the European Interoperability Framework?	X			Architectural compliance decreases the risk associated with ICT implementation. Interoperability.	GUIDANCE: This is about the architectural framework and interfaces (not the principles as discussed above). Architecture provides the insight into complex structures with the aim to reduce the complexity and make relationships visible between system components. For this reason compliance to architectural specifications like the European Interoperability Framework and associated guidelines or a National Interoperability Framework will significantly help decreasing the risk associated with ICT implementations. Best is to go into this discussion with a common understanding about the appropriate Framework Architecture.
			2.6.2	In what way does this legislation conform to a National Interoperability Framework?		X			
			2.6.3	Is there a reference to any other architecture framework? Identify the reference and whether the use of the architecture framework is mandatory or voluntary.	X	X			
			2.6.4	What role has interoperability between processes in this legislation?	X	X			RESULT: The result of this discussion should be a clear understanding of the architectural construct and the interfaces between the architectural elements. This can be based on a National Interoperability or the European Interoperability Framework.
			2.6.5	Does this legislation require interoperability between multiple organisations?	X	X			
			2.6.6	What required process and/or systems interfaces are defined (in terms of services and information exchange)?	X	X			
			2.6.7	Who (what entity) is responsible for (has the ownership of) the definition of the interfaces?	X	X			
	2,7	Data							
			2.7.1	Identify the high-level data model (required to implement the legislation).	X	X		Good understanding of data and data exchange decrease the risk associated with ICT implementation.	GUIDANCE: Business processes exchange information using data elements. If the data is modelled in an early stage or if it becomes clear in an early stage how the data architecture looks like, this will decrease the risk associated with ICT implementation.
			2.7.2	Identify the legal owner of the data involved.	X	X			
			2.7.3	What definitions of data are identified?	X	X			RESULT: Discussion on this checklist item provides insight into the implications on the area of data and the use of data. The result is preferably a list of the data elements exchanged or better, a model or architecture how the data used in the legislation relates to each other.
			2.7.4	Does some or all of the data required for this legislation already exists (being collected or maintained)? If so, what data?	X	X			
	2,8	Base Registries							
			2.8.1	Which National Base Registries are used by the legislation?		X		Alignment with base registries and the access thereto. If access is not arranged for relevant stakeholders, the implementation has legal implications.	GUIDANCE: This section is to be discussed for national registries only. Base Registries are the holders of basis information (like social security numbers, car license plates,......). Changing base registries is cumbersome and may affect a significant amount of other processes and data as well. Therefore it must be understood in an early stage whether base registries are affected in a way and what data from a base registry will be used to support the automated business process implementing the legislation.
			2.8.2	Which National Base Registries need to change due to this legislation?		X			
			2.8.3	If Base Registries are identified in this legislation - are all relevant stakeholders authorized to get access?		X			RESULT: This discussion provides insight into the use of national base registries and the extent to which these base registries might need to change to accommodate the new legislation requirements.
	2,9	Security							
			2.9.1	What availability requirements are defined?	X	X		Security architecture issues to be checked as part of the ICT implication.	GUIDANCE: Security is a complex discipline in itself and many problems did arise on this issue with previous implementations of EU legislation. Therefore, good understanding of the security requirements is of utmost importance. Since security is a subject in itself, this part of the discussion should preferably be attended by a security expert who is familiar with the context of the legislation. It means that this security expert should also attend the earlier discussion on the scope and the context.
			2.9.2	What integrity requirements are defined?	X	X			
			2.9.3	What confidentiality requirements are defined?	X	X			
			2.9.4	What identification, authentication and authorization requirements are defined?	X	X			RESULT: The discussion should deliver a good understanding of the high-level elements of security as defined in the legislation. The security expert should be able to explain the implications in terms of risk associated with the ICT implementation.
			2.9.5	What securing systems are defined?	X	X			
			2.9.6	What data protection requirements are defined?	X	X			

			2.9.7	How does the legislation comply with regulations with regards to processing of personal data (Privacy Act)?	X	X			

3	Project management aspects								
	3,1	Planning							
			3.1.1	What similar initiatives/implementations of this legislation are executed in parallel at this point in time?	X	X		Planning issues may cause risks associated with the ICT implementation project. Multiple parallel similar initiatives. Alignment of planning of legislation and transposition. Insufficient implementation capacity.	GUIDANCE: The background for this section is that many public sector projects are setup from a perspective of the legislation only. There are examples where this has put unbalanced pressure on the ICT project team implementing the legislation. For this reason, this section is about establishing whether the results of the analysis made through examining the legislative act impact on the planning and the resources. And if so, how. The implementation should be realistically planned.
			3.1.2	Is the planning of the implementation realistic and correct, considering the ICT implications?	X	X			
			3.1.3	Do the implementation projects have access to sufficient development capacity in terms of resources to implement the legislation?	X	X			RESULT: This discussion in this section of the checklist should deliver a realistic and aligned planning as designed in the legislation process and the transposition. The input may be carried forward to the implementation contract, specifying the roles, responsibilities, risks, resources and budget for implementation. Additionally it may contain aspects for monitoring the implementation contract during the implementation activities.
	3,2	Financial budget							
			3.2.1	What are the complexity, size and risk implications of this ICT implementation initiative?	X	X		Insufficient financial budget may hamper implementation and is as such an ICT risk.	GUIDANCE: Insufficient budget availability is often folding back to the ICT implications. The ICT implementation has to be carried out within the budget. This discussion typically addresses the estimated implementation in terms of total budget needed and available.
			3.2.2	Has it been checked that sufficient financial budget is assigned to implement the legislation on the European level?	X				
			3.2.3	Has it been checked that sufficient financial budget is assigned to implement the legislation on the Member States level?		X			RESULT: The result of the discussion on this area should make clear whether sufficient financial resources (money) are available on the European level as well as on the national level to carry out the work.

High-level checklist for assessing the ICT implications of EU legislation
Version 4.30

Aspect	Section	Questions for discussion	Assessment Level EC / MS		Comments *(this area is to be used for writing comments during the Expert Group session)*	Risk Areas	Notes/instructions for the facilitator of the Expert Session
1	**Context aspects**						
1,1	**Objectives**						
		Is the objective of the legislation clear to everybody/all parties involved? Can the ICT implications be determined and understood from the legislation?	X	X		Objectives not well understood, unclear language, unknown role for ICT support, unknown goals of ICT support.	GUIDANCE: This section guides the discussion on the objectives of the new legislation and is to ensure that the objectives are well understood by everybody/all stakeholders involved. It should become clear to every stakeholder what the implications of the objectives of the legislation are in the stakeholder's context. As this is a basic issue, the facilitator should not move away from this subject if not all stakeholders have agreed that they understand the objectives of the legislation.

RESULT: After the discussion, the objectives of the legislation should be understood by everybody involved OR an action point should be taken to - based on the remarks made in the discussion - review and improve the formulation of the objectives of the legislation. |
| **1,2** | **Stakeholders and Scope** | | | | | | |
| | | Can the stakeholders for which the legislation may have ICT implications and the interaction between the stakeholders easily be identified? | X | X | | Good understanding of stakeholders and scope. Stakeholders including their interactions should be identified where possible.

Unclear scope of the legislation. Unidentified stakeholders. Unidentified interactions between stakeholders. Larger stakeholder groups imply a larger risk associated with ICT implementations. | GUIDANCE: The discussion on stakeholders and scope must be held to identify and understand the information flow between all stakeholders involved. There must be a good understanding whether the information exchange is unilateral / bi-lateral and between which of the stakeholders it has been defined. The result should preferably be an agreed diagram, constructed from the text - listing the stakeholders and the high-level flows of information exchange between them. The discussion should provide insight into and understanding of the type of stakeholders involved (and the number of instances per stakeholder group) and identify if the legislation describes an information flow between them. Stakeholders to be considered are (amongst others): global stakeholders, national government, national-decentral government, citizens, businesses, national organisations, European Commission, European Institutes and Organisations.

RESULT: After discussion a high-level understanding should exist about the business processes involved, the type of information flow between them, the direction of the information flow and the number of and the information exchanged between them. Preferably a chart or equivalent should be produced identifying on a high level the stakeholders and information flow. |
| **1,3** | **Context** | | | | | | |
| | | Does the legislation and its context have ICT implications for national legislation? To what level in terms of small, medium, high. | | X | | National ICT consequences of EU legislation. Misalignment of objectives on the EU level and the national level, leading to incorrect assumptions of ICT implication. Affected ICT components. Mis-alignment with national government business model, leading to increased risk associated with the ICT implementation. | GUIDANCE: The discussion, fuelled by the questions focuses on the aspect whether the legislation affects or conflicts with national legislation, base registries or business model. It provides a means to discuss and understand the implications of EU legislation in the national domain.

RESULT: The result is to understand the legislation in the context of the existing national ICT infrastructure. |
| **2** | **Content aspects** | | | | | | |
| **2,1** | **Process** | | | | | | |
| | | Can all the necessary business processes and their information exchange be identified and implemented? | X | X | | Unclear understanding of business processes. Unclear understanding of necessary changes. Unknown understanding of change. Unknown understanding of information exchanged between processes. Larger volumes of information exchange may imply larger risk on the implementation. Integration of information channels increases ICT implication. Adoption of e-Government guidelines decreases risk associated with ICT implementation. | GUIDANCE: Before any implementation, all the business processes need to be clearly described and defined. By identifying and assessing the business processes on a high level at this stage it will create understanding about the information to be exchanged between the processes and in what way this exchange can be automated. Good understanding of the business processes is of utmost importance as this is the first step of modelling a possible automated solution for the business processes of this legislation. Additionally, taking into account larger volumes of exchanged information or high- criticality of this information or relationship between information acquired through different (integrated) information channels may significantly increase the risk associated with ICT implementation. On the other hand, e-Government guidelines (specifications) may decrease the risk associated with ICT implementation.

RESULT: The result of this discussion should be a clear high level understanding of the business processes, the information exchanged and the characteristics of the information (type, size and volume). |
| **2,2** | **ICT solutions** | | | | | | |
| | | What level of ICT solution is needed to implement the legislation (no, low, medium, high, innovative ICT support). | X | X | | Lower dependency on ICT support decreases the risk associated with ICT implementation. New ICT solutions are introducing a higher risk associated with ICT implementation. | GUIDANCE: This part of the discussion focuses on automation of the business processes. After going through this section of the checklist it will be understood what the extent of automation (and hence an aspect of ICT implication) can be. The discussion should also include proactive support of implementation.

RESULTS: After the discussion it should be understood whether the business process requires significant automation, or that manual (or other) support is involved. In cases where possible and appropriate a prescribed way for communication could be made (e-mail, paper, portal,.....). |
| **2,3** | **Specifications** | | | | | | |
| | | Does the legislation provide guidance in using specifications? | X | X | | Non-compliancy with specifications increases the risk associated with ICT implementation. | GUIDANCE: Discussion on this checklist item provides insight into the understanding whether specifications or guidelines are declared mandatory in executing on the legislation. Specifications may help in decreasing the ICT complexity where industry has been implementing the specifications in ICT services and products. Making use of these services and products will decrease the risk associated with ICT implementation.

RESULT: Overview of the specifications and or guidelines used in or associated with the legislation. |
| **2,4** | **Architectural principles** | | | | | | |
| | | Can architectural principles be derived from the legislation and applied to the implementation? | | | | Known architectural principles decrease the risk associated with ICT implementation. Reuse may decrease the risk associated with ICT implementation. | GUIDANCE: The architectural principles are the key important item for implementation of any legislation. Therefore the discussion in this checklist item is meant to discover the architectural principles of the legislation. The architectural principles should be defined including the assessment to what extend they decrease the complexity of the implementation. The application of architectural principles (whether from a guideline or else) may decrease |

				X	X			the risk associated with ICT implementation by providing insight into the information architecture. RESULT: The result should be a listing of defined and checked architectural principles (each of the items listed) of the legislation.
	2,5	**Semantics**						
			Can semantic principles be derived from the legislation and applied to the implementation?	X	X		Direction to semantic definitions decreases ICT implication.	GUIDANCE: specification in the legal text of semantic definitions will decrease the risk associated with ICT implementation because it is not left to the implementor but clearly defined as a common definition. Therefore this discussion focuses on the semantic aspect where these definitions are implied in the legislation. RESULT: Discussed and listed semantic definitions.
	2,6	**ICT Architecture Framework and Interfaces**						
			Is there a reference in the legislation to known Architectural Framework? Are interfaces defined in terms of services and ownership?	X	X		Architectural compliance decreases the risk associated with ICT implementation. Interoperability.	GUIDANCE: This is about the architectural framework and interfaces (not the principles as discussed above). Architecture provides the insight into complex structures with the aim to reduce the complexity and make relationships visible between system components. For this reason compliance to architectural specifications like the European Interoperability Framework and associated guidelines or a National Interoperability Framework will significantly help decreasing the risk associated with ICT implementation. Best is to go into this discussion with a common understanding about the appropriate Framework Architecture. RESULT: The result of this discussion should be a clear understanding of the architectural construct and the interfaces between the architectural elements. This can be based on a National Interoperability or the European Interoperability Framework.
	2,7	**Data**						
			Can the data model be derived from the legislation? Is it clear who is the owner of the data?	X	X		Good understanding of data and data exchange decrease the risk associated with ICT implementation.	GUIDANCE: Business processes exchange information using data elements. If the data is modelled in an early stage or if it becomes clear in an early stage how the data architecture looks like, this will decrease the risk associated with ICT implementation. RESULT: Discussion on this checklist item provides insight into the implications on the area of data and the use of data. The result is preferably a list of the data elements exchanged or better, a model or architecture how the data used in the legislation relates to each other.
	2,8	**Base Registries**						
			Which National Base Registries are used by the legislation?		X		Alignment with base registries and the access thereto. If access is not arranged for relevant stakeholders, the implementation has legal implications.	GUIDANCE: This section is to be discussed for national registries only. Base Registries are the holders of basis information (like social security numbers, car license plates,…..). Changing base registries is cumbersome and may affect a significant amount of other processes and data as well. Therefore it must be understood in an early stage whether base registries are affected in a way and what data from a base registry will be used to support the automated business process implementing the legislation. RESULT: This discussion provides insight into the use of national base registries and the extent to which these base registries might need to change to accommodate the new legislation requirements.
	2,9	**Security**						
			Does the legislation clearly define security requirements in terms of availability, integrity, confidentiality, identification, authentication, authorization and dataprotection? Does the legislation refer to a Privacy Act?	X	X		Security architecture issues to be checked as part of the ICT implication.	GUIDANCE: Security is a complex discipline in itself and many problems did arise on this issue with previous implementations of EU legislation. Therefore, good understanding of the security requirements is of utmost importance. Since security is a subject in itself, this part of the discussion should preferably be attended by a security expert who is familiar with the context of the legislation. It means that this security expert should also attend the earlier discussion on the scope and the context. RESULT: The discussion should deliver a good understanding of the high-level elements of security as defined in the legislation. The security expert should be able to explain the implications in terms of risk associated with the ICT implementation.
3	**Project management aspects**							
	3,1	**Planning**						
			Is the proposed planning realistic and are there any planning issues (time or resource or other initiatives) that may cause a risk during implementation?	X	X		Planning issues may cause risks associated with the ICT implementation project. Multiple parallel similar initiatives. Alignment of planning of legislation and transposition. Insufficient implementation capacity.	GUIDANCE: The background for this section is that many public sector projects are setup from a perspective of the legislation only. There are examples where this has put unbalanced pressure on the ICT project team implementing the legislation. For this reason, this section is about establishing whether the results of the analysis made through examining the legislative act impact on the planning and the resources. And if so, how. The implementation should be realistically planned. RESULT: This discussion in this section of the checklist should deliver a realistic and aligned planning as designed in the legislation process and the transposition. The input may be carried forward to the implementation contract, specifying the roles, responsibilities, risks, resources and budget for implementation. Additionally it may contain aspects for monitoring the implementation contract during the implementation activities.
	3,2	**Financial budget**						
			Is there confidence that sufficient budget is available for implementation of the legislation?	X	X		Insufficient financial budget may hamper implementation and is as such an ICT risk.	GUIDANCE: Insufficient budget availability is often folding back to the ICT implications. The ICT implementation has to be carried out within the budget. This discussion typically addresses the estimated implementation in terms of total budget needed and available. RESULT: The result of the discussion on this area should make clear whether sufficient financial resources (money) are available on the European level as well as on the national level to carry out the work.