

1. Historical background "*OmnibusLaw*"

Although "Omnibus Bill" is a commonly used expression, there is no precise definition of an Omnibus Bill. In general the term Omnibus, derived from Latin, means "for everything". Omnibus in legal terms means to deal with or encompass many objectives at once. From the legislative perspective, an Omnibus Bill is a draft law before a legislature which contains more than one substantive matter or several inter related matters that have been combined into one bill, and is accepted in a single vote by a legislature. An Omnibus Bill has one basic principle or purpose which ties together all the proposed enactments and thereby renders the Bill intelligible for parliamentary purposes¹

One of the most common reasons for introducing an Omnibus Bill is to bring together in a single bill all the legislative amendments *resulting from a policy decision* to facilitate parliamentary debate.

In the United States examples of Omnibus Bills include trade and competitiveness bills, immigration bills, reconciliation bills, combined appropriations bills, and private relief and claims bills. Omnibus legislation is routinely used by the United States Congress to group together the budgets of all departments in one year in an omnibus spending bill. In Canada it is not known exactly when the first omnibus bills appeared, but as may be seen from the introduction of a private bill to confirm two separate railway agreements, the practice seems to go back to 1888. A number of omnibus bills have been introduced and passed without any procedural objection to their form being made by Members.² One famous omnibus bill became the Criminal Law Amendment Act, 1968-69, a 126-page, 120-clause amendment to the Criminal Code of Canada, which dealt with issues as diverse as homosexuality, prostitution, abortion, gambling, gun control and drunk driving. In the Republic of Ireland the Second Amendment was an omnibus constitutional law, enacted in 1941, that made many unrelated changes to the state's fundamental law. In Turkey examples of Omnibus Bills include a labor law (2011) and a law to ban alcohol sales online (2011).

2. Conceptual approach for drafting an "*Omnibus Law*"

Suriname's Development Plan and the competitiveness policy are based on an open economy model. However, existing laws and regulations were enacted under the economic paradigm of a closed economy, where state intervention through subsidies and protection played a central role.

¹O'Brien, Audrey and others, House of Commons Procedure and Practice, 2nd Ed. (Ottawa: Editions YvonBlais, 2009), page 724

²<http://www.parl.gc.ca/marleaumontpetit/DocumentViewer.aspx?Sec=Ch16&Seq=4&Language=E>

This overlapping of policies and laws coming from opposite economic models affects negatively Suriname's business climate. The tension between the policy and the existing legislation results in the failure to achieve government goals. Since the government cannot guarantee an adequate and coherent institutional framework, the necessary confident ties between government and entrepreneurs – both local and foreigners – cannot be established. This suggests the need for substantial legislative reforms in order to accomplish the policy goals.

Since constituent elements of a sound business climate are not independent, the design of any strategy to improve the business climate in Suriname requires to take a holistic approach that realizes every interaction; every touch-point among those elements. An Omnibus Bill approach would not only contribute to integrate and coordinate these elements in a comprehensive legal body but also to facilitate business. One of the most common difficulties that an investor – both local and foreigner- has to face when starting a business is to find out the pertaining legislation.

3. Context

The national aspiration is increasing welfare and prosperity for all inhabitants.
Need for increasing productivity and strengthening of national competitiveness.
Necessary is aligning education, promoting technology and innovation,
Both an enabling investment climate and business environment.
Rule of law to guarantee equal legal protection and equality before the law.

4. Process

Involve stakeholders and get endorsement.
Consultation, co-operation, integration and validation of draft law.
Ensure both process champions and process owners.
Follow procedures to get the draft law enacted (government-Council of Ministers-
State Council-President-National Assembly-President-publication/law has legal force)

5. Content

Start with basic laws, which are relevant for investors, both national and international.
The selected draft laws, are both in individual perspective and more in
inter related perspective relevant for investors.

Start up Draft **OMNIBUS LAW ON BUSINESS CLIMATE AND INVESTMENTS**

Possible start up content:

PART I Investments Protection and Promotion

PART II Intellectual Property Rights

Section 1. Copyrights

Section 2. Industrial Property

Section 3. Traditional Knowledge

PART III Competition Law and Consumer Protection

Section 1. Competition Law

Section 2. Consumer Protection

PART IV Business Facilitation

Section 1. Secured Transactions

Section 2. Licenses

Section 3. Electronic Transactions

Section 4. Trade Registry

PART V Administrative Procedures and Settlement of Disputes

Section 1. Administrative Procedures

Section 2. Settlement of Disputes