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To: Members of the Executive Board

From: The Secretary

Subject: **Draft Code of Conduct on Fiscal Transparency**

Attached for consideration by the Executive Directors is a revised Draft Code of Conduct on Fiscal Transparency that takes into account Executive Directors' comments and suggestions at Executive Board Seminar 98/3 (4/1/98). Following Executive Board discussion of this matter, the revised Draft Code will be transmitted by the Managing Director to the Members and Associates of the Interim Committee, together with the concluding remarks of the Acting Chairman at the Seminar (BUFF/98/40, 4/3/98).

Mr. Hemming (ext. 38543) is available to answer technical or factual questions relating to this paper prior to the Board discussion tentatively scheduled for Wednesday, April 8, 1998.

Att: (1)

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DRAFT CODE OF CONDUCT ON FISCAL TRANSPARENCY

The Interim Committee stressed the importance of good governance when it adopted the *Partnership for Sustainable Global Growth* in September 1996, and again at its September 1997 meeting in Hong Kong SAR. Fiscal transparency would be a major contribution to the cause of good governance. It should lead to better-informed public debate about the design and results of fiscal policy, make governments more accountable for the implementation of fiscal policy, and thereby strengthen credibility as well as mobilize popular support for sound macroeconomic policies. In a globalized environment, fiscal transparency is of central importance to achieving macroeconomic stability and high-quality growth. However, it is only one aspect of good fiscal management, and attention has to be paid also to increasing the efficiency of government activity and establishing sound public finances.

Because of its fiscal management expertise, the IMF is well placed to take the lead in promoting greater fiscal transparency. The Interim Committee is therefore seeking to encourage IMF member countries to implement the following Code of Conduct on Fiscal Transparency. Fiscal transparency should aim to ensure that: roles and responsibilities in government are clear; information on government activities is provided to the public; budget preparation, execution, and reporting are undertaken in an open manner; and fiscal information is subjected to independent assurances of integrity. The Code sets out what governments should do to meet these objectives in terms of specific principles and practices that ought to be implemented. These principles and practices are distilled from the IMF's

knowledge of fiscal management practices in member countries. The Code will facilitate surveillance of economic policies by country authorities, financial markets, and international institutions.

Guidelines to the implementation of the Code are to be provided in a supporting manual. The Code and the manual reflect the acknowledged diversity across countries in fiscal management systems and in cultural, constitutional, and legal environments, as well as differences across countries in the technical and administrative capacity to improve transparency. While there is scope in all countries for improvement with respect to some aspects of fiscal transparency covered in the Code, diversity and differences across countries inevitably imply that many countries may not be able to move quickly to implement the Code. Moreover, it is recognized that there will be a need for technical assistance if existing fiscal management practices are to be changed, and the IMF may have to provide such assistance in collaboration with other relevant institutions. Modifications to the Code should be considered periodically, in light of the experience with its implementation.

I. CLARITY OF ROLES AND RESPONSIBILITIES

1.1 The government sector should be clearly distinguished from the rest of the economy, and policy and management roles within government should be well defined.

1.1.1 The boundary between the government sector and the rest of the economy should be clearly defined and widely understood. The government sector should correspond to the general government, which comprises the central government, lower levels of government, and extrabudgetary accounts.

1.1.2 Government involvement in the rest of the economy (e.g., through regulation, equity ownership) should be conducted in an open and public manner on the basis of clear and nondiscriminatory rules and procedures.

1.1.3 The allocation of responsibilities between different levels of government, and between the executive branch, the legislative branch, and the judiciary, should be clearly defined.

1.1.4 Clear mechanisms for the coordination and management of budgetary and extrabudgetary activities should be established, and well-defined arrangements vis-à-vis other government entities (e.g., the central bank, state financial, and nonfinancial enterprises) should be specified.

1.2 There should be a clear legal and administrative framework for fiscal management.

1.2.1 Fiscal management should be governed by comprehensive laws and administrative rules applying to budgetary and extrabudgetary activities. Any commitment or expenditure of government funds should have a legal authority.

1.2.2 Taxes, duties, fees, and charges should have an explicit legal basis. Tax laws and regulations should be easily accessible and understandable, and clear criteria should guide any administrative discretion in their application.

1.2.3 Ethical standards of behavior for public servants should be clear and well-publicized.

II. PUBLIC AVAILABILITY OF INFORMATION

2.1 The public should be provided with full information on the past, current, and projected fiscal activity of government.

2.1.1 The annual budget should cover all central government operations in detail and should also provide information on central government extrabudgetary accounts. In addition, where significant fiscal activity is carried out by lower levels of government and/or there are substantial intergovernmental transfers, sufficient information should be provided on the revenue and expenditure of lower levels of government to allow a consolidated financial position for the general government to be presented.

2.1.2 Information comparable to that in the annual budget should be provided for the outturns of the two preceding fiscal years together with forecasts of key budget aggregates for the two years following the budget.

2.1.3 Statements should be published with the annual budget giving a description of the nature and fiscal significance of contingent liabilities, tax expenditures, and quasi-fiscal activities.

2.1.4 The central government should regularly publish information on the level and composition of its debt and financial assets.

2.2 A public commitment should be made to the timely publication of fiscal information.

2.2.1 Specific commitments should be made to the publication of fiscal information (e.g., in a budget law).

2.2.2 Advance release date calendars for fiscal reporting to the public should be announced.

III. OPEN BUDGET PREPARATION, EXECUTION, AND REPORTING

3.1 Budget documentation should specify fiscal policy objectives, the macroeconomic framework, the policy basis for the budget, and identifiable major fiscal risks.

3.1.1 A statement of fiscal policy objectives and an assessment of sustainable fiscal policy should provide the framework for the annual budget.

3.1.2 Any fiscal rules that have been adopted (e.g., a balanced budget requirement, borrowing limits for lower levels of governments) should be clearly specified.

3.1.3 The annual budget should be presented within a consistent quantitative macroeconomic framework, and the economic assumptions and key parameters (e.g., effective tax rates) underlying budget estimates should be provided.

3.1.4 Existing commitments should be distinguished from new policies included in the annual budget.

3.1.5 Major risks to the annual budget should be identified and quantified, including variations in economic assumptions and the uncertain costs of specific expenditure commitments (e.g., financial restructuring).

3.2 Budget estimates should be classified and presented in a way that facilitates policy analysis and promotes accountability.

3.2.1 The classification of budget data should be compatible with the IMF's Government Finance Statistics. In particular, government transactions should be on a gross basis, distinguishing revenue, expenditure and financing, and classifying expenditures on an economic and functional basis. In addition, expenditure should be classified by administrative category. Data on extrabudgetary accounts should be similarly classified.

3.2.2 A statement of objectives to be achieved by major budget programs (e.g., improvement in relevant social indicators) should be provided.

3.2.3 The overall balance of the general government should be a standard summary indicator of the government's financial position. It should be supplemented by other fiscal indicators (e.g., operational balance, structural balance, primary balance) when economic circumstances make it inappropriate to base judgements about fiscal policy stance on the overall deficit alone.

3.2.4 The annual budget and final accounts should include a statement of the accounting basis (i.e., cash or accrual) and standards used in the preparation and presentation of budget data.

3.3 Procedures for the execution and monitoring of approved expenditures should be clearly specified.

3.3.1 A comprehensive, integrated accounting system, providing a reliable basis for assessing payments arrears, should be established.

3.3.2 Procedures for procurement and employment should be standardized and well understood.

3.3.3 Budget execution should be internally audited, and audit procedures should be open to review.

3.4 Fiscal reporting should be timely, comprehensive, reliable, and identify deviations from the budget.

3.4.1 During the year, there should be regular, timely reporting of budget and extrabudgetary outturns, which should be compared with original estimates. In the absence of detailed information on general government, available indicators of the financial position of lower levels of government (e.g., bank borrowing or bond issues) should be provided.

3.4.2 Timely, comprehensive, audited final accounts of budget operations, together with full information on extrabudgetary accounts, should be presented to the legislature.

3.4.3 Results achieved relative to the objectives of major budget programs should be reported to the legislature.

IV. INDEPENDENT ASSURANCES OF INTEGRITY

4.1 Institutions that are independent of the executive should be given responsibility for verifying and reporting publicly on the integrity of fiscal information.

4.1.1 A national audit body, or equivalent organization, should be appointed by the legislature, with the responsibility to provide timely reports to the legislature and public on the financial integrity of government accounts.

4.1.2 Macroeconomic forecasts (including underlying models) should be available for scrutiny by independent experts.

4.1.3 The integrity of fiscal statistics should be assured by providing the national statistics office with institutional independence.

