



Federal Ministry
of Finance



Federal Ministry
of Justice



Baden-Württemberg

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Dear Mr. Lübking, dear Mr. Tholoniati,

for the purpose of further specifying the Second Progress Report of the “Ge-meinsames Programm von Bund und Ländern für eine leistungsstarke, bürger- und unternehmensfreundliche Verwaltung“, endorsed by the Conference of the Prime Ministers of the Federal States (Länder) on 26 April 2022, under measure 6.2.1 of the German recovery and resilience plan, please find attached a list of deliverables re-lated to the areas of actions as mentioned in the Council Implementing Decision to be fulfilled for milestones 118 and 119.

With this letter we would like to reassure you on behalf of the German Government that we are fully committed to achieve and implement all of the sub-measures re-quired to fulfil milestones 118 and 119.

The sub-measures form part of a Bund-Länder programme to be implemented under the responsibility of the Federal Government, represented by the Federal Ministry of

Justice. Baden-Württemberg acts as a single point of contact for DARP measure 6.2.1 and coordinates on behalf of the Länder with the Federal Government.

The programme entails an important federal dimension in view of strengthening administration also at the level of the Federal States (Länder).

For all specific measures or sub-measures foreseeing deliverables by the Federal States, approval will be sought in accordance with the legal/constitutional requirements. All laws and subordinate laws are passed by the Bundesrat, the legislative chamber that represents the Federal States.

Please be reassured that this important reform programme of the German RRP has the full political commitment of the Federal Government and of the Federal States as well.

Yours sincerely,

(Wolf Heinrich Reuter)

(Klaus Meyer-Cabri)

(Annegret Breitenbücher)

DARP measure 6.2.1

Status, milestones and planned end of the individual sub-measures

Measure 6.2.1. of the German Recovery and Resilience Plan (DARP)¹, with its reference to the Joint programme of the Federal Government and the *Länder* for an efficient administration that benefits citizens and businesses of 2 December 2020², represents an important structural reform measure of the German contribution to the "Next Generation EU" project³.

- Measure 6.2.1 consists of **nine sub-measures** of the Joint Programme. Of these, **three sub-measures have been completed**.
- The nine sub-measures contain **20 deliverables** of which **10 have been fulfilled**.
- The **remaining** sub-measures have **all been started** and **can be completed** within the planned timeframe by the **first quarter of 2025**.

The German Government points out that, notwithstanding the measures documented here, a number of other ambitious reform projects have already been completed or initiated:

- On the one hand, the Federal Government is pursuing an ambitious reform programme on the basis of the coalition agreement of December 2021 "Dare more progress - Alliance for Freedom, Justice and Sustainability". The preamble states, among other things: *"Germany will only be able to act at the cutting edge if we modernise the state itself. We want to make state action faster and more effective and better prepare it for future crises. We are driving forward comprehensive digitisation of the administration. The aim is to make life easier for citizens. We will modernise public infrastructure, public spaces and networks and significantly accelerate planning, approval and implementation to achieve this"*. This reform project is currently being implemented through a large number of individual measures of various kinds.
- On the other hand, the Russian invasion of Ukraine has created the need to implement far-reaching structural changes in the shortest possible time, especially in the area of energy supply. For instance, large-scale industrial plants (e.g. LNG terminals) had to be planned and built within a few months in order to guarantee the energy supply for the population and the economy, especially in the winter of 2022/2023.

¹ See Council Implementing Decision approving the assessment of the Recovery and Resilience Plan for Germany 10158/21.

² Available at <https://www.bundesregierung.de/re-source/blob/974430/1824832/1357d276bc2a98e52ad1f0e0247da2f1/2020-12-buerokratieabbau-programm-data.pdf> [German]

³ See Council Regulation (EU) 2020/2094 of 14 December 2020.

Procedures have been accelerated here in a way hardly imaginable before ("*new German speed*"). These projects, although limited to sub-areas, nevertheless show the reform dynamics that have been set in motion and which are only partially reflected in DARP's measure 6.2.1.

Sub-measure 1:

Summary of measures accelerating the outflow of funds, identifying obstacles, supporting municipalities (Measure 20 in the 2nd report on the implementation of the Joint programme of the Federal Government and the *Länder* for an efficient administration that benefits citizens and businesses of 2 December 2020 dated 26 April 2022⁴ (hereinafter "second implementation report").

Description:

When drafting administrative agreements for granting new financial assistance to the *Länder*, the ministries of the Federal Government and the participating *Länder* also take into account, as far as possible, aspects that promote an accelerated outflow of funds. The *Länder*, including the municipalities, are called upon to identify concrete procedural obstacles to a speedy outflow of funds together with the Federal Government.

The Federal-*Länder* Expert Working Group on Accelerating the Outflow of Funds for Federal Financial Aid is chaired by the Federal Ministry of Finance and the Hessian Ministry of Finance. Together with representatives of the Federal Government and the *Länder* the Working Group examines suggestions on how to improve the outflow of funds.

The Fund Data Base helps municipalities to find suitable funds, e. g. for urban planning. With the relaunch in 2024, funds should become accessible more easily for municipalities.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Publication of the Final Report of the Federal- <i>Länder</i> Expert Working Group on Accelerating the Outflow of Funds for Federal Financial Aid	Federal government and <i>Länder</i>	Copy of the final report	Q1 2025	Q1 2025
	Relaunch of the Fund Data Base,	Federal government	URL	Q1 2025	

⁴ Available e.g. via <https://www.land.nrw/media/26939>

	with extended scope to improve opportunities for municipalities to find and access matching funds		www.foerderdatenbank.de		
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Sub-measure 2:

Streamlining and, wherever possible, uniformly structuring federal government grants to the *Länder* and municipalities (measure 35 in the second implementation report)

Description:

Under the current legal situation, federal government grants to the *Länder* and municipalities are generally structured uniformly across all ministries. The possibilities for deviating structures on the part of the donors are to be used only in justified exceptional cases. This will effectively relieve the burden on funding recipients in the private sector and civil society as well as on executive authorities.

The mentioned reports were/will be completed and published by the Federal Government.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Publication of the First Report of the Federal Government on the All-German Funding System for Structurally Weak Regions - Stocktaking and Progress Report on Regional Structural Funding in Germany (<i>Erster Bericht der Bundesregierung zum Gesamtdeutschen Fördersystem für strukturschwache Regionen</i>)	Federal Government (Federal Ministry for Economic Affairs and Climate Action)	Copy of the report	Q2 2021	Q4 2023
	Publication of the report "Better Pro-	Federal Government	Copy of the report	Q4 2023	

	<p>mote 2.0 - a common approach to funding consultation”</p> <p>(Better Promote 2.0 - gemeinsam besser zu Förderung beraten)</p>	<p>(Federal Ministry of the Interior and Community)</p>			
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Improve the transfer of business ownership through a special task force (measure 46 in the second implementation report).

Description

The successful management of business successions represents a key economic policy challenge. The Federal Government and the *Länder* are striving to simplify the existing regulatory framework for business transfers and successions through targeted adjustments and application regulations. The common goal is to increase the attractiveness of business successions for those interested in founding a business.

Task Force is chaired by the Federal Government (Federal Ministry for Economic Affairs and Climate Action) and open for Länder participation. The legal opinion on the universal succession of public law positions was rendered by a law firm on behalf of the special task force, represented by its chair, The Federal Ministry for Economic Affairs and Climate Action.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
completed	Legal opinion on the universal succession of public law positions	Federal Government (Federal Ministry for Economic Affairs and Climate Action) and Länder	Copy of the legal opinion	Q4 2024	Q4 2024

Sub-measure 4:

Revision of the *Musterbauordnung* (Model Building Code, measure 79 in the second implementation report)

Description

The Länder agree to amend the Model Building Code (*Musterbauordnung*, MBO) in order to speed up building projects nationwide. In particular, non-commercial builders are to be relieved and residential construction facilitated, e.g. for loft conversions or additions (inclusion of an "existing building regulation" in the MBO).

In the amendment of the Model Building Code, approval fictions in accordance with § 42a VwVfG are also to be examined, in particular for the simplified approval procedure for residential buildings or the creation of living space.

The Amended Model Building Code was passed by the Conference of the Construction Ministers on 23 September 2022. The conference consists of all Construction Ministers of the Länder.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
completed	Publication of the Amendment of the Model Building Code (<i>Änderung der Musterbauordnung</i>)	Federal Government and Länder	Resolution of the amended Model Building Code by the Conference of Building Ministers of the <i>Länder</i>	Q4 2022	Q4 2022

Sub-measure 5:

Strengthening planning and approval authorities (measure 184 in the second implementation report)

Description

The federal government and the *Länder* are called upon to work towards a consistent strengthening of the planning and approval authorities in the interests of speedy implementation.

With the Pact to speed up planning and approval procedures (*Pakt zur Beschleunigung von Planungs- und Genehmigungsverfahren*) the Federal Government and *Länder* will e.g. reduce the audit scope during planning and approval procedures and apply the so-called simplified approval procedure more often.

The Federal Building Information Modeling (BIM) portal accelerates planning processes in the construction industry by providing a digital uniform data exchange between all parties involved (clients, contractors, building product manufacturers etc.).

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Adaption of the Federal- <i>Länder</i> -Pact to speed up planning and approval procedures	Federal Government and <i>Länder</i>	Copy of the Pact of the Federal- <i>Länder</i> Expert Working Group	Q1 2025	Q1 2025
	Go-live of the Building Information Modeling (BIM) portal (<i>BIM-Portal des Bundes</i>)	Federal Government	URL: https://via.bund.de/bim/infrastruktur/laender	Q4 2022	
	Entry into force of the Law on the Acceleration of Administrative Court	Federal Government and <i>Länder</i> (passed by Bundesrat)	Copy of the law as published in the Federal Law	Q1 2023	

	Proceedings in the Infrastructure Sector of 14 March 2023 (<i>Gesetz zur Beschleunigung von verwaltungsgerichtlichen Verfahren im Infra- strukturbereich</i>)		Gazette (Federal Law Gazette I 2023, No. 71)		
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Sub-measure 6:

Improving recruitment of skilled staff and ensuring an improved staffing situation (measure 189 in the second implementation report)

Description

Identify the need for specialised staff and improve recruitment/equipment in a timely manner. In addition, the need for specialised personnel is to be examined in order to reach and monitor planning and approval decisions in a short-term and resilient manner and how the recruitment and staffing required here can be improved in a timely manner.

With the Pact to speed up planning and approval procedures (*Pakt zur Beschleunigung von Planungs- und Genehmigungsverfahren*) the Federal Government and *Länder* will e.g. ensure to recruit sufficient staff and provide more education.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Adaption of the Federal-Länder-Pact to speed up planning and approval procedures	Federal Government and <i>Länder</i>	Copy of the Pact of the Federal-Länder Expert Working Group	Q1 2025	Q1 2025
	Entry into force of the Act to Improve Climate Protection in Immission Control, to Accelerate Immission Control Licensing Procedures and to Implement EU Law (<i>Gesetz zur Verbesserung des Klimaschutzes beim Immissionschutz zur</i>	Federal Government and <i>Länder</i> (to be passed by Bundesrat)	Copy of the law as published in the Federal Law Gazette	Q1 2025	

	<i>Beschleunigung immissionsschutz- rechtlicher Ge- nehmigungsver- fahren und zur Umsetzung von EU-Recht)</i>				
	Enhancement of the Federal Digital Academy (www.digitalakademie.bund.de): Institutionalisation of the new qualifi- cation format “dig- italjourney” for ex- ecutives in public administration	Federal Gov- ernment	Final re- ports on the completed pilot project (2022- 2023) and the follow- up project (2023- 2024)	Q2 2024	

Sub-measure 7:

Streamlining the consultation process and public participation procedures and simplifying participation through digitalisation (measure 196 in the second implementation report).

Description

Early and systematic as well as digitised public participation in infrastructure and construction projects can save time. The Federal Government will examine the progress and potential of digitalisation to streamline the hearing process and public participation and to simplify participation.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Entry into force of the Act to ensure proper planning and approval procedures during the COVID-19 Pandemic and the Law Amending the Planning Security Act (Gesetz zur Sicherstellung ordnungsgemäßer Planungs- und Genehmigungsverfahren während der COVID-19-Pandemie – PlanSiG; Gesetz	Federal Government and Länder (passed by Bundesrat)	Copy of the laws as published in the Federal Law Gazette (Federal Law Gazette. I 2020, No. 24, p. 1041; Federal Law Gazette I 2022, No. 49, p. 2234)	Q4 2022	Q1 2025

	<i>zur Änderung des Planungssicher- stel- lungsgesetzes)</i>				
	Entry into force of the Act to Strengthen Digiti- sation in the Ur- ban Land Use Plan Procedure and to amend Other provisions (<i>Gesetz zur Stär- kung der Digitali- sierung im Bau- leitplanverfahren und zur Änderung weiterer Vorschrif- ten</i>)	Federal Gov- ernment and <i>Länder</i> (to be passed by Bundesrat)	Copy of the law as pub- lished in the Federal Law Ga- zette	Q1 2025	

Sub-measure 8:

Acceleration planning, in particular rail, local public and private transport (measure 201 in the second implementation report)

Description

In the interest of environmentally friendly mobility, the Federal Chancellor and the heads of government of the *Länder* advocate further legal changes to accelerate planning, especially for projects strengthening rail and local passenger transport.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
started	Entry into force of the "Act on the acceleration of authorisation procedures in the transport sector and the implementation of Directive (EU) 2021/1187 on streamlining measures for advancing the realisation of the trans-European transport network (TEN-T)" (<i>Gesetz zur Beschleunigung von Genehmigungsverfahren im Verkehrsbereich und zur Umsetzung der Richtlinie (EU)</i>)	Federal Government and Länder (to be passed by Bundesrat)	Copy of the law as published in the Federal Law Gazette	Q1 2025	Q1 2025

	<i>2021/1187 über die Straffung von Maßnahmen zur rascheren Ver- wirklichung des transeuropäi- schen Verkehrsnetzes)</i>				
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Sub-measure 9:

Further acceleration measures (measure 208 in the second implementation report)

Description

Further acceleration measures are being examined and, if necessary, implemented at the level of federal and state law.

Status	Milestone	Responsible	Deliverable	Planned date Milestone	Planned date of completion
completed	Amendment to the Renewable Energy Sources Act (<i>Erneuerbare-Energien-Gesetz</i> - EEG): Entry into force of the Act on Immediate Measures for the Accelerated Expansion of Renewable Energies and Further Measures in the Electricity Sector of 20 July 2022 (<i>Gesetz zu Sofortmaßnahmen für einen beschleunigten Ausbau der erneuerbaren Energien und weiteren Maßnahmen im Stromsektor</i>)	Federal Government and <i>Länder</i> (passed by Bundesrat)	Copy of the law as published in the Federal Law Gazette (Federal Law Gazette I 2022, No. 28, p. 1237; correction of 22.03.2023 - Federal Law Gazette I 2023, No. 87)	Q3 2022	Q1 2023
	Amendment to the Spatial Planning Act (<i>Raumordnungsgesetz</i> - ROG): Entry into force of the	Federal Government and <i>Länder</i> (passed by Bundesrat)	Copy of the law as published in the Federal	Q1 2023	

	Act amending the Spatial Planning Act and other regulations of 22.03.2023 (<i>Gesetz zur Änderung des Raumordnungsgesetzes und anderer Vorschriften - ROGÄndG</i>)		Law Gazette (Federal Law Gazette I 2023, No. 88)		
	Amendment to the Energy Industry Act (<i>Energiewirtschaftsgesetz - EnWG</i>): Entry into force of the Act on the Amendment of Energy Industry Law in Connection with the Immediate Climate Protection Programme and on Adjustments in the Law on End-Customer Supply of 19 July 2022 (<i>Gesetz zur Änderung des Energiewirtschaftsrechts im Zusammenhang mit dem Klimaschutz-Sofortprogramm und zu Anpassungen im Recht der Endkundenbelieferung</i>)	Federal Government and Länder (passed by Bundesrat)	Copy of the law as published in the Federal Law Gazette (Federal Law Gazette I 2022, No. 28, p. 1214)	Q3 2022	
	Amendment to the Grid Expansion Acceleration Act	Federal Government and Länder	Copy of the law as published in the Federal	Q3 2022	

	<p>(<i>Netzausbaubeschleunigungsgesetz Übertragungsnetz</i> - NABEG):</p> <p>Entry into force of the Act amending the Energy Security Act and other energy industry regulations dated 8 October 2022 (<i>Gesetz zur Änderung des Energiesicherungsgesetzes und anderer energiewirtschaftlicher Vorschriften</i>)</p>	<p>(passed by Bundesrat)</p>	<p>Law Gazette</p> <p>(Federal Law Gazette I 2022, No. 37, p. 1726)</p>		
	<p>Amendment to the Federal Requirements Plan Act (<i>Bundesbedarfsplangesetz – BBPIG</i>):</p> <p>Entry into force of the Act on the Amendment of Energy Industry Law in Connection with the Immediate Climate Protection Programme and on Adjustments in the Law on End-Customer Supply of 19 July 2022 (<i>Gesetz zur Änderung des Energiewirtschaftsrechts</i>)</p>	<p>Federal Government and Länder (passed by Bundesrat)</p>	<p>Copy of the law as published in the Federal Law Gazette</p> <p>(Federal Law Gazette I 2022, No. 28, p. 1214)</p>	<p>Q3 2022</p>	

	<i>im Zusammenhang mit dem Klimaschutz- Sofortprogramm und zu Anpassungen im Recht der Endkun- denbelieferung)</i>				
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