

EUROPEAN UNION
THE COUNCIL

Brussels, 9 December 1998

12189/98

LIMITE

JURINFO 25

I/A NOTE

from: Working Party on Legal Data Processing

on: 3 and 4 December 1998

to : Coreper/Council

No. prev. doc.: 8287/98 JURINFO 8

Subject: Report on legal data processing work during the second half of 1998

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The Working Party on Legal Data Processing met on 3 and 4 December 1998 and monitored the progress of the work carried out concerning the CELEX system, the electronic dissemination of law in general and other questions of interest for the Working Party.

I. COMMUNITY LEGAL DATABASE, CELEX

1. CELEX activity report since June 1998

The Working Party took note of the activities carried out by CELEX since June 1998, in pursuit of the objectives set for this year (see 8282/98 JURINFO 3).

In particular, the Working Party noted that work on incorporating the Swedish and Finnish versions of Community law adopted before 1 January 1996 posed difficulties because more than 5.000 Community acts, including 980 Regulations and 107 Directives, did not yet exist in the required language versions. Those delegations considered this situation unacceptable and expected this problem to be solved as soon as possible.

2. Draft CELEX budget for 1999

The Working Party noted that the draft CELEX budget for 1999 gave the same financial perspective as the 1998 budget (including EUR 720 000 for production, EUR 260 000 for work connected with dissemination and EUR 470 000 for large projects) and found that this provision was adequate to the objectives of CELEX and was in line with the guidelines set by the Working Party at its last meeting (see 8287/98 JURINFO 8, p. 7).

3. Strategic document on CELEX

The Working Party welcomed the CELEX strategic document drawn up in the framework of the Interinstitutional CELEX Group (GIC). It met one of the priorities set by the Working Party at its last meeting (see 8287/98 JURINFO 8, p. 7). The document proposes that CELEX, which already constitutes a very efficiently functioning and successfully managed interinstitutional database, should be developed on the basis of four lines of action:

- extension of its field of application;
- more thorough backup for current procedures;
- striking a balance between free access to certain parts of CELEX and fee-paying access in the context of an interrogation mode;
- improved synergy between the various systems containing Community law texts.

The Working Party generally welcomed the proposed solutions. In particular, it considered that the aspects relating to the balance between fee-paying access to CELEX and free access to the Web EUR-Lex service should be worthy of further discussion, particularly taking account of the trends which could emerge in the Member States in future with regard to access to national computer legal databases.

Several delegations pointed out that access to certain parts of CELEX was already free of charge via the EUR-Lex system but the interrogation mode, normally used by professionals, should remain fee-paying. A few delegations were however of the view that access to CELEX as a whole should be free of charge.

4. Consolidation

The Working Party noted that consolidation work was continuing. It stressed the importance of this work as a process aimed at clarifying Community law.

As from 1 September 1998, the Office for Official Publications of the European Communities had taken over the management of all production activities. It would undertake a single consolidation exercise via its automated system, in such a way as to enable the legal experts to revise the texts, the aim being both to circulate the consolidated texts for information and to carry through the process of codification (or recasting).

It was also planned that the consolidated texts would be available on the Internet service EUROPA and in the interinstitutional database CELEX, as well as being placed in the optical archive system EUDOR.

5. EULEX

The Working Party took note of the report of the representative of the Office for Official Publications on the EULEX project on the improvement of access to Community law and its transposition into national law.

The Working Party thought that completion of this project and its incorporation in Sector 7 of CELEX must be regarded as priorities, and be included explicitly in the priority projects listed in the CELEX strategic document.

At the same time, it took note of the existence of the EULEGIS (access to national legal data) and ELVIS (access to national parliamentary legal data) projects.

II. ELECTRONIC DISSEMINATION OF LAW

The Working Party continued its examination of certain aspects of the policy for disseminating public legal data bases in the Member States. It considered questions relating to intellectual property.

In addition, the Working Party noted that the Commission was apparently about to adopt a Green Paper on information in the public sector and the information society. The Working Party agreed to examine this document at its next meeting if it was adopted in the meantime.

III. OTHER AREAS OF ACTIVITY

1. National measures implementing Community Directives

The Working Party stressed the importance of the references of national measures implementing Community Directives incorporated in Sector 7 of CELEX being as reliable and accurate as possible. With this in view, the Working Party was of the opinion that the solution proposed in 9604/98 JURINFO 15 (standard form for notifying the transposition of Directives) could be a way of achieving this objective.

The Working Party suggested that COREPER/the Council ask the Commission to adopt a standpoint on a draft single standard form for notifying national measures implementing Directives.

2. Electronic dissemination of the Official Journal

The Working Party was pleased to note that the Official Journal was now being disseminated electronically. The Working Party was very interested in any possible development in this area.

3. Modernisation of means of transmission within the General Secretariat of the Council

The Working Party noted that the General Secretariat of the Council was considering modernising official and informal exchange of information systems between the Secretariat and its institutional partners. The Working Party on Legal Data Processing could benefit from this new working method when it was in place.

4. Public access to the Working Party's documents

The Working Party noted that the public already had the possibility of access to Council documents on the conditions laid down in Council Decision 93/731/EEC.

In addition, the Working Party noted that, under the Council's rules of procedure, there was nothing to prevent it deciding to make Council documents or categories of documents available to the public, even if no prior requests for those documents had been made by individuals.

5. Coordination of work in the field of legal data bases

The Working Party was of the view that the European Institutions should coordinate their work in the field of legal data bases. It requested that a list of all projects in this area showing the interfaces should be drawn up.

IV. CONCLUSION

The Working Party:

- takes note of the report of the Chairman of the GIC and emphasises to COREPER/the Council the growing interest of this Working Party in completing its interinstitutional task of preparing the work of the CELEX system;
 - suggests to COREPER/the Council to take note of the guidelines adopted on CELEX, in particular as regards the strategic document prepared by the GIC, and on the very important work concerning the transposition of Community law into national legislation (EULEX project);
 - suggests speeding up work on EULEX with a view to integrating it into the CELEX system in due course;
 - proposes that the Working Party become more closely involved with the development of the free service "EUR-Lex", having in mind particularly its functional links with the CELEX system;
 - points out that the establishment of an electronic forum within the General Secretariat of the Council for the ongoing exchange of information and current documents continues to be a priority;
 - requests COREPER/the Council to invite the Commission to draw up a list with all current projects in the European Institutions in the field of legal data bases, if possible before the Working Party's next meeting.
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