



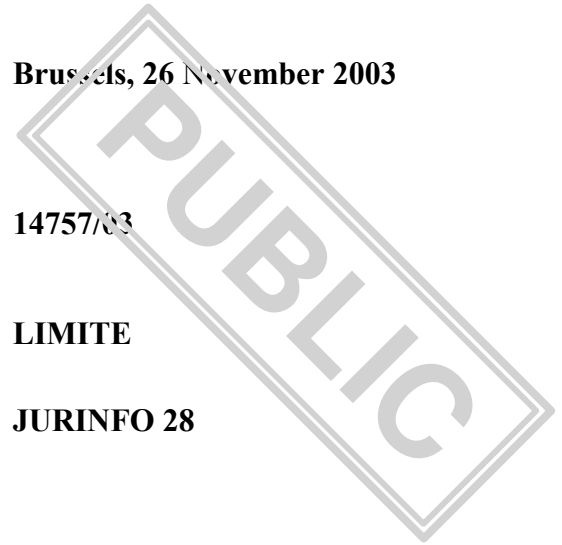
**COUNCIL OF
THE EUROPEAN UNION**

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LIMITE

JURINFO 28



NOTE

from : Official Publications Office of the European Communities
to : Working Party on Legal Data Processing

Subject : Legal documentation services:
- Community legislative techniques

1. Introduction

The "Legislative drafting " site, accessible from EUR-Lex, aims at providing access to information concerning the drafting of Community legislation.

The site will include not only legal documents, but also political acts as well as manuals or operational guides produced by the institutions.

The site will also include links to national sites dealing with legislative drafting.

2. Background

The legal services of the European Parliament, of the Council and of the Commission requested that the *Joint Practical Guide of the European Parliament, the Council and the Commission for persons involved in the drafting of legislation within the Community institutions* (hereafter *Joint Practical Guide*) be integrated in EUR-Lex.

Given the significant number of documents directly or indirectly related to legislative drafting, and considering their public interest, it was decided to create under EUR-Lex a new site called "Legislative drafting". The site would be accessible from the section "About EU law", and would include links to the *Joint Practical Guide*.

3. Structure of the site

The site will in principle be divided in four sections. The homepage will contain a small explanatory text as well as links to the four groups of documents below. The homepage will also display the two or three most relevant reference and operational documents.

- **Joint Practical Guide**: each chapter of the *Guide*, as well as its annexes and the list of documents quoted in the *Guide* will be accessible through a table of contents.

The electronic version of the *Joint Practical Guide* was developed separately from EUR-Lex. The Office analyses at present the technical aspects concerning its integration in EUR-Lex. That is why the *Guide* will not immediately show the same look as other information available in EUR-Lex.

- **Reference documents**: this includes legal and political acts of the institutions (e.g., the interinstitutional agreements on the quality of drafting, on codification or on recasting; European Parliament resolutions; certain Council regulations; Commission communications on simplification and/or better regulation; opinions of the Committee of the Regions and of the European Economic and Social Committee; judgements of the Court of Justice; etc.)

The volume of these documents is significant. It is therefore proposed to display them in two levels, according to their importance: a first group will include Declaration No 39 on the quality of the drafting of Community legislation, annexed to the Final Act of the Treaty of Amsterdam, interinstitutional agreements and Council regulations; another group (Other documents), will present documents by institution in chronological order. To improve readability, relevant words on the title of the documents will be adequately highlighted.

As an alternative or even to complement the classification by author, a classification by subject (e.g.: Better regulation; Simplification; Codification; etc.) could also be envisaged. However, as documents often deal with different subjects, a classification by subject might give rise to doubts. This option was therefore not retained.

- **Manuals, guides and rules of procedure**: besides the Joint Practical Guide, which is dealt with separately, there are several practical and procedural documents regarding legislative drafting. That is the case for instance of the rules of procedures of the institutions, the manuals of procedures and the interinstitutional style guide.

Some of these documents remain unpublished. It is up to the institutions to decide whether to make them available to the public.

- **National Sites**: this contains links towards national sites of Member States and accession countries dealing with legislative drafting.

A provisional list of sites is attached. Representatives of Member States and Accession countries could be requested to present recommendations regarding the sites concerning their countries.

4. Languages

The site will be available in all EU languages.

Provisional list of national sites / Liste provisoire des sites nationaux**Member States / Etats-membres****Belgique/België/Belgien (Belgium)**

- Conseil d'état

<http://www.raadvst-consetat.be/>

dont

La circulaire de légistique formelle

<http://www.raadvst-consetat.be/pdf/Lforfl.pdf>

[Rundschreiben über die Gesetzgebungstechnik.](#)

http://www.raadvst-consetat.be/pdf/wetgt_de.pdf

- Service de la langue française

<http://www.cfwb.be/franca/publicat/pg001.htm>

Danmark (Denmark / Danemark)

- Supreme Court

<http://www.hoejesteret.dk>

- Legal information service

<http://www.retsinfo.dk/>

Deutschland (Germany / Allemagne)

- Bundesverwaltungsgericht

<http://www.bverwg.de>

- Law portal
www.jura.uni-sb.de
- Technique législative – Directives et informations - Guide élaboré par le Service de législation de l'Etat de Fribourg
<http://www.fr.ch/ofl/dtl/default.asp>

Ελλάδα (Greece / Grèce)

España (Spain / Espagne)

France

- Conseil d'état
<http://www.conseil-etat.fr>
- Légifrance
<http://www.legifrance.gouv.fr/>
- Délégation générale à la langue française et aux langues de France
<http://www.culture.fr/culture/dglf/>

Ireland (Irlande)

- Supreme Court
<http://www.courts.ie>
- Parliamentary counsel
<http://www.gov.ie/ag/parliamentarycounsel/index.html>
- Better regulation
<http://www.betterregulation.ie/>

Italia (Italy / Italie)

- Consiglio di Stato
<http://www.giustizia-amministrativa.it>
- Governance
<http://www.progettogovernance.it/pagina.php>
- Chiaro! - Il nuovo progetto per semplificare il linguaggio amministrativo (Project for simplifying language used by the administration)
<http://www.funzionepubblica.gov.it/chiaro/>
- Regole e suggerimenti per la redazione dei testi normativi
<http://www.consiglio.regione.toscana.it/oli/Manuale/drafting.asp>
- An XML editor for legal drafting
<http://www.lri.jur.uva.nl/~winkels/eGov2002/Biagioli.pdf>

Luxembourg (Luxemburg)

- Conseil d'état
<http://www.etat.lu/CE>

Nederland (Netherlands / Pays Bas)

- Raad van State
<http://www.raadvanstate.nl/>
- Academie voor wetgeving
<http://www.academievoorwetgeving.nl/frameset3.html>

Österreich (Austria / Autriche)

- Verwaltungsgerichtshof
<http://www.vwgh.gv.at>
- Legistik
<http://www.bka.gv.at/bka/legistik/>

Portugal

- Supremo Tribunal Administrativo
<http://www.sta.mj.pt>
- Tribunal constitutional
www.tribunalconstitucional.pt
- Comissão para a simplificação legislativa
<http://www.csl.gov.pt/>

Suomi/Finland (Finlande)

- Supreme Administrative Court
<http://www.kho.fi>
- Ministry of Justice
<http://www.om.fi/>

Sverige (Sweden / Suède)

- Government
<http://www.regeringen.se/>
- EU-språkvård (Unit responsible for quality of language in EU texts)
<http://justitie.regeringen.se/eu-sprak/>
- Klarspråk (Unit responsible for use of clear language)
<http://www.justitie.regeringen.se/klarsprak/index.htm>

United Kingdom (Royaume Uni)

- Royal Courts of Justice

<http://www.courtservice.gov.uk>

- Parliamentary Counsel (Unit responsible for drafting statutes)

<http://www.parliamentary-counsel.gov.uk/>

- The United Kingdom Parliament

<http://www.parliament.uk/>

- Her Majesty's Stationery Office

<http://www.hmso.gov.uk/acts.htm>

ACCESSION COUNTRIES / PAYS CANDIDATS

Česká republika (Czech Republic / République Tchèque)

Eesti (Estonia / Estonie)

Κύπρος/Kıbrıs (Cyprus / Chypre)

Latvija (Latvia / Lettonie)

Lietuva (Lithuania / Lituanie)

Magyarország (Hungary / Hongrie)

- Supreme Court
<http://www.lb.hu>

Malta (Malte)

Polska (Poland / Pologne)

Slovenija (Slovenia / Slovénie)

- Constitutional Court of the Republic of Slovenia
<http://www.sigov.si/us/>

Slovensko (Slovakia / Slovaquie)

- Recommendations for the improvement of the legislative drafting process in Slovakia
<http://www.policy.hu/mathernova/Policy%20Recommend.pdf>

OTHER SITES /AUTRES SITES

International

- Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union
http://193.191.217.21/en/home_en.html
- International Association of Supreme Administrative Jurisdictions (IASAJ)
<http://www.iasaj.org/>
- A.C.C.P.U.F. (French Speaking Group of Constitutional Courts)
<http://www.accpuf.org>

- International Law Institute – Online Legislative Drafting Resources
<http://www.ili.org/ld/manuals.htm>

Australia/Australie

- Australian Office of Parliamentary Counsel
<http://legcoun.house.gov/drafting.html#misc>

Canada

- Canadian Department of Justice
<http://canada.justice.gc.ca/en/index.html>
- Nova Scotia: Office of the Legislative Counsel
<http://www.gov.ns.ca/legi/legc/>

New Zealand / Nouvelle Zélande

- Parliamentary Counsel Office (PCO)
<http://www.pco.parliament.govt.nz/>

Switzerland / Suisse

- Ministry of Justice
<http://www.ofj.admin.ch/>

United States of America / Etats Unis

- US House of Representatives, Office of the Legislative Counsel:
Collection of links related to legislative drafting
<http://legcoun.house.gov/drafting.html#misc>