

# Recent and Future Trends in the Publishing of Legal Gazettes

- The Role of the European Forum of Official Gazettes

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# The Puzzle of Publishing Legal Gazettes in Paper and Electronic form



- Rapid changes in the business
- Need for technological reforms

# Publishing of Legal Gazettes – Paper and Electronic

- Rapid changes in the technological environment
- Unpredictable changes in the business
- Changes in the minds of the customers: demand for higher quality and flexible services
- Transition from paper to electronic is faster than expected four years ago
- The possibilities to publish authentic electronic versions have improved

# From Vienna to Madrid – the Trends

**Visions during first Forum in Vienna 2004 by Jean Bolufer (France):**

“Our discussions in the European Forum will enable us to **compare our experiences, observations and reflections**, and as the Forum is more intelligent than anyone of us on our own, our discussions will help us make surefooted progress”

# From Vienna to Madrid – Following the Trends

## Conclusions of Vienna 2004 by Jean Bolufer (France):

- “The raison d’être of Legal Gazettes: to publish laws and regulations, intended to make the public aware of new laws and to make these laws obligatory and binding on all citizens.”
  - This has not changed after 2004
- In 2004 paper still ruled: “With the exception of Belgium, Austria and France, paper is still the sole format with legal force, but the **situation is changing rapidly**”

# The Trends from Vienna to Madrid

Conclusions by Bolufer included the key elements in the work started within the European Forum:

## 1) **The Period of Change in the of Publishing Legal Gazettes:**

“it is clear that what all of our pricing policies have in common is that they must take account of the consequences of free publication on the Web. This has led to a **considerable reduction** in the number of subscriptions to paper versions, ...while at the same time requiring a **substantial investment** to be made to **adapt to new technologies**, which are becoming more and more prevalent.”

# The Trends from Vienna to Madrid

## 2) Data Capturing at the Source and XML

- “in our work programmes, the collection of data, “on-site data capture” is becoming strategically important for reasons of speed, quality and cost”
- “Even if transmission on paper shows no sign of disappearing, making data collection automatic is progressing by leaps and bounds everywhere.”
- The use of the XML language is also becoming increasingly widespread for the exchange of such data, as are computerised certification and identification procedures.

# The Trends from Vienna to Madrid

## 3) Reacting to the Challenges

### - Added-value Products and Business Re-engineering

- “by fostering the creation of editorial databases, these technologies also make it easier to implement a dynamic policy of producing ever more up-to-date legal works”
- Commercial aspects of publishing legislation: “Who knows, tomorrow we **might begin to accept advertising** as a way of increasing its revenue.”

# Electronic Publishing of Legal Gazettes – Objectives in the work of the European Forum

- Making publishing of legislation and notices more efficient and more automated: Data Capturing at the source, Use of legal XML, e-Tender
- Making the publishing more precise and legally valid: Authentication, seamless workflow and use of electronic signatures
- Making publishing more survivable: improved access to law and reform of economics of publishing legislation
- Making Legal gazettes more user-friendly and more attractive to users: consolidation, access to law in different aspects

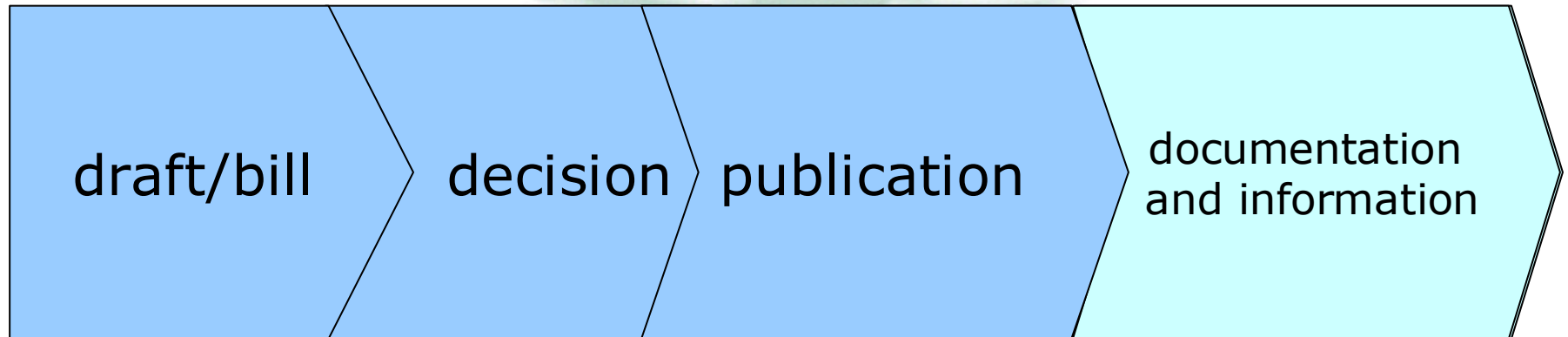
## Data Capturing at the Source – the Work

- The Working group on Data Capturing at the Source was able to analyze the benefits of data capturing in a very precise way and to present the requirements for capturing data at the source
- The results of the report are still valid and being implemented in an increasing number of European countries

# Data Capturing at the Source – the Benefits

- a simplification of the publishing process by helping draftsmen to produce a document that resembles a final piece of legislation;
- a reduction in errors in content and layout at publication;
- production of documents which are consistently styled no matter where and by whom they are originated;
- the ability to introduce validation of data at an early stage;
- eliminating the need for re-keying or conversion of data enabling speedier production; and
- it is more cost efficient for both the Ministries/Parliament and the publisher of the Official Gazette.

# Steps of legislation



# Legal XML – Use of XML for the Production and Distribution of the Legal gazettes

- The analysis of the working group on the use of XML has been an excellent example of cross-border cooperation
- The analysis of the group showed that a common vocabulary covering both structure and metadata would not be recommendable. A common vocabulary on structure would not be successful from two different reasons;
  1. Important differences in legislative culture causing different structures in legislative documents.
  2. The advanced status of XML based projects in the different countries leaving no possibility to introduce a new schema on structure.

## Legal XML – Use of XML for the Production and Distribution of the Legal gazettes

- The working group proposed a common vocabulary regarding metadata , while the analyses showed that metadata across legislative systems were highly congruent, and none of the existing metadata standards are appropriate for the juridical description of documents.
- The working group created a metadata glossary with agreed definitions, and from that a common XML Schema and DTD were written.

# Legal XML – Use of XML Editors

The working group also analysed the situation concerning XML editors. Three different types of editors were found:

- a specific editor (such as the NIREditor),
- a generic XML editor such as XMetal which was used in the Swedish project and which can be configured in a way that all tags are hidden for the user, or
- a generic word processor (e. g. Microsoft Word) with additional processing into XML such as LegisWrite of the European Commission (and eNorm in Germany).
- **The discussion on the most suitable editor seems to continue** – in Denmark and Germany there are projects to develop new kind of specific XML editors for the drafting of bills.

# Archiving of Legal Gazettes

- As Mr Bolufer was stating in the first report of the Archiving group in 2005,
- “If in fact the electronic Official Journal constitutes the authentic normative format, or even simply one of the authentic normative formats, archiving of electronic OJ then becomes as obvious a need as the archiving of paper versions”.
- **Now we have the final report of this group**

# Archiving of Legal Gazettes

- Archiving of Legal Gazettes has been a sector where new developments and solutions have been emerging in the last two-three years
- Comprehensive solutions for example in France, Italy and Denmark
- Archiving version of PDF – PDF/A is being used extensively - suitable for Legal Gazettes which usually exist in PDF form
- Also XML based solutions exist
- Microfiches replaced by electronic solutions offering reliability, persistence of data and easy access

# Persistence of Archives

- Persistence of Memory (S. Dali 1931)



# Archiving of Legal Gazettes

- Archiving for different purposes – from short term (5->10 years) to permanent archiving

**Permanent  
archives**

**Intermediate  
archives**

**Short term  
archives**

# Archiving the Italian Legal Gazette (PDF/A file)



Digital sign  
and  
digital stamp

Every page is digitally  
signed and digitally stamped

*Sped. abb. post. 45% - art. 2 comma 20/b  
Legge 23-12-1998, n. 662 - Filiale di Roma*

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**GAZZETTA UFFICIALE**  
DELLA REPUBBLICA ITALIANA

ROMA - Martedì, 29 gennaio 2008

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- 4<sup>a</sup> Serie speciale: Colloqui ed esami (pubblicata il martedì e il venerdì)
- 5<sup>a</sup> Serie speciale: Contratti pubblici (pubblicata il lunedì, il mercoledì e il venerdì)

**AVVISO AGLI ABBONATI**

Si rammenta che la campagna per il rinnovo degli abbonamenti 2008 è terminata il 26 gennaio e che la sospensione degli invii di arretrati, che entro tale data non hanno corrisposto i relativi canoni, avrà effetto nel prossimo settimana.

**SOMMARIO**

LEGGI ED ALTRI ATTI NORMATIVI	DECRETI PRESIDENZIALI
DECRETO DEL PRESIDENTE DELLA REPUBBLICA 29 novembre 2007, n. 268.  Regolamento recante ulteriori modifiche ed integrazioni al decreto del Presidente della Repubblica 10 ottobre 1996, n. 567, concernente la disciplina delle iniziative complementari e delle attività integrative nelle istituzioni scolastiche. Pag. 4	DECRETO DEL PRESIDENTE DEL CONSIGLIO DEI MINISTRI 31 ottobre 2007.  Assegnazione di risorse finanziarie al Commissario delegato per l'attuazione dell'ordinanza del Presidente del Consiglio dei Ministri del 29 dicembre 2005, n. 5487, a valere sul Fondo di cui all'articolo 32-bis del decreto-legge 30 settembre 2003, n. 269, convertito, con modificazioni, dalla legge 24 novembre 2003, n. 326. .... Pag. 7
ATTI DEGLI ORGANI COSTITUZIONALI  Corte costituzionale  DELIBERAZIONE 13 dicembre 2007.  Modificazioni al regolamento generale della Corte costituzionale. .... Pag. 6	DECRETO DEL PRESIDENTE DEL CONSIGLIO DEI MINISTRI 20 novembre 2007.  Assegnazione di risorse finanziarie al comune di Santa Vittoria in Matenano per il restauro dell'organo monumentale del XIII secolo nella Chiesa di S. Agostino, a valere sul Fondo di cui all'articolo 32-bis del decreto-legge 30 settembre 2003, n. 269, convertito, con modificazioni, dalla legge 24 novembre 2003, n. 326. .... Pag. 7



# Authenticity of Legal Gazettes – Trends in Europe

- Authenticity of electronic Legal Gazettes has been a new challenge to the members of the Forum, with several solutions:
- Authenticity via seamless workflow in the production of Legal Gazettes
- Authenticity via electronic signatures in PDF versions of Legal Gazettes or on the servers providing access to the authentic version
- Separate websites for the authentic versions of Legal Gazettes
- Different methods and different levels of authenticity
- How much authenticity is needed and requested by the customers?

# Legal Gazettes – Electronic Only?

- A rational and logical outcome of the current development, for a number of reasons:
- Finances of publishing of Legal Gazettes and the decreasing number of subscribers
- New methods have emerged for guaranteeing the authenticity of electronic Legal Gazettes (electronic signatures, certificates, seamless electronic workflow)
- Possibility to speed up the publishing process
- Facilitates the archiving and access to historical data
- General e-Government policies in the member states
- Making publishing of legislation more user-friendly and more attractive to users: consolidation, access to law in different aspects

# Access to Legislation– Trends in the European Forum

- Making publishing of legislation more user-friendly and more attractive to users: consolidation, access to law in different aspects
- Access to Current law (new legislation) in different formats (HTML, PDF, TIFF, RSS feeds)
- Access to Historical law (historical version of a certain date)
- Access to Law in force (consolidated law)
- Access to Law of a certain sector of business
- The Best Practices of Providing Access to Law should be collected and analysed

# Consolidation as the most important by-product of Legal Gazettes

- Making the Legal Gazettes more user-friendly and more attractive to users
- Key concepts have different meanings in many countries: **consolidation – codification – recasting – reprint – constitutive codification** etc.
- Exchange of information on the good practices for consolidation is needed

# EU Competitiveness Council resolution Sept. 2008 (slightly adapted version)

- CALLS FOR work on improving the Internet sites concerning Legal Gazettes to give priority to emphasising use of the most efficient and most ergonomic search tools, and to making available in all official languages, all the legislative texts in a consolidated form, including all their subsequent amendments;
- HOPES that work continues on improving the link between EUR-Lex and the Member States' national legislation databases, as made possible by N-LEX; this link should provide users with access to the rule of law on a particular matter throughout the European Union, directly and regardless of the source of the rule.

# New requirements to the Publishing of Legal Gazettes

- Efficiency – predictable, standardized inputs
- Quality - correctness
- Productivity – outputs from inputs
- Flexibility – legislation boom in the end of the year, difficult to predict the trends
- Multiformats – customers want several document formats
- Authenticity – the source can be verified
- Long-term preservation – laws available in 2108?
- New models of financing of Legal Gazettes

# Challenges to Legal Gazettes

- Challenges to the Financing of Legal Gazettes
  - State Budget - State Subsidies - Private-Public-Partnership -
- Development of new sources of income
  - Value-added online services in the framework of the "Official Gazette"
  - Advertisements and cooperation with other actors ?
- Development of new products
  - Value-added (online) services, new kind of printed law collections
  - On-demand services, personalized services: send me the laws on real estates and taxation
  - LexAlert: getting the latest acts and amendments
  - Consolidated texts of acts: the most user-friendly versions

## Reuse of Legislative Data as a Challenge (as Re-use of Public Sector Information)

- No clear rules or principles on the duties and obligations of the government agencies producing legal information
- What is the minimum level of services for the re-use? (transfer of data, access to metadata, XML format)
- Lack of good practices for re-use of legal information (legislation, case law)
- VLEX project collecting legislative data from Forum Members is a practical case [www.vlex.com](http://www.vlex.com)

# European Forum of Official Gazettes

- Facilitates the development of electronic printing
- Introduces new solutions to the Legal Gazettes
- Networks the experts in the electronic publishing
- Economics of publishing Legal Gazettes are challenging
  
- Working groups are the brains and tools of the Forum
- Organisation of the Forum is small but efficient
- Rotation of presidency makes the work easier
- Knowledge on the different models of management on legal gazettes

# European Forum visions

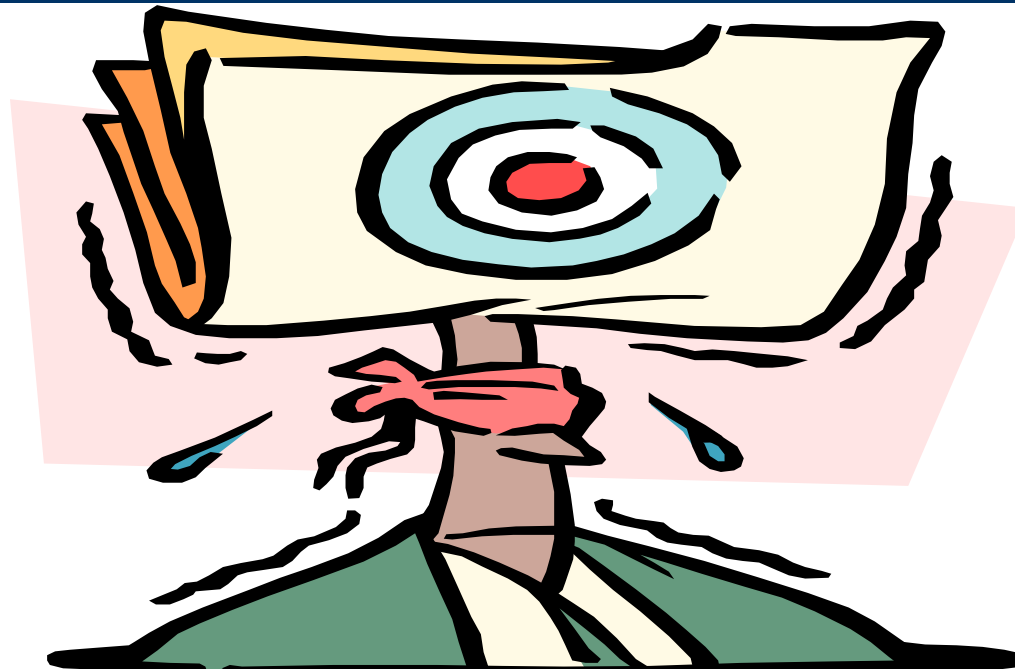
- European standards are not sufficient
- Filing for long-term preservation is a true challenge for all of us
- Overcoming the difficulties in reforming the work
- Generating interest in new challenges of publishing of legal gazettes
  
- Re-engineering of the key processes in the publishing of OJ is needed
- Understanding of the electronic standards is useful
- Life without XML can be difficult
- European cooperation of Legal Gazettes is already
- Success story

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# Cuestiones - comentarios



**Gracias!**