Access to documents: opening to the public of the historical archives of the Community and the EAEC

2002/0203(CNS) - 22/09/2003 - Final act

PURPOSE : to amend Regulation 354/83/EC in order to align exceptions to the public's right of access with the exceptions in Regulation 1049/2001/EC. LEGISLATIVE ACT : Council Regulation 1700/2003 /EC, Euratom amending Regulation 354/83/EEC, Euratom concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community. CONTENT : Article 255 of the Treaty gives any citizen of the Union and any natural or legal person residing or having its registered office in a Member State a right of access to European Parliament, Council and Commission documents. The general principles and the limits governing the public's right of access to documents of the European Parliament, the Council and the Commission were laid down in Regulation 1049/2001/EC. The exceptions to public right of access provided for in that Regulation are applicable for a maximum period of 30 years, irrespective of the place where the documents are stored. The exceptions relating to protection of privacy or commercial interests and the specific provisions on sensitive documents may, however, apply beyond that period if necessary. Council Regulation 354/83/EC, Euratom provides that the public will not be given access to certain categories of documents 30 years after the documents were created. Pursuant to Article 18(2) of Regulation 1049/2001/EC, this Regulation brings the exceptions into line with the exceptions to right of access provided for in Regulation 1049/2001 /EC. The following additional points should be noted: -for the purposes of Regulation 354/83/EEC, Euratom, the European Economic and Social Committee, the Committee of the Regions and similar agencies and bodies set up by the Community legislature must establish its historical archives and open them to the public on the terms provided for by this Regulation after the expiry of a period of 30 years starting from the date of the creation of the document; -all documents available to the public before expiry of 30 years will remain available without restriction; -wherever possible, the institutions must make their archives available to the public by electronic means. They must also conserve documents which are available in forms meeting special needs (Braille, large text or recordings). Each institution will publish information annually on its historical archiving activities. ENTRY INTO FORCE : 17/10/03.