

Official Journal of the EU: electronic publication

2011/0070(APP) - 01/03/2012 - Legislative proposal

PURPOSE: to give legal value to the electronic publication of the *Official Journal of the European Union*.

PROPOSED ACT: Council Regulation.

BACKGROUND: the printed edition of the *Official Journal of the European Union*, in all official languages of the Union, is at present the only legally binding publication, although it is also made available online.

If publication in the *Official Journal of the European Union* in electronic form were to constitute valid publication, faster and more economical access to Union law would be possible.

European citizens should have equal access to EU law and therefore access to the electronic edition of the *Official Journal of the European Union* should be ensured in the same manner and under the same conditions for all European citizens.

The Commission Communication on [A Digital Agenda for Europe](#) highlights that access to online legal content favours the development of a digital internal market, which leads to economic and social benefits.

LEGAL BASIS: Article 352 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the draft Regulation aims to **establish rules ensuring the authenticity, integrity and inalterability of the electronic publication of the *Official Journal of the European Union***.

The proposal provides that electronic publication would equate to valid publication of the *Official Journal of the European Union*. However, the printed edition would suffice to ensure the legal effects of publication in technically-driven **exceptional and temporary cases of unforeseen disruption of electronic publication** (e.g. cyber-attacks, unforeseen equipment malfunctions) that last for more than one day. The edition of the *Official Journal of the European Union* printed in such circumstances is to be published in electronic form as soon as the technical system is restored.

The electronic edition of the *Official Journal* shall bear an **advanced electronic signature** based on a qualified certificate and created with a secure-signature-creation device, in accordance with Directive 1999/93/EC. The qualified certificate and renewals thereof shall be published on the EUR-Lex web site in order to make it possible for the public to verify the advanced electronic signature and the authentic character of the electronic edition of the *Official Journal*.

The proposal provides that the electronic edition of the *Official Journal* shall be made available to the public on the **EUR-Lex web site** for an unlimited period. **No charge** shall be made for its consultation.

The proposal guarantees that access to the EUR-Lex web site is to be ensured with respect to the commitments for the **protection of persons with disabilities** in accordance with Council Decision 2010/48/EC concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities.