

Official Journal of the EU: electronic publication

2020/0126(APP) - 25/04/2023 - Legislative proposal

PURPOSE: To amend Regulation (EU) No 216/2013 on the electronic publication of the Official Journal of the European Union.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: Council Regulation (EU) No 216/2013 provides that the Official Journal of the European Union published in electronic form is to bear a qualified electronic signature or qualified electronic seal as defined in Regulation (EU) No 910/2014 of the European Parliament and of the Council. It also sets out an obligation to publish the qualified certificates for electronic signature or for electronic seal and renewals thereof on the EUR-Lex website to allow the public to verify the authenticity of the electronic edition of the Official Journal.

Authenticity, integrity and inalterability of the electronic edition of the Official Journal can be ensured by a variety of technical means.

The need to amend Regulation (EU) No 216/2013 each time a new solution or technology is to be employed or when the legal framework governing them changes should be avoided.

CONTENT: The proposal provides for the following:

- the electronic edition of the Official Journal will be published under technical conditions ensuring the authenticity, integrity and inalterability of its content. The system put into place to ensure authenticity will be documented on the EUR-Lex website and allow for the authenticity of the electronic edition of the Official Journal to be easily verified;
- where certain information in the Official Journal must be removed after publication: pursuant to a decision of the Court of Justice of the European Union or for reasons of protection of personal data in accordance with Union legislation, in particular Regulation (EU) 2018/1725, a new version of the electronic edition of the Official Journal concerned will be made available, accompanied by a notice to that effect. The original version of the electronic edition of the Official Journal concerned will be kept in the archives of the Publications Office for an unlimited period under technical and organisational conditions which ensure that the original version can only be disclosed in accordance with Union legislation;
- where, despite the contingency measures put in place, in exceptional situations, it is not possible to publish the Official Journal on the EUR-Lex website and the publication is done in a printed form, the Publications Office will inform of such publication on the EUR-Lex website as soon as possible. For the sake of legal certainty, it is necessary to ensure that the electronic edition subsequently made available to the public on the EUR-Lex website becomes the only authentic edition and that it produces legal effects;
- in order to provide the maximum benefit to citizens in terms of ease of access to the Official Journal, as well as to ensure legal certainty, it is also appropriate to confer exclusive authenticity status on the electronic edition of the few authentic printed editions of the Official Journal published after the entry into force of Regulation (EU) No 216/2013.

