

General Description of CELEX

Introduction to CELEX

CELEX is the foundation of all the databases derived from the activities of the European Union. It is the official legal database of the European Communities and is built and operated by the European Commission through the Office for Official Publications of the European Union, which is based in Luxembourg. It acquires its data from each and every one of the principal institutions of the EU. Thus, in its component parts, it reflects the relationships between these various institutions and shows how they interact with each other. In doing so, CELEX provides a valuable insight into the work and development of the legal entity known as the European Union.

In its original source format, CELEX is stored on the European Commission's Centre de Calcul in Luxembourg. It is a single, monolithic database, but has the unique attribute of being devised in eleven versions corresponding to the eleven official languages of the EU. The supply and maintenance of such a complex database in so many different languages is a major achievement. CELEX also enhances the original source texts with the addition of analytical fields, which help the user to search the data effectively.

The Sectors of CELEX

Although CELEX is regarded as a single database, in reality it consists of a number of individual databases which are distinct yet interdependent and linked by cross-referencing. These individual databases are known as Sectors and contain the following types of legal information:

Sector 1

This contains the Treaties establishing the European Communities (ECSC Treaty 1951, EEC Treaty (Treaty of Rome) 1957 and EURATOM Treaty 1957), the Treaties of Accession of the newer Member States, and those Treaties which amend or supplement the founding Treaties (the Single European Act 1987, the European Union Treaty (Maastricht Treaty) 1992, and the Treaty of Amsterdam 1997).

Sector 2

This covers Agreements between the EU and other sovereign countries, plus other legal acts which result from external relations maintained by the EU. These include external relations by Member States if these relations are connected with the EU.¹

Sector 3

This stores the secondary legislation adopted by the Council, the Commission and the Parliament to implement EU policy. It is by far the biggest and busiest of all the Sectors, as it holds over 88,000 documents (as of December 2003). These documents include the binding legislation, the regulations, the directives and the

¹ Note that **Sectors 1 and 2** are held together as a single database within CELEX.

decisions based on Article 189 of the Treaty of Rome or Article 161 of the Euratom Treaty and the general decisions and recommendations based on Article 14 of the ECSC Treaty. Recent additions are merger decisions and texts of consolidated legislation. There are programmes available in print form only, for consolidating legislative texts and references to these texts, that are included in the public reference field. Also included are other types of non-binding legislation, such as recommendations, resolutions and general programmes of work to be undertaken by the Commission or its agencies, for example, Phare, Erasmus and Esprit.

Sector 4

This contains the Complementary legislation created by agreements between Member States and decisions of the Member States meeting in Council. This includes the Brussels Convention on the Enforcement of Judgments 1968 and the Rome Convention on Contractual Obligations.²

Sector 5

This covers Proposals (the **COM DOCS**) from the Commission for future legislation, together with opinions on these proposals from the other Institutions of the Community, including the Economic and Social Committee, the Committee of the Regions and the European Parliament. This Sector provides a trail for tracking the progress of new legislation enacted through the consultation procedure or the co-operation procedure (now known as the co-decision procedure). Therefore, it is possible to locate an original proposal and the subsequent amendments suggested by the other Institutions, particularly the Common Position and the 1st and 2nd Readings in the Parliament. References to the Conciliation Committee and the co-decision procedures are now beginning to appear.

Sector 6

This holds the case law of the EU, that is, the full text of all judgments, orders, interpretations and other acts issued by the European Court of Justice since its inception. The opinions of the Advocates-Generals are also stored here. This Sector has collected a substantial body of supra-national jurisprudence.

Sector 7

This contains references to those national measures which implement the directives enacted by the EU (e.g., the relevant Statutory Instruments in the UK or the Decrees in France). This Sector is of considerable practical importance to the Member States, since these implementations spell out the details that affect the firms, companies, organisations and individual persons that reside in the EU. The texts of these implementing measures are held in the national law databases of Member States.

Sector 8

This Sector does not exist, but is intended for case reports concerning EU law decided in the national courts in the Member States.

Sector 9

This contains the questions submitted to the European Parliament by its elected Members, which are addressed to the institutions of the EU, particularly the Commission. Note the answers are reported in the supplement to the Official Journal C.

² Note that **Sectors 3 and 4** are held together and treated as one in CELEX for searching purposes. About 100 documents are added to **Sectors 3 and 4** every week and about one third of these new documents amend earlier pieces of legislation.

Sector 0

This sector will contain consolidated texts of European Community legislation, though there are as yet no documents available. These are documents that contain the text of the original legislation, with amendments and corrections incorporated. They are not official documents and have no legal standing, because the most currently available consolidated text may not contain the most recent amendments.

Sector C

Documents in Sector C are those published in the Official Journal C series which are not already present in CELEX and have no direct legal interest. Summaries only are available from 1995 onwards and PDF files are included for documents from 1998.

Sector E

This sector contains the full text of acts adopted by the EFTA institutions (EFTA Court, Standing Committee and EEA Surveillance Authority) and published in the Official Journal. Coverage is from 1994 onwards.

Another valuable feature of CELEX is that each document has its own unique **document number** used for identification and in cross-referencing.

* * *

The documents in CELEX are written in a formal manner and each type of document has its own distinct structure. In addition, the legal staff of the Commission analyses each document and adds this analysis to the text of the document. The analysis consists of a set of standard headings that describe the document and is therefore a useful aid to the end user. These headings are referred to as 'fields'.

The bibliographic fields that are common to all CELEX documents are:

1. The unique CELEX document number.
2. The author of the document (e.g., the Commission, the Council, the Court).
3. The legal form of the document (e.g., Directive, Regulation, Decision).
4. The Treaty from which the document draws its authority (e.g., the EEC Treaty, the EURATOM Treaty).
5. The type of document.
6. The publication reference of the document (e.g., Official Journal No L103, 27/03/91 p. 005).

Other useful fields include:

- The subject matter of the document (e.g., the Internal Market, Environment).
- The dates relating to the document (e.g., notification, entry into force, publication).

Of particular value and importance are those fields which provide links to other documents in the database, especially those which amend or are amended by the current document. These cross-reference fields always use the unique CELEX document number.

Typical examples of these cross-references in **Sector 3** (Secondary Legislation) are:

- [LEGBASE:11957E085] - this means that the document draws its authority from Article 85 of the Treaty of Rome.
- [MODIFIES:31970L0220] - this means that the document amends the earlier directive 70/220/EEC.

These document numbers and the specific fields will be described in detail in the following chapters, in which the Sectors are arranged in order of their frequency of use, starting with the busiest Sectors.

In addition to the common bibliographic fields, each Sector has its own specialist fields, which will also be described in what follows.³

³ Notice, for example, that there is a clear difference between the fields used in **Sector 6** for the Case Law and those in **Sector 3** for the legislation.