

Chapter Four

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Sector 5

Proposals for New Legislation

CELEX enables the user to find not only existing Community legislation, but also the preparatory stages of new legislation. The progress of new legislation may be followed step by step, in **Sector 5**, which records each separate process in the development of new legislation. Most of the documents in **Sector 5** are published in the Official Journal C. While the main interest in **Sector 5** lies in the tracking of legislation, it also contains a variety of other useful documents. It not only contains the proposals for new legislation from the Commission, but also questions, opinions, resolutions, comments and committee reports from the European Parliament, the Economic and Social Committee, the Committee of the Regions and the Court of Auditors. **Sector 5** also includes documents from the Secretariat, which directly serves the Commissioners, as well as notices of decisions on the merger of commercial organisations. It is therefore a very useful source of information that should always be consulted, in conjunction with **Sector 3/4**, in order to obtain a complete picture of current legislation, including the ideas and thinking behind amendments or additions to that legislation. Furthermore, under the Maastricht Treaty, the Institutions of the EU must publish a greater proportion of their working documents and these will now appear in the Official Journal C and hence in **Sector 5**. The largest category of documents are the proposals for new legislation, known as 'COM DOCS'.

Before 1996, the documents stored in **Sector 5** were entirely bibliographic, with little or no textual material. The documents were short and consisted of a descriptive title followed by a comprehensive set of codified fields, including the common fields. Since 1996, the full text of these proposals has been stored together with the codified fields, which has enhanced the value of **Sector 5**. Once a proposal appears in **Sector 5**, it generates a sequence of documents that relate the progress of the legislation through all its stages, until it is enacted and appears in **Sector 3/4**.

These subsequent documents include:

- The opinion of the Economic and Social Committee
- The opinion, if appropriate, of the Committee of the Regions
- The opinion, following the First Reading, of the European Parliament
- The amended proposal from the Commission taking account of these opinions
- The Notice of Common Position from the Council of Ministers
- The opinion, following the Second Reading, of the European Parliament
- The decision of the Conciliation Committee resolving differences between the Parliament and the Council

A field called **EARLACTS**, which stores the CELEX document numbers of the original proposal and its amended versions, links all of these documents. A further link may be provided by the **MISCINF** field, which holds a unique reference that connects a group of documents covering the same subject. This field is particularly

useful in tracing documents concerned with the Single Market and can also be used in **Sector 3/4**.

Each document also indicates, in its title, which procedure is being followed in its course through the legislative process, whether it is the consultation, co-operation, or the later co-decision procedure.

Thus, the progress of any piece of legislation, from its original proposal to its final adopted version, can be tracked in **Sector 5**. This whole process can take several years, so there is the opportunity for those affected by a new proposal to lobby and influence its development and also to prepare for the effect of the changes when the proposal is finally adopted.

The CELEX document number is, again, a composite number which identifies the type of document and is useful in cross-referencing. For example:

DOCNUM: 51991AG0518 is the Common Position reached for COM DOC 91/518, where

- 5 signifies Sector 5
- 1991 signifies the year 1991
- AG signifies that the document is a Notice of Common Position
- 0518 is composed from the COM DOC number

A useful example which illustrates the progress of a proposal into legislation is COM DOC 94/4, which first appears in **Sector 5** as **DOCNUM 51994PC0004**. The progress of this proposal may be followed by using a general search on the words "major accident hazards" or, more precisely, by using the codified field **MISCINF : SYN 94/0014**. Using the latter will give the following documents in **Sector 5**:

- 51994AP0082(01)** Official Journal C 056, 06/03/1995 p.0080
Legislative resolution embodying Parliament's opinion on the proposal for a Council Directive on the control of major-accident hazards involving dangerous substances (COMAH) (COM(94)0004- C3-0116/94- 94/0014(SYN))
(Co-operation procedure: first reading)
- 51994PC0004** Official Journal C 106, 14/04/1994 p.0004
Proposal for a Council Directive on the control of major-accident hazards involving dangerous substances (COMAH) /* COM/94/4 FINAL – SYN 94/0014*/
- 51995PC0240** Official Journal C 238, 13/09/1995 p.0004
Amended proposal for a Council Directive on the control of major-accident hazards involving dangerous substances /*COM/95/240 FINAL – SYN 94/0014*/
- 51996AG0424(03)** Official Journal C 120, 24/04/1996 p.0020
Common Position (EC) No. 16/96 adopted by the Council on 19 March 1996 with a view to adopting Council Directive 96/.../EC of ... on the control of major-accident hazards involving dangerous substances.
- 51996AP0224(01)** Official Journal C 261, 09/09/1996 p.0024
Decision on the common position established by the Council with a view to the adoption of a Council Directive on the control of major-accident hazards involving dangerous substances
(C4-0222/96 – 94/0014(SYN))

(Co-operation procedure: second reading)

51996PC0440

Re-examined proposal for a Council Directive on the control of major-accident hazards involving dangerous substances
/*COM/96/0440 FINAL – SYN 94/0014*/

Changing to **Sector 3/4** will supply the implementing Directive 96/82/EC. This illustrates the value of **Sector 5** in tracking the progress of legislation and also shows that the Official Journal C contains important information.