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**Free Access to Legal and Legislative Information:  
the French approach through the enlightenment of the strategic reviews  
of Better Regulation in the European Union**

1. Electronic databases for legal information (acts, regulations, case-law) have been created in France more than half a century ago. A public service of access to the Law has been built in 1984, then an official website has been created in 1998: [legifrance.gouv.fr](http://legifrance.gouv.fr). In 2002, it has been decided to change its dimension, and its name, it became '*the Public Service of Dissemination of the French Law on the Internet*' (Decree n° 2002-1064 of 7 August 2002 <http://www.legifrance.gouv.fr/affic...>). This public service is held by the State towards everyone's benefit: citizen consumers, legal professionals, and law vendors. It is a part of several technological innovations. One of the most important of them is the digitalization of the Official Gazette (Ordinance n° 2004-164 of 20 February 2004 on the modalities and effects of the publication of laws and of certain administrative acts).

2. French supreme courts built also several principles directly linked to the better ways to make and disseminate Law : Intelligibility of the Law (1999) ; Accessibility of the legal rules (1999) ; Anonymisation of the judicial decisions (2001) ; Legal certainty (2001-2006)... These texts and principles strengthened the position of the French authorities in charge of the dissemination of the Law.

3. Upstream, an efficient workflow has been developed between the different actors of the making-law process: the software SOLON, standing for *Système d'Organisation en Ligne des Opérations Normatives*, or Online Organization System of Law-making Operations. It consists in the dematerialization and in the monitoring of texts from their origin to their publication in the Official Gazette.

4. Moreover, the European dimension of the issue must not be forgotten. The Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (<http://eur-lex.europa.eu/smartapi/c...>) has been integrated into French legal system by the Ordinance n° 2005-650 of 6 June 2005 on the free access to administrative documents and to on the reuse of public information <http://www.legifrance.gouv.fr/affic...> and by the decree n° 2005-1755 of 30 December 2005 on the free access to administrative documents and the reuse of public information, in application of the Act n° 78-753 of 17 July 1978 <http://www.legifrance.gouv.fr/affic...>). But for the information of the legal sector, the 2002 decree is sufficient by itself and anticipates largely the integration of the European Directive. In exchange, this 2005 decree regulates the problem of the dissemination of legal texts produced by public persons (or holders of public power prerogatives) and which are not integrated in the first decree of 2002 (in the public service of dissemination of law by Internet)

5. The European Commission recognises that considerable efforts have been made since 2005 to make legislation of the member States clearer and more effective. Nevertheless, the Commission intends to pursue with determination the "Better Regulation" programmes (2005 then 2008) and proposes a series of actions to be taken in collaboration with the European institutions and the Member States.

France will for instance follow the indications of the Commission in continuing to reduce unnecessary administrative burdens by promoting the use of information and communication technologies.

6. Thus, the recent revision of the Constitution of the Fifth Republic (Act of 27 July 2008) went even further than the European programmes. It officially integrated impact assessment system is helping the Parliament design better laws (new articles 24 and 51-2 of the Constitution). An impact assessment facilitates better-informed decision making throughout the legislative process.

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