This session is dedicated to looking for European Union legislation using some of the more important portals for European legislation (EUR-lex and Europa). First we will also learn how to properly cite European Union legislation.

This session’s Learning Goals
In going through this task you will:
• familiarise yourself with the most important portal for European legislation: Eur-lex;
• learn where to look for EU treaties and how to use tables of equivalence;
• learn how to properly cite European Union legislation; and
• learn where to look for the text of EU legislation: directives, regulations and decisions.

Part 1 — The Treaties
A. Finding the treaties
The best source for the European Union Treaties is EUR-Lex: the European Union’s website providing access to EU legislation and case law. You can find EUR-lex by going through one of the following links:
• Directly to the EUR-lex site by typing in eur-lex.europa.eu
• Through the European law libguide: libguides.rug.nl/europeanlaw
• Through the Legal Skills libguide: libguides.rug.nl/legalskills
Under the tab “EU law and related documents” you can find the treaties page of EUR-lex, which displays links to the treaties currently in force:

- The consolidated versions of the Treaty on European Union, the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union (from Official Journal C202 of 7 June 2016);
- The consolidated version of the Treaty establishing the European Atomic Energy Community (from Official Journal C203 of 7 June 2016);
- Other important treaties and protocols, such as the founding and accession treaties.

Task 1

Look for and note down the content of the following articles:

- Article 2 of the Treaty on European Union
- Article 20 of the Treaty on the Functioning of the European Union
- Article 7 of the Charter of Fundamental Rights of the European Union

Note: If you finish a task earlier during class please try to work ahead, help your classmates, or check each other’s answers.

B. Working with Tables of Equivalences

Following the entry into force on 1st December 2009 of the Lisbon Treaty the previous treaties (the 'Treaty establishing the European Community' and the former Treaty on European Union) were replaced by the Treaty on the Functioning of the European Union and of the Treaty on the Functioning of the European Union. All articles, sections, chapters, titles and parts of the previous treaties were also re-ordered and renumbered. To be able to understand the current relevance of sources from before the 1st December 2009, you will thus need to know the new numbers of old articles.
Therefore, “Tables of Equivalence” have been added at the end of the consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, which show which new article is functionally equivalent to an old article. The latest table of equivalences can be found here. It compares the numbering as established in the 1999 Treaty of Amsterdam with the numbering as established in the Treaty of Lisbon.

Note that sometimes you will also come across case-law from before the 1999 Treaty of Amsterdam, which means that yet another numbering of the articles applies and thus another table of equivalences (which you can find in the respective consolidated versions of the treaties). The Oxford University Press has helpfully merged the Amsterdam and the Lisbon tables into one comprehensive table which can be found at global.oup.com/uk/orc/law/eu/eulaw/resources/table/.

Task 2

Look for and note down the new current numbering of the following articles:
• Article 5 of the Treaty establishing the European Community;
• Article 4 of the Treaty on European Union; and
• Article 134 of the pre-Amsterdam Treaty establishing the European Community.
Part 2 — Referencing EU legislation correctly

During the remainder of this session you will encounter numerous directives, regulations and decisions. It is important to make sure that each piece of legislation is properly referenced. For European legislation (including case law and other European materials) use the Oxford Standard for Citation of Legal Authorities (OSCOLA) found at https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf (or follow the link in the European Law LibGuide at libguides.rug.nl/europeanlaw). Pages 28-29 of the Oxford Standard for Citation of Legal Authorities are of particular relevance for this session.

Note that OSCOLA is a footnote-style, but that the examples in OSCOLA usually miss the pinpoints and full stops typical of footnote references. See section 1.1 of OSCOLA for more information on this.

Part 3 — Finding secondary Legislation: Regulations, Directives and Decisions

In this section we will examine different ways of finding secondary legislation enacted by the European Union. Where to start from? There are different ways. We will practice a little more on using EUR-lex.

A. If the number of a particular piece of legislation is known.

Watch the short video on how to look up legislation in EUR-lex (the video is found at the libguide for this course (libguides.rug.nl/legalskills). The direct link to the short video is https://youtu.be/5CgbUsUcKDQ.
Task 3

Using EUR-lex find and note down in a Word document the answers to the following question on Directive 2003/88/EC:

• The legal basis for the Directive;
• The date it came into force; and
• The date till when this Directive is still in force.
• Write a short sentence about article 5 of the directive. Make a proper footnote reference to this directive following OSCOLA.
• (If you finish early with this task, go back to task 1 and write a short sentence with a proper footnote reference following OSCOLA for each of the articles you have found.)

B. Where no numeric reference is known

What happens if you do not know the number of the legislative act? One option is to use the “advanced search” in EUR-lex. Here you can also search on words in the text and title of an official document.

Task 4

Using the “Text search” option in EUR-lex advanced search, carry out two searches: One for “working time” and one for “conditions of work”.

• Write a short sentence comparing two articles from two different pieces of legislation you find through these searches. Insert proper footnote references to these articles, following OSCOLA rules.
• How do you ensure you find only legislation?
• Which advanced search might help you find more relevant results?
C. Using “Document information” to find related legislation

European law is not a set of unrelated directives, regulations, and decisions. As we’ve already seen, legislation always refers to a legal basis, usually in the treaties. But there are many more links between pieces of legislation. In the following task you will discover a way to easily find such connections.

Task 5

Follow the steps to search for a Directive (see task 3) search for Directive 2002/15/EC. In the “Document information” section, click “Select all documents based on this document” and take a look at the list of results. Then, go back to the “Document information” section of Directive 2002/15/EC and take a look at the “Instruments cited”.

• Choose from both lists one legislative act and write a short sentence about both of them. Insert proper footnote references, following OSCOLA rules.
D. Using the www.europa.eu “EU by topic”

Your task here is to check whether you have missed out on any important legislation when using the earlier search methods. One way of checking is by going to the ‘EU by topic’ pages on the European Union website www.europa.eu

Before trying to locate the appropriate page on the site, watch this video on conducting an ‘EU by topic” search’ in www.europa.eu (go to this link via Lib-Guide for LLB students - libguides.rug.nl/legalskills) or via the quick link to the short video: https://youtu.be/BSmZYZVdSYI.

Task 6:

Now that you have used four different search options list
• The correct footnote reference following OSCOLA rules;
• The legal basis; and
• The date of coming into force;

of the most recent directive, decision or regulation on working conditions or conditions of employment.

Which search method was most useful? Why? Might there be circumstances where the other search methods are more helpful?

Prepare for next week

Finish this worksheet at home and come to Gerard Ritsema van Eck’s office hours with any questions and problems.

Read section 2.6.1 of OSCOLA and the section on ‘CJEU cases and the ECLI’ of the OSCOLA faq here.