



European Association of Legislation

NEWSLETTER NO. 15

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Board:

Prof. Ulrich Karpen, University of Hamburg (Chairman)

Prof. St. John N. Bates, The Clerk of Tynwald, Isle of Man

Prof. Jean-Pierre Duprat, University of Bordeaux

Cecilia Nordenfelt, Stockholm

Prof. Marta Tavares de Almeida, University of Lisbon

Address:

Prof. Ulrich Karpen, Schlüterstrasse 28 III, D-20146 Hamburg

New phone number:

+49 40 42838-3023 or +49 40 42838-4514

Fax:

+49 40 42838-4555

Bank:

Sparkasse Bonn, Bank-Code 380 500 00,

Account number: 19 00 30 78

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Dear Members and Friends,

1. Fifth Congress of the EAL

I am now in a position to invite our members to participate in the **Fifth Congress of the European Association of Legislation** scheduled to take place in **Athens** on November 28th – 29th 2002. The general topic is **e-Government** and the **draft programme** is enclosed. We enjoy the hospitality of the European Public Law Center in Athens (Director, Prof. Spyridon Flogaitis).

The board is currently active to collect speakers and chairpersons for the subtopics. If there are any suggestions concerning the contents of the congress or the personell **let us know as soon as possible**.

More details on the place of meeting, available hotels a.s.o. will be provided in the next Newsletter.

2. Other Activities

a. Recent Activities

The German Association of Legislation (DGG) held a congress on issues of evaluation of legislation on May 22th – 24th in the castle of Salzau, near Kiel in Northern Germany. Sixty participants including some members of national associations of legislation (like Austria, the Netherlands a.s.o.) and the European Union as well as the Council of Europe discussed issues mainly how to organize evaluation of legislation in the legislative and executive branches of government.

On March 21 – 22, a European Cross-Border Company Law Conference, hosted by the Academy of European Law, took place in Trier, Germany. The conference dealt in particular with EC law issues, such as *The European Company Law Harmonisation Programme: What has been Achieved; Why and how to Company; The tax regime applicable to the European Company*.

For detailed results please contact the Academy of European Law, ERA Congress Centre, Metzger Allee 4, D-54295 Trier, Germany, ph +32 (0)27362502; fax +32 (0) 27362503; <http://www.era.int>

“ Qui prépare les lois? Les formes d'organisation du travail légistique” – a symposium organised by the Swiss Association of Legislation took place in Bern, 24th May 2002.

For results please contact the Société suisse de légistaton, M. Jean-Christophe Geiser, c/o Office fédéral de la justice, Taubenstr. 16, CH – 3003 Berne

b. Future Activities

May we draw your attention to the work of the **International Legislative Drafting Institute**. The Institute is sponsored by the Public Law Center, a joint program of the Tulane and Loyola Law Schools. The eighth annual Congress will be held June 17-28, 2002 in New Orleans, Louisiana, USA.

For further informations please contact Mr. David A. Marcello, Executive Director, 6329 Freret Street, Suite 130 New Orleans, Louisiana 70118, USA, ph (504) 862-8850, fax (504)862-8851, e-mail: tplc@law.tulane.edu, <http://www.law.tulane.edu/cdo/inst/ildi/ildihead.htm>

The European Public Law Center in Athens established a group of experts on European Constitution to accompany the process of the European Convention in close cooperation with the Vice-President of the Convention, the former Italian Prime Minister Prof. Amato. Since some members of the European Association of Legislation are members of this working group, the board is in a position to give first hand information about the steps to draft a European Constitution.

3. Members

The EAL welcomes its new members, Prof. Dawn Oliver, Faculty of Laws, University College London and Ilhan Özay, Fakültesi – Beyazıt – Istanbul.

4. Publications

a. EAL

Vol. 6 of the EAL publication series, covering the proceedings of the Fourth Congress of the association held in Warsaw 2000, is now on the market and available with Nomos publication, Germany at a price of 45 Euro.

The EAL publications series now covers six publications:

No. 1 – „Legislation in European Countries“. Various European Countries are preparing for membership of the European Union and are therefore stepping up their activities in the field of comparative legal studies. A conference held in Germany in 1991 was devoted to this and other legislative problems and was attended by experts from 25 countries and they included members of parliament, government officials, scholars and legal practitioners. This work is available with Nomos publication, Germany. DEM 168,--.

No. 2 – „Contributions to the Methodology of the Creation of Written Law“: One of the most pressing problems faced by Europe's legislators today is the question of how to draft precise and yet intelligible law texts, thus reducing the proliferation of law and improving its quality. During the First Congress of the EAL in Liège in 1993 ten authors deal with the different steps of the legislative process: from defining the norm content, drafting the norm and enforcing it to the evaluation of the effectiveness/efficiency of the law. This publication is available with Nomos publication, Germany, DEM 49,--.

No. 3 is the Liège (No. 2) publication in Russian language.

No. 4 – „National Legislation in the European Framework“ – featuring the results of the Rome Congress in 1995.

No. 5 – „Role and Function of the Second Chamber“: Report of the third conference of the EAL held in Munich 1997.

No. 6 – „Evaluation of Legislation“: Report on the proceedings of the Fourth Congress of the EAL in Warsaw, 2000.

b. Other Publications

“Bundesverfassungsrecht Kommentar“, 956 sites.

The publication (ISBN 3-704-6200-0) is available with Verlag Österreich, Rennweg 16, A – 1037 Wien, ph + 43 1610770; fax +43 161077419 e-mail: office@verlagoesterreich.at, <http://www.verlagoesterreich.at>, in German language at a price of 123 Euro.

5. Board Activities

The chairman of the European Association of Legislation, Prof. Dr. Ulrich Karpen, spent two weeks in Phnom Penh, Cambodia, to draft the Senate Election Law and to carry out other activities to support Cambodian Legislation. In June he will participate in a course to teach draftsmen of various institutions of Bosnia and Herzegovina in Sarajewo.

Our Vice-President Dr. Marta Tavares de Almeida starts an initiative of a special issue of the European Legislative Science Periodicals, incorporating the contributions of all of them.

Dr. Tavares proposes at this stage:

1. A periodical special issue to diffuse in the different European countries, the problems of legislation and therefore to contribute to a better knowledge of the law making procedure in its different aspects.

2. The following periodicals could participate in this project: *Iter Legis* (Italy); *Leges-Gesetzgebung & Evaluation* (Switzerland); *Legislação. Cadernos de Ciência de Legislação* (Portugal); *Przegląd Legislacyjny* (Poland), *Rassegna Parlamentare-Rubrica di Toria e Tecnica della Legislazione* (Italy); *RegelMaat* (Netherlands); *Statute Law Review* (United Kingdom); *Zeitschrift für Öffentliches Recht* (Austria); *Zeitschrift für Gesetzgebung* (Germany). And all the others that have a particular interest on these matters. The first issue of this publication could be divided into different parts corresponding each one to a periodical. Each part will have a common structure composed by different sections. Some suggestions for these sections are:

a. Presentation of the periodical – scope/objectives, addresses, number of issues by year, editor a.s.o.

b. Table of Contents of the 5/10 last numbers

c. Bibliography – publications on Legislative Science, printed in the country where each periodical is edited

d. News – namely important legislative reforms, training programmes, conferences/seminars a.s.o.

The language of this special periodical should be English, as the most universal language. The periodical should start as an Electronic Magazine. The cost will be low and it will be easy accessible.

All members are invited to join Dr. Tavares' initiative and make good suggestions. **The chairman and members Prof. St John N. Bates, Prof. Luzius Mader are still**

involved in a Council of Europe – Project aiming at training members of parliaments and administrators of ministries in matters of techniques of legislation. After training courses in Tbilisi (Georgia) and Kiev (Ukraine) as well as Tirana, Albania in late 2000 and 2001, the group is on its way to Belgrade, Yugoslavia, and Moscow, Russia.

6. Varia

Since the issues of e-government, namely new techniques of administration and e-voting are gaining strength in all European countries, the board expects good participation in the **Athens Congress on November 28th – 29th 2002.**

Fortunately, Switzerland indicated its willingness to host the 6th Congress due to come in 2004 in the country.

Suggestions for a general topic may go directly to our member

Bundesamt für Justiz

Vizedirektor Prof. Dr. Luzius Mader

CH – 3003 Bern

Switzerland

ph ++(41) 313224102

fax ++(41) 313227837

e-mail: luzius.mader@bj.admin.ch

Yours truly,

Prof. Dr. Ulrich Karpen