

## Questionnaire on the organisation and operation of Official Gazettes in the EU

### (8) Answers by the French ‘Journal Officiel’

#### I. Organisational data

<b>FR</b>		<b><u>1. Identification and contact person(s)</u></b>
1.1	<b>Organisation:</b>	Direction des Journaux officiels Direction of Official Journals
1.3	<b>Address :</b>	26 rue Desaix 75015 Paris France
1.5	<b>Internet :</b>	www.journal-officiel.gouv.fr
<b>FR</b>		<b><u>2. Data on the organisation and its overall tasks</u></b>
2.1	<b>Form and nature:</b>	- governmental agency
		The "Direction des journaux officiels" is one of the services provided by the Prime Minister placed under the authority of the Government Office of Secretary General
2.2	<b>Legal basis for publishing:</b>	- a regulatory text, degree etc.
		Ordonnance n° 2004-164
		Order number 2004-164 of February 20,2004 repealing the decree of November 5, 1870 on the promulgation of acts and decrees in the Official Journal
2.3	<b>Year of the found.:</b>	1848
		February 1848 is the first time the endorsement "Journal officiel de la République française" appears as a publication header, but



	<b>in isolated cases for</b>	- online publishing - CD-ROM/DVD duplication - adverting agencies - others (consultants, auditors etc.)
2.7.2	<b>Contracts for instit. or regular work</b>	- printing - online publishing - CD-ROM/DVD duplication - adverting agencies - others (consultants, auditors etc.)
2.8	<b>Other off. gazettes</b>	
		Prefectorial by-laws (concerns 100 prefectures) and municipal by-laws (concerns 36 500 communes) must be published in prefectorial and municipal bulletins but are not included in the table of contents of the Official Journal neither published by the "Direction des JO"
2.9	<b>Annual budget (global) of the organisation</b>	162 378 448 Euros
		Ratified by the Financial Act
2.10	<b>Do you have in-house</b>	- printing facilities - online publishing facilities
		The SACIJO , established in 1881, performs most of the printing work entrusted to the DJO Its articles of association are those of an SA (french joint company) shareholders work at the registered office of the DJO , in other words on government-owned property and machines
2.11	<b>How much of the following work is subcontracted</b>	
	pre-press	20
	printing	0
	dissemination	0
		for printing, it is very occasionally
2.12	<b>How is the head of the organ. appointed</b>	Appointed by the Council of Ministers
2.13	<b>Number of staff of the organ.</b>	611
		600 employees : administrative and technical staff + 11 civil servant department heads , not including SACIJO printer staff (400 persons)

2.14	<b>Which services are offered by the organ.</b>	<ul style="list-style-type: none"> <li>- reading room</li> <li>- information on documents</li> <li>- administrative and legal service</li> <li>- bookshop</li> </ul>
		Access to legislation and documentary information does not include counselling or text interpretation; information officers (on site, by mail, telephone or internet) have no legal competence

## II. Details concerning the publication of legislation and of calls for tender (public procurement)

### A. Publication of legislation

FR		<b><u>3. Publications procedures</u></b>
3.1	<b>Official Gazette:</b>	
3.1.1	<b>Full title of the official gazette:</b>	Journal Officiel de la République française : JORF
		Official Journal of French Republic
3.1.2	<b>Contents:</b>	Laws, decrees, circulars, nominative measures
3.1.3	<b>Address (URL):</b>	journal-officiel.gouv.fr
3.2	<b>Organisation of the exchange:</b>	<ul style="list-style-type: none"> <li>- executive authority / electronic</li> <li>- executive authority / on paper</li> <li>- legislative authority / electronic</li> <li>- legislative authority / on paper</li> </ul>
3.3	<b>Is electronic transmission part an integrated and seamless workflow:</b>	no
		The texts arrive either on paper for photocomposition , or on a more and more frequent basis as digitized files or by mail, a significant dematerialisation programme is due to be developed between 2004 and 2006
3.4	<b>Techniques based on XML or SGML:</b>	yes

	If yes, does a grammar exist	as XML schema
3.5	<b>Binding deadlines for publishing legislation:</b>	yes
		Article 10 of the Constitution : Promulgation of acts by the President of the Republic within 15 days of the transmission to the government of the text finally adopted The act must be published in the JO the night following its reception, for regulations (decrees) the orders of precedence are transmitted by the Government Office of Secretary General to the editorial service of the JO
<b>User</b>		<b><u>4. Details of the publication procedures for legislation</u></b>
4.1	<b>The legal basis for publication of legislation:</b>	Ordonnance N° 2004-164
		The new Order number 2004-164 determines the legal basis for publication : the texts become binding as of the day following their publication
4.2	<b>Year of establishment of the official gazette:</b>	1631
4.3	<b>How is publication of legislation financed:</b>	- other
		The JO disposes of a budget surplus (receipts exceed total expenditures) and an auxiliary budget recorded in the general Government Finance Act
4.4	<b>On what medium(a) is legislation legally binding:</b>	- paper - online (database/web)
		The two mediums will have the same value of authenticity as of June 1st 2004
4.5	<b>Problems, if legislation is (in future) legally binding in electr. form:</b>	- threat to legal certainty - technical difficulties (images, tables, etc.)
		The two mediums will coexist in the future, only use, will determine whether or not the paper medium can be eliminated

4.6	<b>On what media and from when onwards is legislation offered to end-users:</b>	<ul style="list-style-type: none"> <li>- on paper from 1816</li> <li>- on microfilm from 1870</li> <li>- on CD-ROM/DVD from 1947</li> <li>- via online (database/web) from 1990</li> </ul>	
		all legislation in force is consultable on the Legifrance site, the oldest text dates back to 1500 ; the original texts of the Official Journal are consultable from 1990	
4.7	<b>Availability of the online edition of legislation:</b>		
4.7.1	<b>In which format and from when onwards is legislation offered to end-users:</b>	<ul style="list-style-type: none"> <li>- PDF from</li> <li>- TIFF from</li> <li>- HTML from</li> <li>- XML from</li> </ul>	
		PDF for the Legifrance JO as far as facsimiles are concerned TIFF for tables HTML on Internet, this format will evolve toward XML	
4.7.2	<b>Can the online edition be downloaded?:</b>	yes	
		Text after text	
4.8	<b>On what financial terms is legislation offered to end-users:</b>	- free of charge	- online (database/web)
		- below cost (what percent is covered)	- paper
4.9	<b>Electr. formats, legislation is offered to the private sector for further processing and commercial use:</b>	<ul style="list-style-type: none"> <li>- in a 'neutral' format</li> <li>- in a word processing format</li> <li>- PDF</li> <li>- HTML</li> <li>- XML</li> </ul>	
4.10	<b>Is legislation available to all private sector</b>	yes	

	<b>companies under the same conditions:</b>	
		The JO grants reuse licences , the company that re-circulates JO data agrees to provide this data in full and within a minimum period of time which allows it to use the JO "label"
4.11	<b>What price is charged to the private sector for the electr. version of leg. for further processing and comm. use:</b>	
		- copying and shipping costs
4.12	<b>Copyright status of legislation in your country:</b>	- no copyright protection claimed for the information itself (content)
		other : consolidated works stemming from regulations and prepared by the documentation service within the "DJO" are protected by copyright on the form
4.13	<b>Copyright status of the official gazette lay-out/format in your country:</b>	- no copyright protection for the lay-out/format
		The works and CD-ROM manufactured at JO are protected by copyright on the form
4.14	<b>The owner of the content of legislation, if published by a private company:</b>	

## **B. Calls for tender (public procurement)**

<b>FR</b>		<b>5. Details of the publications procedures for calls for tender</b>	
5.0	<b>Competent organisation(s):</b>		
5.1	<b>Organisation of the exchange of informationOn what medium(a) is legislation legally binding:</b>	<ul style="list-style-type: none"> <li>- electronic</li> <li>- on paper</li> </ul>	
		<p>for electronic : now mandatory according to the new Public Procurement Contracts Code</p> <p>for paper : in the process of being eliminated in the next few months</p>	
5.2	<b>Binding deadlines for publishing this information:</b>	yes	
		The Official bulletin of public procurement notices is required to publish public invitations to tender eleven days or, if the matter is urgent, six days following the date they are received	
5.3	<b>The legal basis for publication of public tenders:</b>	BALO bulletin des annonces légales obligatoires BOAMP bulletin officiel des annonces des marchés publics BODACC bulletin officiel des annonces civiles et commerciales ASSOCIATIONS	
		The 4 bulletins of legal notices are annexes to the JO "lois et décrets" (acts and decrees) which were separated from the main publication for practical reasons of excessive amounts of text and clarity of information	
5.4	<b>How is publication of calls for tender financed:</b>	- other	
		idem 4.3	
5.5	<b>On what medium(a) is the information on public tenders deemed authentic:</b>	<ul style="list-style-type: none"> <li>- paper</li> <li>- online (database/web)</li> </ul>	
		<p>paper : for news and archiving</p> <p>online : as of June 1st 2004</p>	
5.6	<b>On what media</b>	- paper	

	<b>is the information on publ. tenders offered to end-users:</b>	<ul style="list-style-type: none"> <li>- on CD-ROM/DVD</li> <li>- via online (database/web)</li> </ul>	
5.7	<b>On what financial terms is the information on public tenders offered to end-users:</b>	<ul style="list-style-type: none"> <li>- free of charge</li> </ul>	<ul style="list-style-type: none"> <li>- online (database/web)</li> </ul>
		<ul style="list-style-type: none"> <li>- below cost (what percent is covered)</li> </ul>	<ul style="list-style-type: none"> <li>- paper</li> </ul>
5.8	<b>Electr. formats of the public tenders, which are offered to the private sector for further processing and commercial use:</b>	<ul style="list-style-type: none"> <li>- in a 'neutral' format</li> <li>- HTML</li> <li>- XML</li> <li>- other</li> </ul>	
		<p>neutral format : specific format for the BODACC  HTML : for BOAMP notices  other : TIFF for BALO tables  To publish public procurement notices, there are 3 modes of transmitting to the JO :</p> <ul style="list-style-type: none"> <li>- On-site data capture; this is not really data transmission, but rather advertiser completion of a form available on the JO site</li> <li>- Major advertisers, such as ministries, transmit their legal notices in XML format using software provided by the JO</li> <li>- the CCI system is used to produce notices in SGML format internally</li> </ul>	
5.9	<b>What price is charged to the private sector for the electr. version of the public tenders for further processing and comm. use:</b>	<ul style="list-style-type: none"> <li>- copying and shipping costs</li> </ul>	<ul style="list-style-type: none"> <li>- in a 'neutral' format</li> <li>- PDF</li> <li>- HTML</li> <li>- XML</li> </ul>
5.10	<b>Copyright status of this information in</b>	<ul style="list-style-type: none"> <li>- copyright protection not claimed for the information itself (content)</li> </ul>	

	<b>your country:</b>	
5.11	<b>Copyright status of the official gazette lay-out/format for this information in your country:</b>	- other
		Only the form has been registered
5.12	<b>The owner of the content of calls for tender, if published by a private company:</b>	

### **III. Future development and strategies**

FR	<b>6. Anticipated changes and other plans or discussed issues</b>	
6.1	<b>Changes in your country in short (1-2 years) or medium term (3-5 years):</b>	<p>1- legal opposability of "Lois et décrets électronique" (electronic Acts and Decrees) has just recently been enacted</p> <p>2- the general public is encouraged to use computer media, the modernisation of existing media will evolve</p> <p>3- changes will be made from PDF towards XML</p> <p>4- no charge service already exists</p> <p>5- the Government has already opted for development towards XML</p> <p>6- no changes are planned, only operating costs remain at re-user expense</p>
6.2	<b>Other plans or discussed issues:</b>	<p>1- new co-operation partnerships : with other governmental publishers</p> <p>2- under consideration</p> <p>3- certain legal choices could intervene in response to modifications resulting from the European law on competition</p> <p>4- depending on technological developments</p> <p>5- already implemented, could be enhanced</p> <p>6- free digitization and legal opposability will lead to a reduction in the number of paper subscribers; certain publications could be discontinued in response to expressed demand and observed development.</p>

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