

OPERATIONAL SELECTION POLICY OSP44

RECORDS OF UK GOVERNMENT INVOLVEMENT IN
THE DEVELOPMENT AND IMPLEMENTATION OF
EUROPEAN COMMUNITY SECONDARY LEGISLATION

March 2007

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1 Authority

- 1.1 The National Archives' Acquisition and Disposition policy statements (February 2000) announced the intention of developing, in consultation with departments, Operational Selection Policies across government. These policies would apply the collection themes described in the policy to the records of individual departments and agencies.
- 1.2 The National Archives' Appraisal Policy statement (August 2004) announced a new emphasis to Operational Selection Policies:

TNA will develop generic archival appraisal guidance for categories of records such as those produced by similar types of departments (agencies, regulatory bodies) or those produced by activities common to many departments (research papers, inspection reports). (section 2.4.3.6)

This Operational Selection Policy provides generic archival appraisal guidance for public records produced in the development, scrutiny and implementation of European Community secondary legislation.

- 1.3 Operational Selection Policies are intended to be working tools for those involved in the selection of public records. This policy may, therefore, be reviewed and revised in the light of comments received from the users of the records or from archive professionals, the department's experience of using the policy, or as a result of newly discovered information. There is no formal cycle of review but we would welcome comments at any time. The extent of any review and revision exercise will be determined according to the nature of the comments received.
- 1.4 If you have any comments upon this policy, please email recordsmanagement@nationalarchives.gov.uk
Or write to:
Acquisition and Disposition Policy Manager
Records Management Department
The National Archives
Kew
Richmond
Surrey
TW9 4DU

2 Scope

- 2.1 This Operational Selection Policy covers records of UK government involvement in the development and implementation of European Community secondary legislation (regulations, directives, decisions) in both paper and electronic format.

- 2.2 It does not cover records of UK government involvement in European Union primary legislation for example, The Single European Act (1987), The Treaty on the European Union – Maastricht Treaty (1992), The Treaty of Amsterdam (1997, came into force in 1999). Nor does it cover UK involvement in the areas of Justice and Home Affairs or Common Foreign and Security Policy.
- 2.3 Records generated by the various European Community institutions (see sections 5.2 and 8.7) are not covered by this policy. The relevant European Union institutions hold these records and those selected for permanent preservation are passed to the European Union Archive when they reach 30 years old (see section 7).
- 2.4 This policy provides guidance on the identification of records of UK government involvement in European Community legislation for permanent preservation. It does not provide guidance on the application of freedom of information legislation to these records.
- 2.5 The term ‘government departments’ should be taken to mean government departments, agencies and NDPBs.

3 Current / past policy and practice

- 3.1 Up to now there has not been any specific guidance on the selection of records of UK involvement in European Community legislation. Selection and transfer of these records to The National Archives has therefore been patchy.
- 3.2 A search of The Catalogue reveals that most of the files held at The National Archives that relate to European Community directives or regulations have so far come from the Transport Departments, Health and Safety Executive and the Department for Work and Pensions and, in smaller numbers, from Department for Trade and Industry, Department of Health and Department for Food, Environment and Rural Affairs.
- 3.3 The relatively low number of records held by The National Archives is also explained by the fact that, at the time of writing, many departments have only transferred files up to 1976. The UK only joined the European Economic Community in 1973. It would be reasonable to expect that the number of records relating to European Community legislation will increase from 1976 onwards.

4 Principles for the selection of records of UK government involvement in European Community legislation

- 4.1 In line with The National Archives’ thinking on the appraisal of e-records and on new more ‘macro’ methods of appraisal for paper records, this Operational Selection Policy aims to enable departments to appraise records relating to European Community legislation at the highest level possible (though there are occasions where the records themselves may

need to be examined more closely, see section 8). Selection will generally rest on the following principles:

- Whether the department was acting as lead department for that particular legislative area
- Whether the Foreign and Commonwealth Office or Cabinet Office were substantially involved in the process or whether additional diplomatic activity was generated for the Foreign and Commonwealth Office
- The type of record (some records are more likely to warrant permanent preservation than others, see section 8)

5 European Community legislative process and main players

5.1 Background

5.1.1 The European Union consists of 3 parts or 'pillars'. The European Community (encompassing the European Economic Community, European Coal and Steel Authority and EURATOM), the Common Foreign and Security Policy and Justice and Home Affairs. This Operational Selection Policy is only concerned with the first of these pillars, the European Community, as this is where secondary legislation is made.

5.1.2 The European Economic Community was established in 1957 by the Treaty of Rome. The Maastricht Treaty of 1993 removed the word 'economic' from the name of the Community and the Treaty. The Treaty is therefore now known as the Treaty Establishing the European Community. The role of the European Community is outlined in Article 2 of the Treaty of Rome:

'The Community shall have as its task, by establishing a common market and an economic and monetary union and by implementing common policies or activities ... to promote throughout the Community a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.'¹

5.1.3 The main areas of Community policy activity are defined in Part Three of the Treaty; free movement of goods, agriculture, free movement of persons, services and capital, transport, common rules on competition, taxation and approximation of laws, economic and monetary policy, common commercial policy, social policy, education, vocational training and youth, culture, public health, consumer protection, trans-European

¹ Treaty Establishing the European Community, Article 2, 1957

networks, industry, economic and social cohesion, research and technological development, environment, development co-operation.

5.1.4 The legislative process is complex, so only a basic outline is given here. There are many websites where more detailed information on this process can be found (see suggestions for further reading in Annex 1).

5.2 Main players in the legislative process

5.2.1 The **European Commission** consists at the time of writing of 27 members, or Commissioners, one from each Member State. It initiates proposals for legislation and acts as guardian of the treaties and as manager and executor of European Union policies and International Trade Relations.

5.2.2 The **Council of the European Union (Council of Ministers)** brings together representatives (ministers, permanent representatives or their deputies) of the governments of Member States. Membership varies according to the subject area under discussion. For example if transport legislation were on the agenda then government ministers with responsibility for transport would normally attend. The Council is the main legislative and decision-making body of the European Union. It is assisted in its work by the **Committee of Permanent Representatives (COREPER)**, which is made up of the Permanent Representatives of the Member States. The Committee is responsible for preparing the work of the Council and carrying out tasks assigned to it by the Council.

5.2.3 The **European Parliament** is currently made up of 785 MEPs (Member of the European Parliament) directly elected in the 27 Member States. Originally the European Parliament's role in the legislative process was purely consultative, however in recent years its legislative functions have increased considerably (largely through the co-decision procedure, see section 5.4.4 below). It also has responsibility for settling the Community budget, debating the annual general report, approval of the President and members of the European Commission, oral and written questions to the Commission and Council, committees of inquiry, appointment of the Parliamentary Ombudsman and the motion of censure.

5.2.4 The role of the **European Court of Justice** is to ensure that in the interpretation and application of the Treaties the law is observed. It is made up of 27 judges, one from each member state, and eight advocates-general. It is assisted in its work by the **Court of First Instance**.

5.2.5 **Governments of Member States** 'implement and enforce almost all Community legislation and administer much of its expenditure too.'²

² Negotiating in the European Community, James Humphreys, Random House, 1997 pp 7

5.3 Types of secondary legislation

5.3.1 **Regulations** are directly applicable and binding in their entirety to all Member States. They automatically form part of the law of each Member State.

5.3.2 **Directives** are binding on member states as to the result to be achieved, but it is left to the governments of Member States to decide how they achieve this result. Directives therefore have to be 'transposed' into national law. This might be through primary or secondary legislation.

5.3.3 Other types of legislation are **decisions, recommendations** and **opinions**. Decisions are binding on those to whom they are addressed for example, Member States, individuals, companies or community institutions. Recommendations and opinions are non-binding and set out the Community's view on necessary action or procedures OR provide an opportunity for views to be expressed without recommendations for action. They have moral rather than legal force.

5.4 Legislative process

5.4.1 There are four different procedures that can be used for the negotiation, drafting and issuing of regulations and directives:

- Consultation procedure
- Cooperation procedure
- Co-decision procedure
- Approval procedure

Below is a summary of the first three.

5.4.2 The **consultation procedure** was the earliest form of legislative process but has largely been superseded by the cooperation and co-decision procedures. It is only used today in situations when neither of the other two is required. The consultation procedure can be broken down into 4 main stages:

- Commission draws up a proposal and passes this to the Council
- Council consults with European Parliament and other relevant Community bodies (Economic and Social Committee and Committee of Regions)
- Proposal is put before Council again and discussed by the Committee of Permanent Representatives (COREPER)
- Final text is adopted by the Council, signed by the President of the Council, and then published or notified to the person to whom it is addressed

5.4.3 The **cooperation procedure** is similar to the consultation procedure described above but allows a greater role for Parliament in the decision making process. It is still used in relation to economic and monetary union but has otherwise been superseded by the Co-decision procedure:

- Commission draws up a proposal
- First reading in Parliament and consultation with Economic and Social Committee and Committee of the Regions if appropriate
- Council adopts a common position using Qualified Majority Voting
- Second reading. Parliament approves, amends or rejects proposal
- If common position is rejected then unanimity is required for adoption by the Council
- If the Commission accepts Parliament's suggested amendments then Council may adopt by Qualified Majority Voting
- If the Commission does not accept the Parliament's amendments, then adoption by the Council requires unanimity

5.4.4 The **co-decision procedure** builds on the cooperation procedure. This procedure does not allow the Council to adopt its common position if efforts to reach agreement with Parliament fail. This increases the incentive to reach a compromise, as the entire legislative process must otherwise be abandoned.

- Commission draws up proposal
- First reading in Parliament (same process as cooperation procedure)
- Proposal may be adopted at this stage if Parliament does not make any amendments or if Commission accepts all amendments
- Second reading in Parliament
- If no response in 3 months then instrument deemed to have been adopted
- If Parliament rejects the common position then the legislative process is at an end
- If amendments suggested then the Council is given the opportunity to accept these. If the Council rejects amendments then Conciliation Committee formed to help achieve a reasonable compromise
- Third Reading in Parliament. Council (qualified majority usually required) and Parliament (absolute majority required) confirm acceptance of Conciliation Committee's new draft
- If conciliation procedure fails then Common position is deemed not to have been adopted. The legislative process is therefore at an end.

5.4.5 Once legislation has been agreed it is published in the Official Journal of the European Union and it is then up to the Member States to ensure they implement this legislation. This is generally referred to as the 'transposition' process.

5.4.6 If a Member State fails to notify the European Commission of transposition, or if transposition is incomplete, or if it fails to apply Community legislation then the Commission may begin infraction proceedings against the Member State. If the Commission does not receive an adequate response from the Member State then it will take the case to the European Court of Justice.

6 Role of UK government in the European Community legislative process

6.1 Cabinet Office European Secretariat

http://www.cabinetoffice.gov.uk/secretariats/european_secretariat/index.asp

6.1.1 The role of the Cabinet Office European Secretariat is to coordinate the government's European policy and to provide advice on European matters to the Prime Minister. It seeks to ensure that the UK position in community negotiations is in line with UK government objectives and the needs of other government departments. It also provides advice and guidance to Whitehall on EU procedures and mechanisms and works with the National School of Government to raise awareness of European issues across the Civil Service.

6.1.2 Although the Cabinet Secretariat is not involved closely with the legislative process, government departments copy relevant papers to it for the purposes of central coordination and will clear certain draft documents with it.

6.1.3 The Secretariat also coordinates the Government's response to infraction proceedings which the European Commission brings against the UK. The UK position on infraction cases needs to be agreed collectively by Cabinet Office European Policy Committee.

6.2 Foreign and Commonwealth Office

6.2.1 There are two departments within the Foreign and Commonwealth Office that deal specifically with European issues, European Union – Internal (EU-I) and European Union - External (EU-x).

6.2.2 European Union – Internal has responsibility for the internal economic and institutional policies of the European Union. It ensures consistency in negotiating stances and policies, provides advice and briefing for Foreign Office Ministers and the Prime Minister, and has responsibility for policy formulation on EU matters and for briefing FCO overseas posts and issuing instructions on lobbying or negotiations.³ European Union – External has responsibility for enlargement of the European

³ Negotiating in the European Community, James Humphreys, Random House, 1997, pp 125

Union and European Union external policy (aid, economic relations, foreign trade etc).

6.3 UK Permanent Representative to the European Union (UK Rep)

<http://www.ukrep.be/>

6.3.1 It is the role of UK Rep to represent the UK interests in the European Union through negotiating and lobbying on their behalf. The UK Rep works closely with the Commission, the European Parliament and other institutions, the Council Secretariat and the Permanent Representatives of the other Member States.

6.3.2 The UK Rep's office assists government departments in negotiations by 'providing tactical advice, knowledge of the whole picture on the work of a specific Council and on European Affairs, and presentational and advocacy skills.'⁴

6.3.3 Permanent Representatives of Member States sit on the Committee of Permanent Representatives (COREPER) whose role in the legislative process is outlined in section 5.2.2 above.

6.4 Government departments

6.4.1 As outlined above, Cabinet Office and the Foreign and Commonwealth Office, have a role in 'monitoring and evaluating policies individually and against the UK's overall interests and objectives' and UK Rep assists departments with negotiations but they all have 'limited resources and wide remits' and therefore 'the system depends on the vast bulk of co-ordination being carried out and between individual officials in Whitehall departments. The initial and main responsibility lies here.'⁵

6.4.2 Many government departments may be involved in the legislative process on any given issue, but there is usually one department that takes the lead. There are of course exceptions and areas of overlap but generally a government department will take the lead on Community legislation that falls within its area of responsibility. The lead department will not only have an important role in the contemplation, negotiation and drafting of legislation but will also be responsible for the transposition of legislation into UK law and implementation.

6.4.3 The involvement of so many different government departments means that papers are copied to many different people for information or comment resulting in much duplication. Records should usually be taken from the lead department where this can be established (see section 8).

⁴ Negotiating in the European Community, James Humphreys, Random House, 1997, pp 127

⁵ Negotiating in the European Community, James Humphreys, Random House, 1997, pp 121

6.5 UK Parliament – scrutiny system

- 6.5.1 The scrutiny system gives the House of Commons the opportunity to influence UK ministers on European Union proposals and ensures that Ministers are held accountable for their activities in the Council of Ministers. The system concentrates on examining European Union documents and the UK government's policy towards them.
- 6.5.2 About 1,000 European Union documents per year (including drafts of regulations, directives, decisions, budgetary proposals and amended proposals) are deposited with Parliament for scrutiny. Once a document has been deposited the lead government department will prepare and submit an Explanatory Memorandum. The European Scrutiny Committee considers all 1,000 documents and identifies those of political or legal importance and those that should be debated. Documents are debated in the European Standing Committees (a small selection of documents of particular importance are debated in the floor of the House).
- 6.5.3 The European Scrutiny Committee also monitors meetings of the Council of the European Union. The lead government department will produce a written ministerial statement before (items on agenda and UK government position) and after the meeting (what happened at the meeting, UK role and votes).
- 6.5.4 A similar process of scrutiny takes place within the House of Lords (Select Committee on the European Union and 7 sub-committees) though they scrutinise a much smaller number of documents and comment on them in more detail.
- 6.5.5 Records of this process (including European Scrutiny Committee and Standing Committees) will be held in the Parliamentary Archives. House of Commons debates and written ministerial statements are published in Hansard.
- 6.5.6 For more information on this process see 'The European Scrutiny System in the House of Commons: A short guide for Members of Parliament by the staff of the European Scrutiny Committee':
- <http://www.parliament.uk/documents/upload/TheEuroScrutinySystemintheHoC.pdf>
- 6.5.7 The Scottish Parliament has a European and External Relations Committee that examines EU legislation to identify issues of importance to Scotland and scrutinises the implementation of that legislation in Scotland. The Committee also monitors the subsequent impact of the legislation.

<http://www.scottish.parliament.uk/business/committees/europe/responsibilities.htm>

- 6.5.8 The Welsh Assembly also has a European and External Affairs Committee that considers relations with the EU, liaison with UK Rep and other UK government departments on European issues, and documents and issues and questions emanating from the European Union with a particular need for liaison with members of parliament responsible for scrutiny of European matters with particular relevance to Wales.

<http://www.wales.gov.uk/keypubassemeuropeancomm2/index-e.htm>

7 European Union Archive

<http://www.iue.it/ECArchives/EN/>

- 7.1 The European Union Archive is based in Florence, Italy and is administered by the European University Institute. Its role is to acquire, conserve and make available to the public the archives of European Community Institutions. It should be considered to be the archive for records of the European Union and its institutions and there is no need to preserve UK copies of the institutions' official papers permanently.

- 7.2 Original documents of the institutions listed below are transferred annually to the Archive when they reach 30 years of age. The records held include minutes of meetings, reports, policy records and speeches for the following institutions:

- European Parliament
- Council of Ministers
- Commission of the European Communities including the High Authority of the European Coal and Steel Community, Commissions of the European Economic Community and EURATOM, Economic and Social Committee, Court of Auditors

The Archive will also include records of the European Court of Justice, though there has yet to be a transfer.

- 7.3 Microfilmed copies of the documents are also kept in the originating institutions and are available for consultation there.

- 7.4 The Archive also holds the personal papers of a selection of European personalities, international organisations and pro-European movements.

8 Types of records and selection criteria

A decision tree for each type of record detailed in section 8 can be found at figure 1.

8.1 Records of UK contemplation of legislation

8.1.1 Proposals for European Community legislation can come from member states, public opinion, pressure groups or individual incidents. These proposals are put forward to the European Commission for consideration. UK government departments involved in this process would produce records considering the merits and implications of the proposal.

8.1.2 Records of these discussions should usually be taken from the lead department. However, if Cabinet Office or Foreign and Commonwealth Office are substantially involved in this process then records may need to be selected from these departments as well (see also section 8.10 for FCO).

8.2 Records of UK contribution to negotiation, drafting and issue of legislation

8.2.1 The UK contributes to the negotiating, drafting and issue of legislation through its membership of the European Commission, Council of the European Union, European Parliament and via its Permanent Representative.

8.2.2 A central record of this process will eventually be held in the European Union Archive (see section 7).

8.2.3 In view of the above and that ministerial statements on Council meetings are published in Hansard (see sections 6.5.3 and 6.5.5) it will usually only be worth preserving these records (from the lead department) where UK view had to be substantially revised or where defending it had an adverse effect on UK diplomatic relations with other Member States or where the UK fought against something but it still went through. If it is not possible to identify such records then no records should be selected.

8.3 Records of UK policy to implement European Community legislation

8.3.1 Once legislation has been agreed it must be incorporated into UK law. This will be taken forward by the lead government department. Most Community legislation is brought in via secondary legislation (Statutory Instruments), though occasionally primary legislation is needed to bring about major changes.

8.3.2 Key documentation (high level committee papers, ministerial briefings etc) on this should be taken from the lead department. For some departments selection of board level records may provide a sufficient record of this process and therefore no further records need be selected. If Cabinet Office were substantially involved in implementation then some of their records may also warrant permanent preservation.

8.4 Records on UK infraction cases

- 8.4.1 The UK government prefers to resolve infraction cases before they get as far as the European Court of Justice. This process will involve the lead UK government department revisiting parts of the implementation process. Selection should therefore be based on the criteria outlined in section 8.3.
- 8.4.2 For cases that do go to the European Court of Justice the lead government department will help to prepare the UK's defence. As outlined in section 6.1.3, the Cabinet Office European Secretariat coordinates the Government's response to infraction proceedings and the UK position is agreed collectively by the Cabinet Office European Policy Committee. Cabinet Committee minutes and papers are automatically selected for permanent preservation at The National Archives.
- 8.4.3 A central record of infraction cases is to be kept by the European Court of Justice and records of the the Court will eventually be passed to the European Union Archive for permanent preservation (see section 7.3). Cases are also published in the following publications; *Reports of Cases before the Court of Justice and the Court of First Instance*, *Reports of European Community Staff Case* and *Official Journal of the European Union*.
- 8.4.4 Taking the above points into account, for cases that go to the European Court of Justice, no extra records need be selected from UK government departments for permanent preservation.

8.5 UK Casework records

- 8.5.1 On the whole, case files, (for example enquiries about the interpretation of legislation), relating to European Community legislation will be of limited value and should be treated like other types of public record case files (see links below to OSP 0 on the sampling of case files and section 3.9.2 of the Proposed Additional Review Procedures). However, where it is possible to identify significant/notorious cases these may be worth selecting for permanent preservation, (for example, cases relating to the so-called 'metric martyrs'). Departments should use their knowledge and experience to identify which series of case files may contain such significant cases, and in consultation with its National Archives client manager agree an appraisal methodology for each series accordingly.
- <http://www.nationalarchives.gov.uk/documents/osp0.pdf>
- http://www.nationalarchives.gov.uk/documents/additional_procedures.pdf
- 8.5.2 Databases may have been set up to handle this type of casework. These would need to be reviewed using specific selection criteria for

datasets. The National Archives will produce general criteria for datasets in the near future, in the form of a national collection strategy, but until then departments should consider the following:

- Is the dataset recording key functions of the department?
- Does it have 'archival' value, i.e. does it provide information likely to be of research value either to academics or to a broad section of the public?
- Is it illustrative of a department's way of working?

Such datasets should be preserved.

8.5.3 Where the dataset relates to interactions between the state and individuals or communities, the selection criteria set out in OSP 30 should be applied.

<http://www.nationalarchives.gov.uk/documents/osp30.pdf>

8.6 **Records of UK reporting**

8.6.1 Member States are usually required to report back to the European Commission on the progress of implementation. This is called 'notification of transposition' and is now done electronically.

8.6.2 As this is a European Community compliance issue these records should not be selected for permanent preservation at The National Archives.

8.7 **Records on the amendment or abolition of existing legislation**

8.7.1 From time-to-time European Community legislation will require amendment or may even be abolished. The procedure is similar to that for the development and implementation of legislation and selection criteria at sections 8.1, 8.2 & 8.3 should be followed for this type of record.

8.8 **European Union papers**

8.8.1 Copies of European Union papers (papers of the Council of European Union, European Parliament etc) should not be selected for permanent preservation at The National Archives as these will be preserved in the European Union Archive (see section 7).

8.9 **Organisation of records**

8.9.1 The types of records produced have been separated out for the purposes of this Operational Selection Policy. However, in practice, departments may find that some of the records described above are actually grouped together in one paper file or electronic file or folder. If this is the case then a selection decision would need to be made based on the type of records contained. For example, if a file or folder contained records on the contemplation and implementation of

legislation as well as some reporting records then the whole file/folder should be selected for permanent preservation.

8.10 Publications

8.10.1 As outlined in OSP 36 on Publications/grey literature, externally available publications/grey literature produced by UK government departments as a part of this process (including material published on a departmental website) should be deposited with the British Library. This does not include publications produced by the European Union/Community itself.

8.11 Records of the Foreign and Commonwealth Office and the Cabinet Office

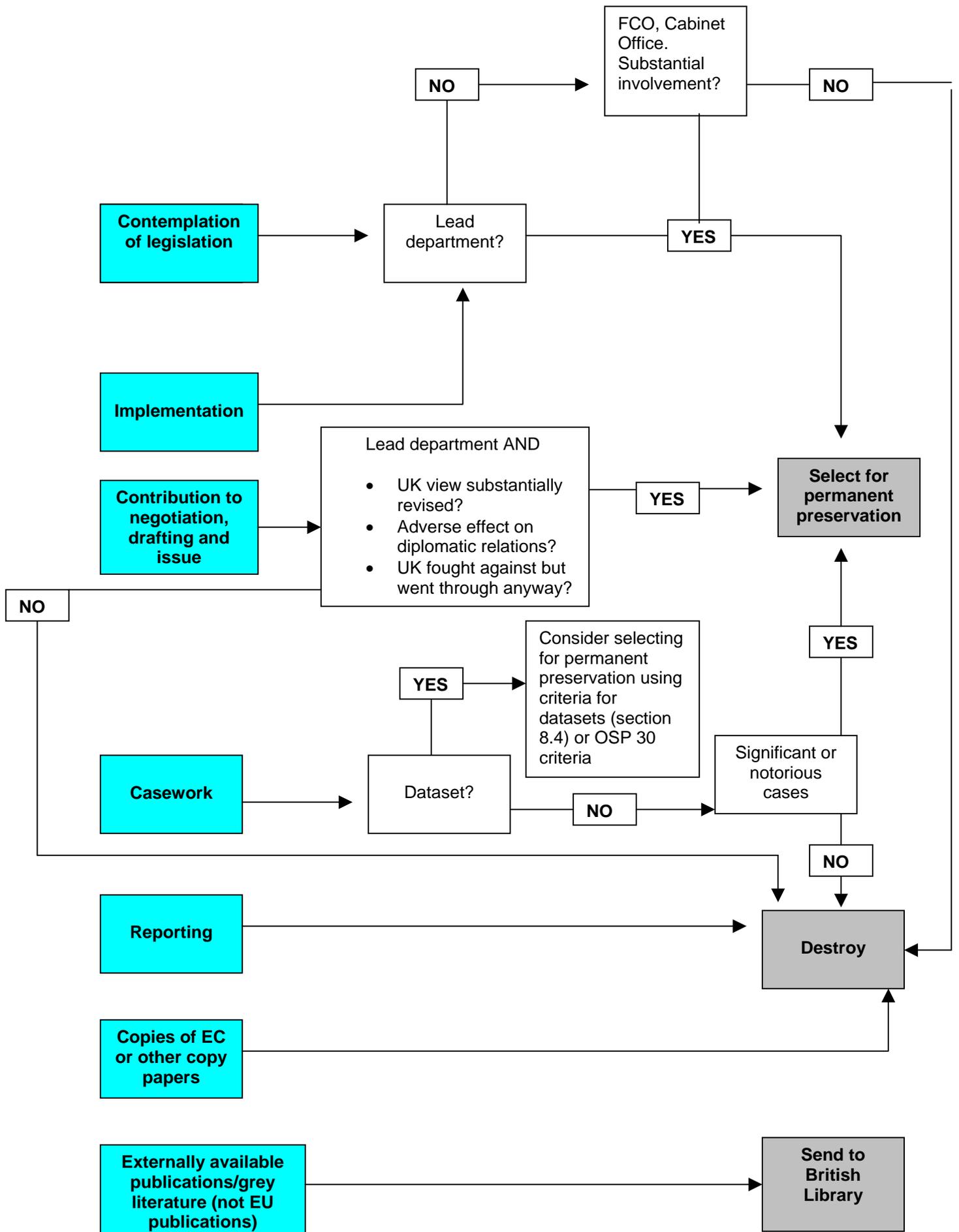
8.11.1 OSP 13 Britain's Diplomatic Relations 1973-1996, gives further guidance on records to be selected from Foreign and Commonwealth Office.

8.11.2 There are some basic principles relating to UK relations with international organisations outlined in the aforementioned OSP that also apply to this policy:

- If another government department took the lead in relations with the organisation then FCO records will **not** be preserved **UNLESS** FCO made significant comment on proceedings or outcomes that was not communicated to the lead department AND/OR additional diplomatic activity was generated for FCO
- Files containing no papers of significance other than agendas, reports, minutes and correspondence issued by the organisation, regardless of the importance of those papers, will not be preserved, as it is expected that these papers will be preserved in the archives of the organisation

8.11.3 Section 5.2 of OSP 12 Records of the Central Direction and Oversight of Government Policy and Programmes, 1970-2000 states that for Cabinet Secretariat subject files that deal with issues which are of direct concern to one or more individual departments and their ministers, it is assumed that the records of those departments will be the principal source for study of the development of law and policy. Cabinet Office secretariat subject files will be selected only when they demonstrate material and sustained Cabinet Office involvement.

Figure 1



Annex 1

Further reading

Europa is the official website of the European Union and contains a wealth of information on European Union institutions, activities, documents and links to other useful websites.

http://europa.eu/index_en.htm

The Eurlex website provides direct free access to European Union law including treaties, international agreements, legislation in force, preparatory acts, case law and Parliamentary questions. You can also access the Official Journal of the European Union here. It also includes information on the legislative process and main players:

<http://eur-lex.europa.eu/en/index.htm>

The Foreign and Commonwealth Office 'Britain and the EU' website contains a quick guide to the EU, information on EU policy, an explanation of terms, frequently asked questions and more:

<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029391674>

European Union Institutions and Legislation: a short guide for members of Parliament by the members of the European Scrutiny Committee:

<http://www.parliament.uk/documents/upload/EUInstitutionsLegislation.pdf>

The Cabinet Office 'Transposition Guide' gives a useful overview of the legislative process especially the diagram on page 6:

<http://www.cabinetoffice.gov.uk/REGULATION/documents/pdf/tpguide.pdf>

Cabinet Office official histories on UK accession to the European Community:

http://www.cabinetoffice.gov.uk/publicationscheme/published_information/1/officialhistory.asp