

# “Act” – Remarks on Short Titles of EU Legislation

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## 1 Short titles

Some well-known EU legislation is commonly referred to by (unofficial) short titles, such as the Habitats Directive 92/43/EEC<sup>1</sup> (or in German: FFH-Richtlinie or Fauna-Flora-Habitat-Richtlinie). The use of official short titles, however, remains an exception in EU legislation. An example is the so-called e-commerce directive:

Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce')

Or, more recently, the General Data Protection Regulation (Regulation (EU) 2016/679), often referred to in German as DSGVO (which is not an official abbreviation). The full title reads:

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

Verordnung (EU) 2016/679 des Europäischen Parlaments und des Rates vom 27. April 2016 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten, zum freien Datenverkehr und zur Aufhebung der Richtlinie 95/46/EG (Datenschutz-Grundverordnung)

The Interinstitutional Agreement between the European Parliament, the Council and the Commission of 22 December 1998 on common guidelines for the quality of drafting of Community legislation<sup>2</sup> is quite vague on the question of short titles:

Where appropriate, the full title of the act may be followed by a short title.  
(guideline 8)

So where is a short title appropriate? The *Joint Practical Guide of the European Parliament, the Council and the Commission for persons involved in the drafting of European Union legislation* (JPG) first drafted in 2000 by the legal services of the three institutions and revised in 2013, advises against the use of short titles:

8.4. A short title for an act is less useful in Union law — where acts are identified by a combination of letters and numbers (for example '(EU) 2015/35') — than in systems which do not have such a system of numbering. In certain cases, however, a short title has come to be used in practice [...]. Despite the fact that it may seem a simple solution, referring to acts by a short title creates risks for the accuracy and coherence of legal acts of the Union. This method should therefore only be used in specific cases where it significantly aids the reader's understanding.

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1 Official title: Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora; Richtlinie 92/43/EWG des Rates vom 21. Mai 1992 zur Erhaltung der natürlichen Lebensräume sowie der wildlebenden Tiere und Pflanzen.

2 OJ C 73, 17.3.1999, p. 1–4. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31999Y0317%2801%29&qid=1649246795337>

8.5. The creation of a short title when an act is adopted by adding it after the title of the act should be avoided, since it only renders the title more cumbersome, without actually resolving the question of whether or not the short title should be used, either in the act which created it or in subsequent acts.

While the risks outlined in point 8.4 must always be borne in mind, it is possible to refer to an act by using a short title in order to make it easier to understand the act in which the reference is made. In this case, the short title chosen will have to appear in brackets in the body of the text of the act in which the reference is made, like any other abbreviation.

(JPG 2013: 25)

## 2 Regulation (EU) 2016/429 (Animal Health Law)

The short title of Regulation (EU) 2016/429 does not follow the template of the examples shown in section 1:

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health **Law**') (my emphasis)

For the versions of that short title in the other 23 official languages see table 1:

DE Tiergesundheitsrecht	NL Diergezondheids- wetgeving	DA dyresundhedsloven	SV djurhälsolag
FR législation sur la santé animale»	IT normativa in materia di sanità animale	ES Legislación sobre sanidad animal	PT Lei da Saúde Animal
RO Legea privind sănătatea animală	MT Liġi dwar is-Saħħa tal- Animali	LV Dzīvnieku veselības tiesību akt	LT Gyvūnų sveikatos teisės aktas
HU Állategészségügyi <b>rendelet</b>	FI eläinterveyssäännöstö	ET loomatervise <b>määrus</b>	GA Dlí maidir le Sláinte Ainmhithe
PL Prawo o zdrowiu zwierząt	CS právní rámec pro zdraví zvířat	SK právna úprava v oblasti zdravia zvierat	SL Pravila o zdravju živali
HR Zakon o zdravlju životinja	BG Законодателство за здравеопазването на животните	EL νόμος για την υγεία των ζώων	

Table 1: "Animal Health Law"

The Hungarian and the Estonian version use the word "regulation" instead of "law". The other language versions had to choose between the different meanings of "law" which are conflated in the English short title:

- the whole body of laws or provisions relating to one subject
- the enactment or statute – i.e. the formal document – containing the legislative provisions.

Some languages (e.g. German, Dutch, French) chose an expression with a broader meaning, in other languages, the expression chosen focuses on the single legislative act (e.g. Portuguese, Romanian, Latvian).

In September 2008, the Commission had presented the EU Animal Health Strategy 2008<sup>3</sup>; the main objective of that strategy was

the development of a **EU Animal Health Law**. The Commission will prepare a **legislative proposal** by 2010.

(Commission communication 2008: 3)

The legislative proposal was submitted only in May 2013<sup>4</sup> and aimed at simplifying the highly complex regulatory framework which at the time encompassed "almost 50 basic directives and regulations" (Commission explanatory memorandum). A short title was not appropriate, as the title proposed by the Commission – regulation on Animal Health – was easy to understand and quite short. The expression "Animal Health Law" was used repeatedly in the explanatory memorandum and in the recitals of the proposal referring to the "Impact Assessment for the adoption of the EU Animal Health Law"<sup>5</sup> (German: "Folgenabschätzung [...] im Rahmen der Annahme des neuen EU-Tiergesundheitsrechts"; French: "l'analyse d'impact préalable à l'adoption du règlement de l'Union relatif à la santé animale") (recitals 39, 74 and 104)<sup>6</sup>. During the consultation and impact assessment process, an "Animal Health Law Stakeholder Steering Group" had been set up. The "AHL Stakeholder Steering Group" comprised experts from national veterinary authorities, experts from international organizations and other interested stakeholders.

In the interinstitutional negotiations on the Commission proposal which took place in 2015, the title of the regulation was one of many controversial points. In accordance with the Council mandate of 17.12.2014, the Council wanted to keep the title proposed by the Commission; the European Parliament wanted to amend the title to Regulation "on the prevention and control

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3 Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions - Action plan for the implementation of the EU Animal Health Strategy (COM(2008)0545).

4 Proposal for a Regulation of the European Parliament and of the Council on Animal Health (COM(2013)0260).

5 Commission Staff Working Document: Impact Assessment Accompanying the document Proposal for a Regulation of the European Parliament and of the Council on Animal Health (SWD(2013)0161). There is only an English version available; the document was not translated.

6 In recitals 43, 81 and 114 of the Regulation, this was reworded as "impact assessment for the adoption of this Regulation". The French version uses "analyse d'impact préalable à l'adoption du présent règlement" (recital 43), "analyse d'impact réalisée en vue de l'adoption du présent règlement" (recital 81) and "analyse d'impact accompagnant l'adoption du présent règlement" (recital 114). The German version has "Folgenabschätzung [...], die im Rahmen der Annahme dieser Verordnung durchgeführt wurde" (recital 43), "[in der] für die Annahme dieser Verordnung durchgeführten Folgenabschätzung" (recital 81) and "[Im Rahmen der] Folgenabschätzung für die Annahme dieser Verordnung" (recital 114).

of animal diseases which are transmissible among animals or to humans"<sup>7</sup>, as suggested by its Committee on Agriculture and Rural Development in report A7-0129/2014.

It was only on 28 April 2015 that the Latvian Council Presidency proposed a compromise title including a short title: "regulation [...] on transmissible animal diseases ("Animal Health Law"). Coreper endorsed the proposed change on 29 April 2015. In the fifth and last trilogue on 1 June 2015, the negotiators reached agreement on the entire text including the final title.

As we have seen, the expression "Animal Health Law" was not invented by the Latvian Council Presidency, but had been used in previous Commission documents.

However, the word "law" for a legislative act of the EU is not without problems, as discussed in section 3.

### 3 EU legislative acts

The terminology for binding acts – regulations, directives and decisions<sup>8</sup> – goes back to the 1957 Treaty of Rome. The first paragraph of Article 189 EEC reads:

DE: Zur Erfüllung ihrer Aufgaben und nach Maßgabe dieses Vertrags erlassen der Rat und die Kommission Verordnungen, Richtlinien und Entscheidungen, sprechen Empfehlungen aus oder geben Stellungnahmen ab.

FR: Pour l'accomplissement de leur mission et dans les conditions prévues au présent Traité, le Conseil et la Commission arrêtent des règlements et des directives, prennent des décisions et formulent des recommandations ou des avis.

EN (version Article 249 EC 1997)

In order to carry out their task and in accordance with the provisions of this Treaty, the European Parliament acting jointly with the Council, the Council and the Commission shall make regulations and issue directives, take decisions, make recommendations or deliver opinions.

The choice of words made in 1957 has been attributed to

the clever use of understatement by the "founding fathers": law and legislation, being forbidden words (because they imply the parallel concepts of State and sovereignty), are replaced by the more neutral "regulation".

(CASSESE/DELLA CANANEA 1992: 79)

The Intergovernmental Conference (IGC) which adopted the Treaty of Maastricht signed in February 1992, issued a declaration on the hierarchy of Community Acts:

The Conference agrees that the Intergovernmental Conference to be convened in 1996 will examine to what extent it might be possible to review the classification of Community acts with a view to establishing an appropriate hierarchy between the different categories of act.

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7 Position of the European Parliament adopted at first reading on 15 April 2014, OJ C 443, 22.12.2017, p. 393.

8 Until the entry into force of the Treaty of Lisbon, German used "Beschluss" and "Entscheidung" for "decision". Three more languages used two different words: Dutch "besluit" and "beschikking", Danish "afgørelse" and "beslutning", Slovenian "sklep" and "odločba". Since December 2009, only "Beschluss", "besluit", " afgørelse" and "sklep" are used in accordance with Article 288 TFEU.

However, the hierarchy of norms was only tackled in the Treaty establishing a Constitution for Europe (Constitutional Treaty)<sup>9</sup> which introduced for the first time the word "law": The first subparagraph of Article I-33(1) of that Treaty reads:

To exercise the Union's competences the institutions shall use as legal instruments [...] European **laws**, European **framework laws**, European regulations, European decisions, recommendations and opinions.

Bei der Ausübung der Zuständigkeiten der Union bedienen sich die Organe [...] folgender Rechtsakte: Europäisches **Gesetz**, Europäisches **Rahmengesetz**, Europäische Verordnung, Europäischer Beschluss, Empfehlung und Stellungnahme.

Les institutions, pour exercer les compétences de l'Union, utilisent comme instruments juridiques [...] la **loi** européenne, la **loi-cadre** européenne, le règlement européen, la décision européenne, les recommandations et les avis.

Las instituciones, para ejercer las competencias de la Unión, utilizarán los siguientes instrumentos jurídicos [...] la **ley** europea, la **ley marco** europea, el reglamento europeo, la decisión europea, las recomendaciones y los dictámenes. (my emphases)

Once the negative result of the referendums in France and the Netherlands had put an end to the ratification process of that Treaty in 2005, the European Council agreed on 21/22 June 2007, after "a period of reflection", the mandate for the next Intergovernmental Conference which was asked to draw up an amending treaty. In accordance with the mandate, the new treaty – which was signed in Lisbon on 13 December 2007 – should introduce into the existing Treaties certain innovations from the 2004 IGC. The hierarchy of norms proposed in the Constitutional Treaty was not one of those:

The TEU and the Treaty on the Functioning of the Union will not have a constitutional character. The terminology used throughout the Treaties will reflect this change: the term "Constitution" will not be used, the "Union Minister for Foreign Affairs" will be called High Representative of the Union for Foreign Affairs and Security Policy and the **denominations "law" and "framework law" will be abandoned**, the existing denominations "regulations", "directives" and "decisions" being retained. Likewise, there will be no article in the amended Treaties mentioning the symbols of the EU such as the flag, the anthem or the motto. [...] (my emphasis) (EUROPEAN COUNCIL 2007: Annex I, point 3)

In its report of 30 June 2007 entitled "Pursuing the treaty reform process", the German Council presidency had already indicated that the question of symbols and possible terminological changes had to be put on the table and stated that:

[a] certain number of Member States underlined the importance of avoiding the impression which might be given by the symbolism and the title "Constitution" that the nature of the Union is undergoing radical change.  
(COUNCIL 2007: 3)

Clearly, one of the lessons learned was that words matter and that, just as in 1957, it might be best to avoid certain expressions used in national law. This makes the wording of the "Animal Health Law" somewhat surprising and might explain that at least some language versions (e.g. German, French, Spanish ...) looked for alternatives to the equivalent expression used in the 2004 Treaty. But not all languages did so, for example Portuguese kept "lei", Danish "lov" etc.

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9 There are no Bulgarian, Romanian nor Croatian versions of the Constitutional Treaty.

#### 4 Regulation (EU) 2021/1119 (European Climate Law)

Now we jump to the year 2020, and the taboo word "law" (with the meaning of "legislative act") makes a reappearance. On 4 March 2020, the Commission presented its proposal for a Regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) (COM(2020) 80). The legislative procedure was concluded on 30 June 2021 when the Presidents of the European Parliament and of the Council signed Regulation (EU) 2021/1119. Table 2 compares the short title of the Regulation in the official languages, with the initial version proposed by the Commission in bold and italics underneath, where different from the final version

DE Europäisches Klimagesetz	NL Europese klimaatwet	DA den europæiske klimalov	SV europeisk klimatlag
FR loi européenne sur le climat	IT Normativa europea sul clima <i>Legge europea sul clima</i>	ES Legislación europea sobre el clima <i>Ley del Clima Europea</i>	PT Lei europeia em matéria de clima Lei Europeia <i>do</i> Clima
RO Legea europeană a climei	MT il-Liġi Ewropea dwar il- Klima	LV Eiropas Klimata akts	LT Europos klimato teisės aktas
HU európai klíma <b>rendelet</b> <i>az európai klímarendelet</i>	FI eurooppalainen ilmastolaki	ET Euroopa kliimamäärus <i>Euroopa kliimaseadus</i>	GA An Dlí Aeráide Eorpach
PL Europejskie prawo o klimacie	CS evropský právní rámec pro klima	SK európsky právny predpis v oblasti klímy <i>európsky klimatický predpis</i>	SL evropska podnebna pravila
HR Europski zakon o klimi <i>Europski propis o klimi</i>	BG Европейски закон за климата <i>вропейски законодателен акт за климата</i>	EL ευρωπαϊκό νομοθέτημα για το κλίμα <i>ευρωπαϊκός νόμος για το κλίμα</i>	

Table 2: short title "European Climate Law"

During the finalisation process, lawyer-linguists in all language sections (within Council and Parliament) were asked to check the proposed short title in the light of comments on the possible inadequacy of the use of "law" or its equivalent in their language, taking into account the precedent of the Animal Health Law as well as discussions, if any, on the use of "law" in the Constitutional Treaty.<sup>10</sup> Some languages chose to keep the expression used in the

<sup>10</sup> Email communication of 21 March 2022 to author.

Constitutional Treaty (German, Dutch, Danish, Swedish, Irish, French, Maltese, Finnish). The Portuguese version uses the expression of the Constitutional Treaty, but makes a minor change by replacing the preposition "de" with the relator "em matéria de". Hungarian avoids the issue by using "rendelet" (= 'regulation') throughout. The Estonian Commission proposal had used "seadus" which is the expression of Article 33-I of the Constitutional Treaty; this was replaced in the Regulation by "määrus" (= 'regulation'). Other languages copied the expression used in their version of the Animal Health Law in order to avoid using the expression of Article I-33 (Spanish, Italian, Lithuanian, Latvian (with minor change), Polish, Czech, Slovene).

## 5 Law or Act?

In 2020, 2021 and 2022, the Commission presented further proposals with similar short titles, but using "Act" instead of "Law" in the English version:

- 25.11.2020: Proposal for a Regulation of the European Parliament and of the Council on European data governance (Data Governance Act) (COM(2020) 767)
- 15.12.2020: Proposal for a Regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (COM(2020) 825)
- 15.12.2020: Proposal for a Regulation of the European Parliament and of the Council on contestable and fair markets in the digital sector (Digital Markets Act) (COM(2020) 842)
- 21.4.2021: Proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain union legislative acts (COM(2021) 206)
- 23.2.2022: Proposal for a Regulation of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act) (COM(2022) 68)

So why this difference? One explanation may be the different provenance of the proposals: The European Climate Law was drafted in the Directorate-General for Climate Action (DG CLIMA); the other proposals were drafted in the Directorate-General for Communications Networks, Content and Technology (DG CONNECT). Of course, any proposal is submitted to an inter-service consultation and adopted by the Commission as college, so DG CONNECT must have been aware of the text proposed by DG CLIMA. Or was the different wording due to the different meaning of the generic, broader term "law" defined as the body of rules and the "act" defined as a (specific, single) statute passed by a legislative body, often using the word "Act" in the title of the statute? The difference is well evidenced for example in the title of the (UK) "Family Law Act 1996" the full title of which reads

An Act to make provision with respect to: divorce and separation; legal aid in connection with mediation in disputes relating to family matters; proceedings in cases where marriages have broken down; rights of occupation of certain domestic premises; prevention of molestation; the inclusion in certain orders under the Children Act 1989 of provisions about the occupation of a dwelling-house; the transfer of tenancies between spouses and persons who have lived together as husband and wife; and for connected purposes.

In the case of the Data Governance Act, one might well ask whether the addition of a short title is appropriate, as the full title ("on European data governance") is hardly any longer than the short title. The short title does not "significantly aid the reader's understanding", as recommended by the JPG as a precondition for the addition of short titles. It seems rather

based on the wish to establish an easily quotable short title in line with other short titles proposed by DG CONNECT.

## 6 "Act" in the official languages

The German versions use "Gesetz" in all five Commission proposals from 2020, 2021 and 2022 as well as for the European Climate Law. Other languages – but not all of them, and some not coherently throughout – follow the switch from English "law" to "act". Clearly, the translation services of the Commission have not yet adopted a harmonised approach across languages and even within some languages. Table 3 shows the wording of the Commission proposals in the remaining languages:

FR acte sur la gouvernance des données législation sur les marchés numériques Législation sur les services numériques législation sur l'intelligence artificielle règlement sur les données)	IT Atto sulla governance dei dati legge sui mercati digitali legge sui servizi digitali legge sull'intelligenza artificiale normativa sui dati	ES Ley de Gobernanza de Datos Ley de Mercados Digitales Ley de servicios digitales Ley de inteligencia artificial Ley de Datos
PT Regulamento Governação de Dados Regulamento Mercados Digitais Regulamento Serviços Digitais Regulamento Inteligência Artificial Regulamento Dados	RO Legea privind guvernarea datelor Actul legislativ privind piețele digitale Actul legislativ privind serviciile digitale Legea privind inteligența artificială Legea privind datele	MT Att dwar il-Governanza tad-Data l-Att dwar is-Swieq Digitali l-Att dwar is-Servizzi Digitali l-Att dwar l-Intelligenza Artificjali L-Att dwar id-Data
DA forordning om datastyring retsakt om digitale markeder retsakt om digitale tjenester retsakten om kunstig intelligens dataforordningen	SV dataförvaltningsakten rättsakten om digitala marknader rättsakten om digitala tjänster rättsakt om artificiell intelligens dataakten	NL Datagovernanceverordening wet inzake digitale markte wet inzake digitale diensten wet op de artificiële intelligentie Dataverordening
PL akt w sprawie zarządzania danymi akt o rynkach cyfrowych akt o usługach cyfrowych akt w sprawie sztucznej inteligencji akt w sprawie danych	CS akt o správě dat akt o digitálních trzích akt o digitálních službách akt o umělé inteligenci Akt o datech	SK akt o správe údajov akt o digitálnych trhoch akt o digitálnych službách akt o umelej inteligencii akt o údajoch



SL akt o upravljanju podatkov akt o digitalnih trgih akt o digitalnih storitvah akt o umetni inteligenci akt o podatkih	HR Akt o upravljanju podacima Akt o digitalnim tržištima Akt o digitalnim uslugama Akt o umjetnoj inteligenciji Akt o podacima	BG Акт за управление на данните Законодателен акт за цифровите пазари Законодателен акт за цифровите услуги законодателен акт за изкуствения интелект Законодателен акт за данните)
HU Adatkormányzási rendelet digitális piacokról szóló jogszabály digitális szolgáltatásokról szóló jogszabály a mesterséges intelligenciáról szóló jogszabály adatmegosztási jogszabály	FI Datahallintosäädös Digimarkkinasäädös Digipalvelusäädös Tekoälysäädös datasäädös	ET andmehaldust käsitlev õigusakt digiturgude õigusakt digiteenuste õigusakt tehisintellekti käsitlev õigusakt Andmemäärus
LV Datu pārvaldības akts Digitālo tirgu tiesību akts digitālo pakalpojumu tiesību akts mākslīgā intelekta akts Datu akts	LT Duomenų valdymo aktas Skaitmeninių rinkų aktas Skaitmeninių paslaugų aktas Dirbtinio intelekto aktas Duomenų aktas	
GA An Gníomh um Rialachas Sonraí an Ionstraim um Margaí Digiteacha an Ionstraim um Sheirbhísí Digiteacha Gníomh um an Intleacht Shaorga An Ionstraim um Shonraí	EL Πράξη για τη διακυβέρνηση δεδομένων πράξη για τις ψηφιακές αγορές πράξη για τις ψηφιακές υπηρεσίες πράξη για την τεχνητή νοημοσύνη Πράξη για τα δεδομένα	

Table 3: Commission proposals drafted in DG CONNECT in 2020, 2021 and 2022

## 7 Regulation (EU) 2019/881 (Cybersecurity Act) and final version of the Data Governance Act

When drafting the proposals submitted in 2020, 2021 and 2022, it is likely that DG CONNECT looked at a precedent drafted in 2017 with its proposal for a "Cybersecurity Act" which was adopted as Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act).

Table 4 shows the short title of Regulation (EU) 2019/881 in the other official languages (initial title of Commission proposal in italics in brackets, if different), as well as the final version of the title of the Data Governance Act as approved by the European Parliament on 6 April 2022 (which corresponds to the text agreed by the EP and Council after legal-linguistic finalisation):

DE Rechtsakt zur Cybersicherheit Daten-Governance- Rechtsakt	NL de cyberbeveiligingsverordenin g Datagovernanceverordening	DA forordningen om cybersikkerhed forordning om datastyring	SV Cybersäkerhetsakten dataförvaltningsakte n
FR règlement sur la cybersécurité règlement sur la gouvernance des données	IT regolamento sulla cibersicurezza Regolamento sulla governance dei dati	ES Reglamento sobre la Ciberseguridad ( <i>Reglamento de Ciberseguridad</i> ) Reglamento de Gobernanza de Datos	PT Regulamento Cibersegurança Regulamento Governação de Dados
RO Regulamentul privind securitatea cibernetică ( <i>Legea privind securitatea cibernetică</i> ) Regulamentul privind governanța datelor	MT l-Att dwar iċ-Cibersigurtà Att dwar il-Governanza tad- Data	LV Kiberdrošības akts Datu pārvaldības akts	LT Kibernetinio saugumo aktas Duomenų valdymo aktas
HU kibertbiztonsági jogszabály adatkormányzási rendelet	FI Kyberturvallisuusasetus datanhallinta-asetus	ET küberturvalisuse määrus ( <i>küberturvalisust käsitlev õigusakt</i> ) andmehalduse määrus	GA an Gníomh um Chibearshlándaíl an Gníomh um Rialachas Sonraí
PL akt o cyberbezpieczeństwie ( <i>akt ws. Cyberbezpieczeństwa</i> ) akt w sprawie zarządzania danymi	CS akt o kybernetické bezpečnosti akt o správě dat	SK akt o kybernetickej bezpečnosti akt o správe údajov	SL Akt o kibernetiski varnosti ( <i>uredba o kibernetiski varnosti</i> ) Akt o upravljanju podatkov
HR Akt o kibersigurnosti Akt o upravljanju podacima	BG Акт за киберсигурността Акт за управление на данните	EL πράξη για την κυβερνοασφάλεια ( <i>πράξη για την ασφάλεια στον κυβερνοχώρο</i> ) πράξη για τη διακυβέρνηση δεδομένων	

Table 4: Short title of Regulation (EU) 2019/881

In nearly all languages, the final version of the short title "Data Governance Act" follows the template of the short title of the Cybersecurity Act. The Hungarian version uses "rendelet" (= 'regulation') like in all other examples except the Cybersecurity Act which kept "jogszabály" (= the general term for law) used in some (but not all) Commission proposals of DG CONNECT. The Finnish version uses "asetus" (= 'regulation') which corresponds to the short title of the Commission proposal for the Cybersecurity Act, while the DG CONNECT proposals from 2020 onwards used "säädös" (= 'legislative act').

## 8 Position of the EU lawyer-linguists

The interinstitutional working group of EU lawyer-linguists GRITL (Groupe de réflexion de technique législative) which meets regularly to discuss legal-linguistic issues with a view to finding a consensus among the different EU institutions, is not in favour of the use of the word "act", precisely because not all official languages have an appropriate equivalent. The GRITL prefers the use of "regulation" or "directive", respectively, in those cases where a short title is added.<sup>11</sup>

Incidentally, inspired by the US practice of using the name of sponsors (e.g. Dodd-Frank Act, Sarbanes-Oxley Act etc.), the European Parliament launched the idea, in 2014, of adding personal names in EU legislative acts, with the hope that this would make EU acts somehow more accessible. It was first used on 10 March 2015 in Parliament's second reading on the file which would be published as Directive (EU) 2015/719<sup>12</sup>; in its legislative resolution<sup>13</sup>, Parliament suggested

that the act be cited as 'the Leichtfried-Lupi Directive on weights and dimensions of commercial vehicles'.

Austrian MEP Jörg Leichtfried, the rapporteur appointed in the EP's committee on transport and tourism, and Maurizio Lupi, minister for infrastructure and transport, led the negotiations on the act on behalf of the European Parliament and the Council (for the Italian Council presidency during the second half of 2014) respectively.

The initial idea had been to include the name of the EP rapporteur in the official title of the act; obviously, that would have required the consent of the Council as co-legislator. And even the scaled-down version used in the EP legislative resolution has not been a great success: the European Parliament applied it in six legislative files, none later than 2016 ...

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<sup>11</sup> Email communication of 4 April 2022 to author.

<sup>12</sup> Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic.

<sup>13</sup> OJ C 316, 30.8.2016, p. 215–216. [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015AP0046&qid=1649249916852#ntr3-C\\_2016316EN.01021501-E0003](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015AP0046&qid=1649249916852#ntr3-C_2016316EN.01021501-E0003).

## 9 Agreement on the European Economic Area (EEA): Norwegian and Icelandic

On 11 December 2020, the EEA Joint Committee decided to incorporate Regulation (2016) 429 (Animal Health Law) into the EEA Agreement<sup>14</sup>. The Regulation was translated into Icelandic and published on 31 March 2021 in the EEA Supplement<sup>15</sup>; the short title of the Icelandic version reads: "lög um dýraheilbrigði" (lög = 'law'). The Norwegian short title does not follow the template of the Danish and Swedish language, as one might have expected, but reads: "dyrehelseforordningen"<sup>16</sup>, using the equivalent of "regulation" instead of "law".

Regulation (EU) 2019/881 (Cybersecurity Act) is marked as EEA relevant by the EU; it is still under consideration for incorporation into the EEA Agreement by Iceland, Liechtenstein and Norway<sup>17</sup>. A Norwegian and Icelandic version will only become available after a decision of the EEA Joint Committee; as German is the official language of Liechtenstein, there will be no need for a special version for that country.

Regulation (EU) 2021/1119 (European Climate Law) is considered - by the EU and the EEA EFTA States - not to be relevant for incorporation into the EEA Agreement; therefore, it was obviously not translated into Icelandic nor into Norwegian.

The Data Governance Act is marked as EEA relevant<sup>18</sup>. It will be interesting to see the short titles in Norwegian and Icelandic in due time.

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14 Decision No 179/2020 of the EEA Joint Committee of 11 December 2020 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement.

<https://www.efta.int/media/documents/legal-texts/eea/other-legal-documents/adopted-joint-committee-decisions/2020%20-%20English/179-2020.pdf>

15 <https://www.efta.int/sites/default/files/documents/legal-texts/eea/other-legal-documents/solr/translated-legal-acts/icelandic/i32016R0429.pdf>

16 <https://www.efta.int/media/documents/legal-texts/eea/other-legal-documents/adopted-joint-committee-decisions/2020%20-%20Norwegian/179-2020n.pdf>

17 The Draft Joint Committee Decision (JCD) incorporating the act into the EEA Agreement was sent to the Commission on 13 April 2022. At the date of consultation (9.7.2022), entry into force of the JCD is still pending.

18 At the date of consultation (9.7.2022), the Data Governance Act is under scrutiny for incorporation into the EEA Agreement by Iceland, Liechtenstein and Norway. There is no draft Joint Committee decision yet.

## REFERENCES

- CASSESE, Sabino/DELLA CANANEA, Giacinto (1992) *The Commission of the European Economic Community: the Administrative Ramifications of its Political Development (1957-1967)*. In: HEYEN, Erk Volkmar (ed.) *Die Anfänge der Verwaltung der Europäischen Gemeinschaft – Les débuts de l'administration de la Communauté européenne*. Baden-Baden, Nomos.
- COUNCIL (2007) Report from the Presidency on pursuing the treaty reform process. Document 10659/07. <https://data.consilium.europa.eu/doc/document/ST-10659-2007-INIT/en/pdf> .
- EUROPEAN COUNCIL (2007) Presidency Conclusions of the Brussels European Council (21/22 June 2007). Document 11177/1/07. <https://data.consilium.europa.eu/doc/document/ST-11177-2007-REV-1/en/pdf> .
- JPG (2013) Joint Practical Guide of the European Parliament, the Council and the Commission for persons involved in the drafting of European Union legislation. Second edition. <https://eur-lex.europa.eu/content/techleg/KB0213228ENN.pdf> .