

How to find legislation and regulations

Mònica Bonich
Albert Cervera
Gema Santos

PID_00169206



Universitat Oberta
de Catalunya

www.uoc.edu



These contents are published under a Creative Commons Attribution-NonCommercial -ShareAlike (BY-NC-SA) Spain licence which allows them to be copied, distributed, publicly, broadcast or used to produce derivative works for non-commercial purposes, provided the author and source are cited. If these contents are transformed, the resulting work may only be distributed under the same or similar licence to this one.

Index

Introduction	5
1. How to find legislation and jurisprudence	7
1.1. Open Access	7
1.2. Through the Library	7
2. How to find regulations and standards	11
Self-evaluation	13
Answer key	14
Bibliography	15

Introduction

In order to find specialist information, you often have to consult databases. These include:

- 1) Legislation databases that provide access to laws, jurisprudence, forms, agreements, etc.
- 2) Regulations databases, be they general standards (ISO and UNE) or specific regulations in a particular field (IEEE for telecommunications).

The following shows where you can find this information and how to access its full text.

1. How to find legislation and jurisprudence

1.1. Open Access

Spanish laws are passed by the Cortes Generales or by the autonomous parliaments. They may be Constitutional Laws, Ordinary Laws, Royal Decree or other Rules.

Commonly, they are all usually published in the journal or gazette of the issuing body. For example, in the case of the European Community, they can be found in:

- OJEU (Official Journal of the European Union)].
- To access the full text, we advise using the Eurlex database.

In the case of laws with jurisdiction on Spanish soil, you can find them in:

- BOE (Official State Gazette)
- Official gazettes of the Autonomous Communities and Official Journals, e.g. the DOGC (Official Journal of the Catalan Government).
- Official gazettes of each province, such as the BOP Girona.

The Spanish Government has made a search engine available to the public, which lets you find Laws, Royal Decrees and Rules at state and autonomous level.

1.2. Through the Library

You can also find legislation in the pay-to-view databases, which members of the UOC community can consult through the Library.

Besides legislation, in these databases you will also find jurisprudence rulings, official forms, agreements documents and even doctrine (texts by experts commenting on legal texts), the literature that has been written on them and current news.

The following are the added-value services that they offer.

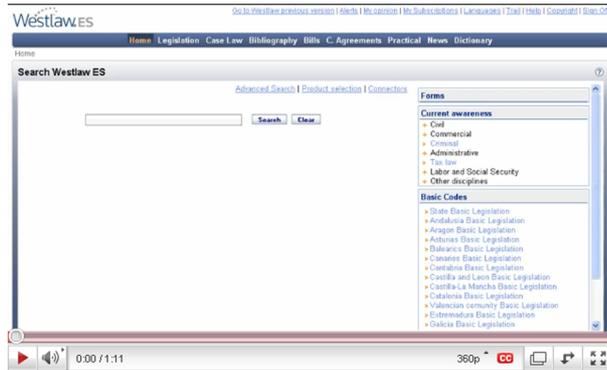
1) One of the most widely-known Spanish databases is **Aranzadi** distributed by **Westlaw.es**. This enables you to find current or revoked legal provisions, jurisprudence, collective agreements, draft bills, doctrine and press notices at autonomous, state and European level. We should highlight the *Practicum* sec-

tion, where you can consult notes on all the legislation and jurisprudence relating to employment (company), taxation, the public administration and Catalan urban planning.



Aranzadi Guide

uoc Information Literacy -- Aranzadi



<http://www.youtube.com/watch?v=66CCdhsdrVY>

2) Another database that also includes autonomous, Spanish and European legislation and jurisprudence is **Consultor jurídico**. One of its particularities is that you can search directly for legislation, jurisprudence and forms jointly about a specific area: civil, criminal, employment, company, military, administrative and constitutional. Here you can find collective agreements, subsidies and even a tool for calculating interest and compensation.

Recommended Reading List



Consultor jurídico guide

3) In **La Ley**, as in the previous cases, you can find legislation, jurisprudence, agreements and forms, as well as provisions of the Directorate General for Taxation, the Directorate General for Records and Notaries Public, and doctrine. It includes Spanish legal texts since 1829 and international texts. To run a search, you have to take into account the terms that you are searching for. We should also stress that the La Ley Codes section enables you to find legal texts on the basis of a themed tree.



La Ley guide.

uoc Information Literacy -- Aranzadi

<http://www.youtube.com/watch?v=tpjKoUpzO9s>

4) The **Tirant on line** database includes legislation, jurisprudence and forms at international, European, state and autonomous level. You can also find both written doctrine (*Library* section) and multimedia doctrine. It is outstanding due to the variety of options for finding information: browsing by subject area or field of law, by voices, or subareas, in both list and diagram form. You can also find answers to queries made by users of the database on legal matters (*Queries* section). Finally, we should highlight the possibility of viewing the employment and tax calendars from the home page.



Tirant on line guide

5) **Vlex** is a database that includes collective agreements, jurisprudence (autonomous, state and European), doctrine, news from Spanish newspapers and standard contracts and forms. We should highlight the fact that it enables searches by geographical area in which the legislation or jurisprudence is applied. It also offers the possibility of browsing among the results and viewing the jurisprudence rulings arranged by date.



Vlex guide

uoc Information Literacy -- VLex

<http://www.youtube.com/watch?v=E531BkWazGg>

6) To find any legislation or jurisprudence text at international level, you can consult the **Westlaw international** database, especially if you're looking for legal and juridical texts from the USA and Commonwealth countries. It includes economic and financial information from any country (legislative journals, treaties, etc.) and a compilation of news from the Reuters agency. We should stress that English has to be used in searches and you should first choose the package or sphere in which to run the search.



Westlaw International guide.

You'll find more information in the following comparative table.

2. How to find regulations and standards

"Standards are voluntarily applied documents with technical specifications based on the results of experience and technological research."

AENOR

The only standardisation and certification agency in Spain is AENOR (Spanish Standards Agency).

The standards drawn up by the AENOR Standardisation Technical Committees are called UNE.

The international standardisation agencies are:

- IEC (International Electrotechnical Commission) for international standards relating to electronics and electrotechnology.
- ISO (International Organization for Standardization) for the remaining sectors.

These standards are adapted by the different countries. In the case of Spain, some UNEs are adaptations of these standards. To find the ones related to ISOs, you need to look at the ICS or TC number that is included in the ISO number.

At a European level, there are other agencies that draft standards, which must be fulfilled by the member countries and are therefore automatically incorporated into the UNEs:

- CEN (European Committee for Standardisation)
- CENELEC (European Committee for Electrotechnical Standardization)
- ETSI (European Telecommunications Standards Institute)

They are all pay-to-view so you have to subscribe to them. If a member of the UOC community wants to access these documents, they must check the above pages and make sure of the standard that they need and then order it through the Library's Document Lending Service (SOD).

Other standardisation agencies can also be highlighted, such as:

- ANSI (American National Standards Institute) draws up different standards, including NISO for telecommunications. Most of the standards refer to technical and technological fields: telecommunications, aeronautics, materials engineering, etc.

- ITU (International Telecommunications Union) can be consulted through the World Telecommunication Indicators Database Online database to which the UOC Library has a subscription.
- IEEE on different aspects of technology or technology applied to such fields as education. It can be consulted via IEEEExplore to which the CBUC (Catalan University Library Association) has a subscription.

You should also take into account the existence of open standards, i.e. public guides that everyone can access and which have been developed collaboratively. A few examples of organisations that draft these standards are:

- W3C (World Wide Web Consortium) drafts open standards on web design and architecture.
- OASIS (Organization for the Advancement of Structured Information Standards) is responsible for drafting open standards to aid preservation and ensure access to information, especially that generated in the web environment.

Before ending this section, we should remind you that all individuals and organisations must comply with the legislation (see Section 6.1 "How to find legislation and jurisprudence"), but that they must also abide by international regulations and standards (Section 6.2 "How to find regulations and standards") be they general or specific to their field of work.

Self-evaluation

Consult the database for "La Ley" and answer the following questions. You can consult the video help.

1. When was the Education Act (Ley orgánica de educación) published in the Official Gazette of the Spanish State?

- a) 20 January 2005
- b) 4 May 2006
- c) 3 July 2007

2. In the Education Act, indicate which of the following excerpts corresponds to a general principle of the "Primary Education" stage?

- a) "Primary education is a stage in education that comprises six academic years, which are normally studied between the ages of six and twelve".
- b) "Primary education is a stage in education that comprises twelve academic semesters, which are normally studied in state schools".
- c) "Primary education is a period of education that encompasses the education received by children aged between six and twelve".

3. Which of these laws did the Education Act repeal?

- a) Universities Act 6/2001 of 21 Dec. 2001
- b) The Law on the General Organisation of the Educational System 1/1990 of 3 Oct. 1990
- c) The Quality of Education Act 10/2002 23 Dec. 2002

4. On what did the ruling of the Provincial Court of Palencia, Ruling of 22 April 2008, rec. 13/2008 pronounce?

- a) Psychological harassment by peers
- b) School absenteeism
- c) Unfair suspension from a subject

5. In which sphere of the Codes of Law will you find the Education Act?

- a) Code of Civil Law > Protection of basic rights
- b) Code of International Law > Basic regulations
- c) Code of Political Laws > Basic Rights and Public Freedoms > Social Rights

6. Consult the section on doctrine and indicate whether there are any texts which refer to Primary Education.

- a) Yes, "Not 'education for citizenship' again. The legal response" by Enrique Arnaldo
- b) Yes, "The education community tackling harassment in schools and bullying. The civil responsibility of schools", by Ana Isabel Berrocal
- c) Yes, "The working relationship of religious teachers in state schools" by Miguel Ángel Purcalla

Answer key

Self-evaluation

1. b

2. a

3. b, c

4. b

5. c

6. a

Bibliography

060.es: Buscar legislación [online]. Gobierno de España. <http://www.060.es/te_ayudamos_a/legislacion/saber_mas-ides-idweb.html> [Date consulted: 24 March 2010].

AENOR: Asociación Española de Normalización y Certificación [online]. <<http://www.aenor.es>> [Date consulted: 24 March 2010]

ANSI: American National Standards Institute [online]. <<http://www.ansi.org>> [Date consulted: 24 març de 2010].

Base de datos La Ley: manual de usuario [online]. Wolters Kluwer España. <<http://www.laley-actualidad.es/manley/manual.htm>> [Date consulted: 24 March 2010]

Biblioteca Digital de Catalunya [online]. CBUC. <http://www.cbuc.cat/cbuc/fitxes_tecniques> [Date consulted: 24 March 2010].

BOE: Boletín Oficial del Estado [online]. España. Ministerio de la Presidencia. <<http://www.boe.es>> [Date consulted: 24 March 2010].

BOP: Butlletí Oficial de la Província de Girona [online]. Diputació de Girona. [Date consulted: 24 March 2010]. <<http://www.ddgi.cat/bop>> [Date consulted: 24 March 2010].

CEN: European Committee for Standardization [online]. <<http://www.cen.eu>> [Date consulted: 24 March 2010].

CENELEC: European Committee for Electrotechnical Standardization [online]. <<http://www.cenelec.eu>> [Date consulted: 24 March 2010].

DOUE: Diario Oficial de la Unión Europea [online]. Europa. Oficina de Publicaciones. <http://publications.europa.eu/official/index_es.htm> [Date consulted: 24 March 2010]

DOGC: Diari Oficial de la Generalitat de Catalunya [online]. Generalitat de Catalunya. <<http://www.genocat.cat/dogc>> [Date consulted: 24 March 2010].

ETSI: World Class Standards [online]. <<http://www.etsi.org>> [Date consulted: 24 March 2010].

Eur-Lex: el acceso al derecho de la Unión Europea [online]. Europa. Oficina de Publicaciones. <<http://eur-lex.europa.eu/es/index.htm>> [Date consulted: 24 March 2010].

IEC: International Electrotechnical Commission [online]. <<http://www.iec.ch>> [Date consulted: 24 March 2010].

IEEE [online]. <<http://www.ieee.org>> [Date consulted: 24 March 2010].

ISO: International Organization for Standardization [online]. <<http://www.iso.org>> [Date consulted: 24 March 2010].

ITU: International Telecommunication Union [online]. <<http://www.itu.int>> [Date consulted: 24 March 2010].

OASIS: Organization for the Advancement of Structured Information Standards [online]. <<http://www.w3c.org>> [Date consulted: 24 March 2010].

Tirant On Line: Ayuda [online]. Tirant Lo Blanch. <<http://www.tirantonline.com/ESTATICAS/ayuda.htm>> [Date consulted: 24 March 2010].

W3C: World Wide Web Consortium [online]. <<http://www.w3.org>> [Date consulted: 24 March 2010].

Westlaw International: Reference Materials [online]. Thompson Corp. <<http://www.westlawinternational.com/referenceMaterials.wl>> [Date consulted: 24 March 2010].

