

Accessibility of Legislation in the Digital Age

This [Report on Accessibility of Legislation in the Digital Age \(LRC 125-2020\)](#) follows on from the Commission's 2016 [Issues Paper: Accessibility, consolidation and online publication of legislation \(LRC IP 11-2016\)](#) and forms part of the [Fourth Programme of Law Reform \(LRC 110-2013\)](#).

This report makes a wide range of recommendations as to how legislation – in particular Acts of the Oireachtas, which constitute the main source of law in the State – can be made available online in a more consolidated and comprehensive way. The Report points out that there are over 3,000 Acts in force (of which more than 1,000 are pre-1922 Acts from before the State was established) and the vast majority of these Acts have been amended many times, but they are not all available in their up-to-date, as-amended format.

The Report points out that this is not satisfactory from a number of perspectives but notes that there have been significant improvements in recent years in making legislation in its enacted form available free online. The Report also points out that, over the years, a number of areas of law have been brought together in single Consolidation and Reforming Acts and that the Commission maintains and updates administrative consolidations, called Revised Acts, of over 380 Acts on the Commission's website.

The Report being published today seeks to build on these significant improvements by proposing additional methods to make more legislation, whether as enacted or in its amended form, available online in this digital age. In doing so the Report discusses how other countries have addressed these problems.

Key recommendations in the Report

1. There should be planned programmes of consolidation of Acts, which should be organised over defined time periods of five years.
2. The planned programmes should be overseen by a multi-agency group, the Accessibility and Consolidation of Legislation Group (ACLG).
3. The following areas should be considered for inclusion in the first planned programme of consolidations:
 - a) Road traffic legislation (see the case study below on the difficulty of finding road traffic legislation, including drink-driving legislation);
 - b) Employment legislation;
 - c) Gambling control legislation;
 - d) Sale of alcohol legislation;
 - e) Monuments and archaeological heritage legislation;
 - f) Consumer protection legislation; and
 - g) Landlord and tenant legislation.
4. The Law Reform Commission itself should, in collaboration with the proposed ACLG, continue to prepare planned programmes of Revised Acts.

5. The online version of legislation on the electronic Irish Statute Book (eISB), which is the principal source of legislative data in the State, should be given presumptive official status (as has already occurred in many other European states and for EU law), provided that the online version is accompanied by a qualified electronic signature that complies with the 2014 EU Regulation on the mutual recognition of electronic identification and signatures (the eIDAS Regulation).

6. Information and Communications Technology (ICT) should also be used to its full potential in making legislation more accessible online: this should include linking relevant information with the actual text of legislation, including background Reports, Regulatory Impact Analyses (RIAs), pre-legislative and post-legislative scrutiny reports by the Oireachtas, and relevant case law from the courts; and

7. The proposed Accessibility and Consolidation of Legislation Group should prepare and publish guidance on legislative policy standards.

Draft Legislation in Report

A draft Accessibility and Online Consolidation of Legislation Bill is included in this report.

Information on Implementation
