

## **CHAPTER 8**

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### **INCORPORATION OF LEGISLATION AS A FORM OF THE SYSTEMATIZATION OF NORMATIVE-LEGAL ACTS**

**Bodiul Ye. M.**

#### **INTRODUCTION**

Contemporary legislation develops under conditions of constant renewal, increasing complexity of legal regulation, and growing requirements for its accessibility, coherence, and practical suitability. The growing number of normative – legal acts, frequent amendments to them, the emergence of new spheres of legal regulation, and the active use of electronic legal resources necessitate the proper systematization of normative material. Under such conditions, the problem of systematization of legislation acquires not only technical-legal but also law-supporting significance.

A normative-legal act must not only be adopted by a competent actor and officially promulgated, but must also remain accessible for search, understanding, verification of validity, and practical application. The formal existence of an act in itself does not yet guarantee the real accessibility of law, especially where the original text of the act has been repeatedly amended, supplemented, partially repealed, or is applied in connection with other acts. In such cases, the user of law needs not only the official text, but also ordered, up-to-date, and clearly presented normative material.

The significance of incorporation is not limited to the creation of collections of normative-legal acts. Under contemporary conditions, it also includes the preparation of updated versions of acts, the formation of electronic legislative databases, the maintenance of registers, search functionality, the recording of amendments, the creation of reference tools, and the maintenance of normative material in an up-to-date state.

### **1. Concept, features, and types of legislation incorporation**

One of the current problems of Ukraine's contemporary development is increasing the effectiveness of legislation as a key instrument of state influence on social relations. Law performs its regulatory function only if the normative material is internally coherent, accessible for perception, and suitable for practical application. At the same time, legislation does not exist as a homogeneous and static body of legal norms. It is formed over a long period of time by various law-making actors, encompasses a significant number of laws and subordinate normative-legal acts, has different legal force, different spheres of operation, and different forms of official promulgation.

The complexity of this problem is intensified by the significant volume of normative material in force. At the same time, the effectiveness of legislation is determined not only by the number of adopted normative-legal acts, but above all by their quality, coherence, and capacity to have a real impact on social relations. A single legislative act may contain provisions belonging to different branches of law, while acts adopted at different times and by different law-making actors often contain duplications, terminological discrepancies, outdated provisions, or conflicting

norms [24, p. 13]. As a result, not only law-making activity but also law application becomes more complicated, since it is increasingly difficult for the user of law to establish the current, complete, and systemically coherent content of legal regulation.

Under such conditions, forms of systematization of legislation aimed at identifying, systematically arranging, and properly presenting normative material acquire particular importance. One such means is the incorporation of legislation.

The concept of incorporation of legislation should be considered primarily within the classification of forms of systematization of legislation traditionally accepted in Ukrainian legal theory. At the same time, the contemporary development of electronic legal systems creates the need for a broader understanding of incorporation, not only as the printed consolidation of normative-legal acts into collections, but also as a method of ordered presentation of current normative material in electronic databases, registers, and updated versions of acts.

The need for a broader understanding of incorporation is consistent with contemporary trends in the development of Ukrainian legislation. The Law of Ukraine “On Law-Making Activity” of 24 August 2023 № 3354-IX includes among its subject matters, in particular, bringing normative-legal acts to the attention of the public, maintaining their records, the operation of normative-legal acts, eliminating gaps, and resolving conflicts in normative-legal acts. This indicates that contemporary law-making activity does not end with the adoption of a normative – legal act, but requires proper accounting, updating, systematic presentation, and ensuring the accessibility of normative material.

In this regard, the incorporation of legislation should be considered not as a secondary or purely auxiliary technical

operation, but as an important method of organizing normative material that ensures its suitability for perception, search, analysis, and practical application. The specific feature of incorporation is that it does not alter the content of legal regulation, but it significantly affects the external form in which legislation exists. It is through the form of presentation of normative material that law becomes accessible to the user or, conversely, difficult to use. Therefore, incorporation is important not only for law-making, but also for law application, legal education, scholarly analysis, and legal informatization.

In contemporary Ukrainian doctrine, the approach of V. Ryndiuk deserves attention. She links incorporation not so much with changing legislation itself as with the proper presentation of information about it. She emphasizes that, among the organizational and managerial prerequisites for the ordering of legislation, the availability of information about legislation is of considerable importance, and that the activity whose object is such information and its proper presentation is the recording and incorporation of legislation. This approach makes it possible to define more precisely the place of incorporation among other forms of work with normative material: it does not replace codification, consolidation, or revision, but creates the informational and organizational basis for carrying them out [33].

Etymologically, the word “incorporation” derives from the Latin *incorporare*, meaning “to unite into one body”, or from the French *incorporer* with the same meaning [35, p. 199]. In the legal sense, this term is traditionally used to denote the external systematization of normative-legal acts by combining them into collections, compilations, registers, or other systematized information arrays without changing their normative content. Where such activity is carried out on the basis

of normatively defined powers, it may include the technical insertion of already adopted amendments into the current text of an act, but without an independent revision of the content of the legal norm.

In this understanding, incorporation combines two interrelated aspects. On the one hand, it is a form of systematization of legislation, since it presupposes the systematization of normative-legal acts according to certain criteria. On the other hand, it has a clearly expressed informational and organizational character, since its immediate result is not a new normative-legal act, but an ordered body of legal information. For this reason, incorporation occupies an intermediate position between the mere recording of normative-legal acts and more complex forms of systematization of legislation, such as consolidation, revision, and codification.

In analyzing the legal nature of incorporation, it is appropriate to turn to its doctrinal definitions and properties, which reveal the purpose of incorporation, its specific features, and its relationship with other forms of systematization of legislation.

I. Usenko defines incorporation as the highest form of activity in ordering the publication of normative acts, whereby, through their external processing and systematic – chronological or subject-based – combination in a single collection or compilation, a comprehensive and complete presentation of normative legal material relating to a certain period of time or to a certain sphere of social life having independent significance is achieved [38, p. 10]. In this approach, emphasis is placed on the completeness of the presentation of normative material, its systematic arrangement, and its connection with a particular temporal or subject-matter criterion.

N. Koshil offers a somewhat different definition, viewing incorporation as the external systematization of normative-legal

acts by combining them into collections according to a systemic-subject or chronological principle without changing their content, as well as the preparation of updated versions of normative-legal acts [28, p. 66]. This approach is particularly important for the contemporary understanding of incorporation, since it makes it possible to encompass not only classical collections of acts, but also the preparation of current versions of normative-legal acts taking into account the amendments made to them.

N. Onishchenko defines incorporation as an independent form of systematization of normative-legal acts with features inherent only to it [31]. O. Hirnyk also speaks of incorporation as a form of systematization where normative- legal acts of a certain level are fully or partially combined into collections or codes created for broad use in a defined manner [23, p. 235]. These approaches emphasize the independent place of incorporation within the system of legal-technical methods of ordering legislation.

I. Borshchevskiy, using the philosophical categories of “form” and “method”, proposes defining incorporation as a form of systematization of legislation carried out by competent state bodies, their officials, and other actors through the external processing and combination of normative-legal acts into collections or compilations in a certain order without changing their content [22, p. 19]. This definition has several important aspects. First, it indicates the range of actors that may carry out incorporation, which provides grounds for distinguishing official, semi-official, and unofficial incorporation. Second, it emphasizes the external character of the processing of normative-legal acts, that is, the absence of any independent change to their normative content. Third, the use of the concepts “collection” and “compilation” makes it possible to cover both thematic

selections of acts and broader systematized bodies of legislation. At the same time, for characterizing the results of thematic or sectoral incorporation, the concept of “collection” is more precise, whereas the concept of “compilation of legislation” is more appropriate for broader systematized bodies of normative-legal acts.

At the same time, narrower definitions are also found in the literature. Thus, O. Zaichuk characterizes the incorporation of legislation as the external systematization of legislation carried out outside the law-making process, within which control texts of normative-legal acts of a certain level are fully or partially combined into collections in chronological or systemic-subject order without changing their content [37, p. 407]. This definition is valuable because it emphasizes the external character of incorporation and the unchanged content of acts. At the same time, the assertion that incorporation is carried out exclusively outside the law-making process requires clarification. Indeed, incorporation as such is not law-making, since it does not create new legal norms. However, in functional terms, it may be connected with the law-making process as its preparatory or informational-analytical stage, in particular where it is carried out prior to the consolidation, revision, or codification of legislation.

Through incorporation, the form of presentation of normative-legal acts may undergo significant changes. In collections of normative-legal acts in force, their texts are presented together with official amendments and supplements. At the same time, provisions that have lost force may either not be reproduced in the main text or may be marked with appropriate editorial notes indicating the official details of the acts by which the relevant amendments were introduced. In this way, the user receives not only the text of the

act, but also information about its validity, amendments, and the current state of legal regulation.

N. Zhelezniak emphasizes that the incorporation of legislation consists in the complete or partial combination of normative-legal acts of a certain level in alphabetical, chronological, or systemic-subject order into various kinds of collections in order to provide interested persons with the texts of the relevant normative acts together with all their official amendments and supplements [25, p. 142]. In this definition, the indication that users are provided with the texts of acts together with official amendments and supplements is especially important, since this feature brings traditional incorporation closer to contemporary electronic updated versions of legislation.

At the same time, I. Shutak and I. Onyshchuk identify two main purposes of incorporation: maintaining the system of legal documents in an up-to-date state and providing a wide range of persons with access to the texts of laws and other normative-legal acts [39, p. 47]. In this context, it is appropriate to broaden the list of purposes of incorporation by also including a research purpose. Changes in social relations do not always require the immediate creation of new legal norms, but they always require an analysis of the existing normative material, its completeness, coherence, and capacity to ensure proper legal regulation. The incorporation of legislation may serve as a basis for such analysis, since it makes it possible to trace the interconnections between different legal norms, identify gaps, duplications, and conflicts, and assess how changes in individual normative provisions affect the structure of the relevant legal institution or branch of legislation.

Incorporation also has educational significance. Educational collections of legislation, thematic selections of acts, and electronic databases of normative materials help students, postgraduate students, scholars, and practitioners master the structure of the relevant branch of legislation and understand the logic of legal regulation. It also performs a legal-educational function, since the accessible and systematized presentation of normative material contributes to raising the level of legal culture among the population.

Given the dynamics of contemporary legislation, the ability of incorporation to ensure prompt familiarization with new amendments becomes particularly important. In a legal system where normative-legal acts are frequently amended, it is important for the user to have access not only to the original text of an act, but also to its current version as of a particular date. For this reason, incorporation collections, electronic databases, updated versions, and other forms of ordered presentation of legislation are an important instrument for the practical implementation of law.

Another way to better understand incorporation is to analyze its characteristic features. Since incorporation is one of the forms of systematization, it possesses the general features of systematicity, orderliness, consistency, and purposefulness. At the same time, it also has special features that distinguish it from codification, consolidation, and revision of legislation.

The general features of incorporation include systematicity, integrative character, law-centredness, and procedural character. Systematicity means that incorporation must establish a certain sequence of elements, ensure their interconnection, and subordinate them to the chosen criterion. A compilation of all normative-legal acts relating to a particular sphere, without logical ordering and without taking into account their substantive

connections, cannot be regarded as full-fledged incorporation. Incorporation must facilitate the use of normative-legal acts for achieving defined purposes; therefore, an unsystematic collection is not an appropriate result of incorporation activity.

The integrative character of incorporation lies in the fact that it is carried out according to a certain criterion that unites normative material into a coherent body. Such a criterion may be the subject matter of legal regulation, a branch of legislation, a legal institution, the issuing actor, the date of adoption, legal force, territorial scope of operation, or the practical needs of the user. It is precisely this integrative character that ensures the internal connection between the acts included in the incorporation body.

Law-centredness means that, regardless of the purpose of incorporation, its object remains normative material. Incorporation may be carried out for educational, scholarly, informational, or practical purposes; however, its legal nature is determined by the fact that it works with normative-legal acts or other legally significant texts. Even in the case of unofficial incorporation, its legal character is preserved, since it is aimed at ordering legal material.

The procedural character of incorporation means that it is not a one-time action, but encompasses a certain sequence of operations: defining the purpose, choosing the criterion, selecting acts, verifying their validity, arranging the material, editorial and technical formatting, preparing reference tools, and, where necessary, subsequent updating. The process of incorporation itself may be lengthy and recurring, especially where electronic legislative databases or other dynamic forms of maintaining normative material in an up-to-date state are concerned.

The special features of incorporation include formalization, variability, dispositivity, and preservation of the normative content

of acts. Formalization means that the result of incorporation must have an external form – a collection, compilation, register, electronic database, reference array, or another method of structured presentation of legislation. At the same time, such a form does not necessarily have to meet all the requirements applicable to a normative-legal act, since the result of incorporation is not a new act of law-making.

The variability of incorporation lies in the possibility of carrying it out according to different criteria and in different forms. It may be official, semi-official, or unofficial; complete or partial; chronological, subject-based, actor-based, or mixed; printed, electronic, or hybrid; current, retrospective, or historical. Such variability makes it possible to adapt incorporation to different practical needs.

The dispositivity of incorporation is manifested in the fact that the actor carrying it out has a certain freedom to choose the criteria, structure, scope, and method of presenting the material. Of course, in the case of official incorporation, such freedom may be limited by law or by an act of an authorized body. Nevertheless, even in that case, the actor carrying out incorporation makes a number of methodological and technical-legal decisions concerning the method of grouping acts, the system of indexes, notes, references, and reference tools.

Preservation of normative content is the main special feature of incorporation. It means that the actor carrying out incorporation has no right independently to change the content of legal norms, repeal provisions in force, create new prescriptions, or resolve conflicts by changing the text of an act. Such an actor may only reproduce the current text, include officially adopted amendments in it, indicate the loss of force of particular provisions, and make reference notes, but may not change the normative effect of the act.

It is precisely this feature that makes it possible to distinguish incorporation from other forms of systematization of legislation. Incorporation differs from the recording of legislation in that it not only records the fact of an act's existence, its details, the date of adoption, entry into force, or loss of force, but also presents the text of the act itself or its updated version in an ordered form. Recording creates the informational basis for incorporation, but does not replace it.

Incorporation differs from consolidation in terms of its object, purpose, and result. In incorporation, normative-legal acts are grouped for ease of use, but retain their independence. In consolidation, norms or acts regulating related social relations may be combined into one enlarged normative-legal act. Thus, the result of incorporation is a collection, register, electronic body, or updated version, whereas the result of consolidation is a new single act that replaces or absorbs the previously dispersed material.

Incorporation differs even more significantly from codification. Codification involves deep substantive processing of normative material, revision of legal institutions, elimination of outdated norms, formulation of new prescriptions, and adoption of a new codified act. Incorporation, by contrast, does not change the content of legislation and does not have a law-making essence. It may be a permanent or periodic activity aimed at maintaining normative material in an ordered state, whereas codification is carried out when there is an objective need for substantive renewal of the relevant branch or institution of legislation.

When examining the essence of incorporation, particular attention should be paid to its types. Legal literature traditionally identifies several classifications of incorporation depending on the legal status of the result, the method of arranging the material, the

scope of coverage, the form of the medium, temporal orientation, and the level of textual processing.

Depending on the legal significance of the result, official, semi-official, and unofficial incorporation are distinguished. Official incorporation is carried out on behalf of a competent state body or upon its instruction. Its result is an official collection, compilation, register, or electronic resource to which official status has been granted. Such a result may be used in law-making and law-application activity as an authoritative source of information on legislation in force. In certain legal orders, official reprints, updated versions, or consolidated texts may have evidentiary significance regarding the content of law in force [26].

Semi-official incorporation has an intermediate character. It may be carried out on the instruction of, or with the participation of, a state body, but its result does not acquire the status of an official source of promulgation of legislation. Such collections or electronic bodies may be useful for the practical activity of public authorities, institutions, enterprises, educational establishments, or professional communities; however, they do not replace the officially promulgated text of a normative-legal act [37].

Unofficial incorporation is carried out by research institutions, educational establishments, publishing houses, civil society organizations, professional associations, or individual specialists. Its result has a reference, educational, scholarly, or practical-informational character. Unofficial collections of legislation may be convenient for users, but they do not have independent legal significance and cannot replace the officially promulgated text of a normative-legal act. At the same time, unofficial incorporation often plays an important role in legal education and scholarly research, since it makes it possible to group normative material

according to academic courses, research problems, or practical needs [26].

According to the method of arranging normative material, incorporation may be chronological, subject-based, actor-based, or mixed. Chronological incorporation is the simplest form, since it involves arranging normative-legal acts in the sequence of their adoption, signing, official promulgation, or entry into force. Its advantage lies in the simplicity and objectivity of the criterion. At the same time, such incorporation is not always sufficient for practical use, since it does not reveal the internal connections between acts regulating the same sphere of social relations.

Subject-based incorporation is more complex and practically significant. It involves grouping normative-legal acts according to the subject matter of legal regulation, the sphere of social relations, the branch of legislation, or a particular legal institution. It is precisely subject-based incorporation that allows the user quickly to identify the range of acts regulating a particular issue, to see the relationship between laws and subordinate acts, and to identify duplications, gaps, or contradictions. Therefore, it is of particular importance as a preparatory stage for subsequent consolidation or codification [21, p. 102; 30].

Actor-based incorporation is carried out depending on which body or other law-making actor issued the relevant normative-legal acts. It is appropriate, for example, when ordering acts of parliament, the government, ministries, central executive bodies, or local self-government bodies. This form of incorporation makes it possible to trace the rule-making activity of a particular actor, establish its scope, dynamics, subject-matter directions, and relationship with acts of other bodies [34, p. 210].

Mixed incorporation combines several criteria simultaneously. For example, within a subject-based group, acts may be arranged according to legal force, and within each level – in chronological order. Alternatively, acts may first be grouped according to the issuing actor and then according to the subject matter of regulation. Mixed incorporation is the most flexible and often the most convenient for practical use; however, it requires a clearly defined methodology in order to avoid arbitrariness and inconsistency.

According to the legal force of normative-legal acts, incorporation may be structured on the basis of a hierarchical criterion: acts of higher legal force are placed first, followed by acts of lower legal force. This approach is particularly important for subject-based or sectoral incorporation, since it makes it possible to show the relationship between constitutional, legislative, and subordinate provisions within a particular sphere of legal regulation. Within one level of legal force, additional criteria may be applied – chronological, actor-based, or subject-based.

According to the duration of its implementation, incorporation may be current, periodic, or one-time. Current incorporation is carried out continuously and involves the prompt updating of the normative body in accordance with new acts and amendments. Periodic incorporation is carried out at certain intervals, for example monthly, quarterly, or annually. One-time incorporation is carried out within the framework of a specific task and covers normative material for a defined period or on a defined topic.

According to the scope of the material covered, complete, sectoral, intersectoral, institutional, and thematic incorporation are distinguished. Complete incorporation is aimed at covering the broadest possible body of legislation. Under contemporary conditions, its practical analogue may be official electronic

registers or legislative databases that claim to reflect the entirety of normative material in force. Sectoral incorporation covers normative-legal acts of a particular branch of legislation, for example civil, administrative, financial, labour, or environmental legislation. Intersectoral incorporation concerns spheres regulated by acts belonging to different branches, such as entrepreneurship, digitalization, public procurement, consumer protection, or state financial control.

Institutional incorporation focuses on normative material regulating a particular legal institution, for example ownership, contract, legal liability, administrative procedure, civil service, or local self-government. Thematic incorporation is formed in accordance with a specific practical need of the user: for example, a collection of acts on martial law, European integration, healthcare, education, construction, social protection, or the recovery of Ukraine.

According to temporal orientation, it is appropriate to distinguish current, retrospective, and historical incorporation. Current incorporation covers normative– legal acts in force or their updated versions. Its main purpose is to ensure practical access to the law in force at a particular moment. Retrospective incorporation reproduces the state of legislation as of a particular date or during a particular period. It is important for judicial practice, legal analysis, determining the temporal operation of law, and studying the legal regulation of past relations. Historical incorporation covers acts that have lost force but remain significant for scholarship, education, legal history, or comparative legal research.

According to the form of the medium, incorporation may be printed, electronic, or hybrid. Printed incorporation was historically the main form of incorporation collections. Its advantage was the stability of the text, while its disadvantage was

the difficulty of prompt updating. Electronic incorporation makes it possible rapidly to update the texts of acts, conduct searches, create hyperlinks, display the history of amendments, and provide broad access to legislation. Hybrid incorporation combines printed and electronic forms, for example where an official collection is published in printed form while an electronic database of updated texts is maintained at the same time.

According to the level of textual processing, incorporation of original texts and incorporation of updated versions may be distinguished. The former involves reproducing normative-legal acts in the form in which they were adopted or officially published. The latter involves incorporating into the text all subsequent amendments and supplements, enabling the user to work with the current version of the act. In contemporary legal circulation, it is precisely the incorporation of updated versions that has the greatest practical significance, since it is directly connected with the accessibility of law and legal certainty.

Incorporation as a process encompasses several interrelated stages. At the first stage, the purpose of incorporation, its actor, the scope of normative material, temporal limits, criteria for selecting acts, and the expected result are determined. At the second stage, the structure of the future collection, register, or electronic database is formed: sections, subsections, the order of arranging acts, the system of references, and reference tools are determined. At the third stage, normative-legal acts are selected, their validity is verified, versions are established, acts that have lost force in whole or in part are identified, as are acts that have introduced amendments to the relevant normative material. At the fourth stage, the actual arrangement of acts takes place, together with their editorial and technical processing, the preparation of notes,

indexes, tables of contents, lists, and additional reference materials. At the fifth stage, the incorporation body is updated, where current or electronic incorporation is concerned.

Compliance with the technical-legal rules of incorporation is of particular importance. First, normative acts must be selected in accordance with a clearly defined subject matter or other criterion. Second, the reliability of the texts included in the incorporation body must be ensured. Third, the content of normative-legal acts must be preserved without the introduction of unauthorized changes. Fourth, the official details of acts, the sources of their promulgation, the date of entry into force, the date of loss of force, or the date of amendment must be indicated. Fifth, when updated versions are prepared, the acts by which the relevant amendments were introduced must be clearly recorded. Sixth, the structure of the result of incorporation must be logical, consistent, and suitable for practical use.

On the basis of the analysis of scholarly approaches, it may be concluded that incorporation of legislation is a form of external systematization of normative-legal acts characterized by their ordered combination, arrangement, or reproduction according to certain criteria and rules without changing their normative content. Its result may be a collection, compilation, register, electronic database, updated version of a normative-legal act, or another ordered information body.

Incorporation of legislation belongs to the relatively less complex forms of systematization, but at the same time it plays an important role as a basic and initial element of work with normative material. It creates the prerequisites for the subsequent revision, consolidation, or codification of legislation, since it makes it possible to identify the state of the normative body in force, its

structure, gaps, duplications, conflicts, and outdated provisions. Through incorporation, it becomes possible not only to use legislation more conveniently, but also to assess its quality from scholarly and practical perspectives.

It is important that incorporation of legislation be carried out in accordance with clearly defined criteria and rules that ensure its quality, reliability, and distinction from other forms of systematization. Incorporation collections, registers, or electronic databases should not substitute for consolidation or codification. Their purpose is to ensure the ordered, complete, up-to-date, and accessible presentation of normative material.

Under contemporary conditions, given technological progress and the development of electronic legal systems, incorporation is gradually transforming from a predominantly printed form of systematization into a dynamic digital form of presenting legislation. Not only the informational function, but also the qualitative-organizational function of incorporation comes to the fore. It contributes to the clarification of legal concepts, the identification of gaps and conflicts, the preparation of material for further systematization of legislation, and the accessibility of law.

## **2. The role of incorporation in ensuring the accessibility of law**

The role of incorporation of legislation is not exhausted by its significance as one of the forms of systematization of normative-legal acts. Under contemporary conditions, it acquires broader constitutional-legal and law-supporting significance, since it is directly connected with ensuring the accessibility of law. If a normative-legal act formally exists, but its text in force is difficult to find, it is difficult to establish its current version,

or it is impossible to trace the amendments introduced into it over a long period of time, such law is only formally promulgated, but is not always genuinely accessible to the user.

The accessibility of law is one of the prerequisites for the operation of the principle of the rule of law. Law cannot effectively regulate a person's conduct if that person has no real possibility of becoming aware of the content of the legal norms that determine their rights, duties, prohibitions, or legal liability. For this reason, the accessibility of legislation should be considered not merely as a technical requirement for the promulgation of normative-legal acts, but as an important guarantee of legal certainty, foreseeability of legal regulation, and trust in the state [6].

In Ukrainian legislation, this idea has direct normative consolidation. Pursuant to Article 57 of the Constitution of Ukraine, everyone is guaranteed the right to know their rights and duties; laws and other normative-legal acts that determine the rights and duties of citizens must be brought to the attention of the population in the manner prescribed by law, and acts that have not been brought to the attention of the population in such a manner are invalid. Thus, the constitutional requirement to bring acts to the attention of the population is a minimum condition for the legal operation of the relevant acts; however, under contemporary conditions it should be interpreted more broadly – as a requirement to ensure real access to the current, comprehensible, and up-to-date text of law.

The Law of Ukraine “On Law-Making Activity” also confirms that the accessibility of normative material is a component of the contemporary law-making process. The subject matter of regulation of this Law includes, in particular, bringing normative-legal acts to the attention of the population, their entry into force, maintaining

records of normative-legal acts, their operation, eliminating gaps, and resolving conflicts. This approach indicates that contemporary legislation is not limited merely to the adoption of a normative-legal act, but requires proper informational support, recording, updating, and systematic presentation.

It is precisely here that the special role of incorporation becomes apparent. The formal publication of a normative-legal act is necessary for its entry into force and for ensuring that it is officially brought to the attention of the population. However, formal publication does not always solve the problem of the accessibility of law in a real sense. If the original text of an act has been repeatedly amended, supplemented, partially repealed, or has entered into force in stages, it is not sufficient for the user to have only the original version. The user needs an up-to-date, systematically ordered text that makes it possible to establish the content of legal regulation at a particular point in time.

In this respect, it is appropriate to distinguish between formally promulgated law and genuinely accessible law. Formally promulgated law exists when an act has been published in an official source in the manner prescribed by law. Genuinely accessible law presupposes that the user can, without excessive effort, find the relevant act, establish its validity, see all amendments made to it, understand the version in force on a particular date, and trace the connection of that act with other normative-legal acts. It is incorporation that performs the function of transition from formal promulgation to the real accessibility of law.

The role of incorporation in ensuring the accessibility of law consists, above all, in overcoming the fragmentation of legislation. In a legal system where normative-legal acts are frequently amended, the original text of an act gradually loses its ability

independently to reflect the current state of legal regulation. It may contain provisions that have been amended or repealed; individual articles may enter into force at different times; and certain norms may apply only to particular legal relations or territories. Without incorporation processing, the user is forced independently to reconstruct the current text of the act by comparing the original version with all subsequent amendments. For a professional lawyer, this is a complex task, while for an ordinary citizen it is often practically impossible [10].

For this reason, incorporation of updated versions of normative-legal acts acquires particular importance. It allows the user to work not with scattered amending acts, but with a single text in which those amendments have already been taken into account. Such a text does not create new law and does not replace the original normative-legal act, but it makes the law in force visible and suitable for practical use. In this sense, incorporation performs an updating function: it maintains normative material in a state that corresponds to the current content of legal regulation [10].

Incorporation also performs a navigational function. Legislation is a complex body of texts that are interconnected. A normative-legal act often contains references to other acts, is amended by acts of different legal force, and is applied together with subordinate acts, judicial practice, explanations, or administrative procedures. If these connections are not reflected in a convenient system, the user sees only a separate text, but does not understand its place within the broader normative context. Incorporation, especially electronic incorporation, makes it possible to create indexes, hyperlinks, tables of amendments, subject headings, classifiers, and other instruments of legal navigation.

The third function of incorporation is an explanatory function. It does not consist in replacing the normative text

with a popularized retelling, but in providing the user with the necessary information about the origin, amendments, validity, and structure of the act. Editorial notes, annotations, indications of loss of force, information on the entry into force of individual provisions, tables of amendments, and references to the acts by which amendments were introduced help to explain why the text of the act has precisely its current form. In this sense, incorporation does not simplify law by changing its content, but makes it more comprehensible through proper informational support.

The fourth function of incorporation is an evidentiary-reference function. It manifests itself where an incorporated or revised text acquires a special legal status – official, reliable, or capable of being used as evidence of the content of law in force. Not every incorporation has such status. In many countries, electronic consolidated texts have only an informational character and do not replace official publication. However, the development of electronic legislation is gradually raising the question of granting official or evidentiary significance to certain types of updated texts.

The fifth function of incorporation is a democratic function. It lies in the fact that access to law should not be a privilege of professional lawyers or state bodies. If a law is addressed to society, citizens, entrepreneurs, organizations, local self-government bodies, and other actors, then those actors must have a real opportunity to become acquainted with the legal regulation in force. Incorporation contributes to the democratization of access to law, since it reduces a person's dependence on intermediaries, specialized legal databases, or complex professional skills required to reconstruct the current version of an act.

At the same time, the accessibility of law cannot be reduced merely to the simplicity of the language of a normative-legal

act. Clear language is an important but insufficient condition of accessibility. A law may be written in relatively clear language, but remain difficult to access if its provisions are dispersed among several acts, if its numerous amendments are not incorporated into the current text, if the user cannot see the date on which certain provisions entered into force, or if information on the loss of force of individual norms is absent. Therefore, the accessibility of law is a function not only of the quality of legal drafting, but also of the institutional manner in which normative material is presented.

In the digital age, the criteria for the accessibility of law become significantly more complex. A contemporary legal information system must ensure not only access to the text of a normative-legal act, but also the completeness of coverage of legislation in force, the currency of the version, free or at least broadly available online access, a comprehensible search system, metadata, stable references, a history of amendments, and links between acts. An important element of such a system is the possibility of establishing the version of an act that was in force on a particular date [10].

The availability of information about the version of a normative-legal act as of a particular date is of special importance for judicial practice, retrospective legal analysis, criminal proceedings, tax disputes, contractual relations, and any situations in which it is necessary to establish which exact text of a norm was in force in the past. Without this possibility, even the current text of an act does not always ensure proper legal certainty, since legal significance may attach not only to the version currently in force, but also to the version that operated at a specific historical moment.

Thus, contemporary incorporation can no longer be understood merely as a printed collection of acts in force. It is being transformed into a digital infrastructure of access to law, which

must ensure currency, completeness, searchability, navigation, a history of amendments, authentication, intertextual links, and the possibility of establishing the version of an act as of a particular date. This is the fundamental difference between contemporary electronic incorporation and classical incorporation collections.

At the same time, incorporation has its own limits. It works effectively with textual amendments: the replacement of words, the deletion of articles, the addition of new provisions, changes in the names of bodies, or the updating of references. More complex, however, are cases where amendments are non-textual in nature or arise from provisions on entry into force, transitional norms, time-limited provisions, references to other acts, or judicial interpretation. In such cases, a consolidated text alone is insufficient. Additional instruments are required: commencement tables, version histories, annotations, indexes of amendments, links to judicial practice, references to subordinate acts, and other elements of a legal information system.

This is also of considerable importance for the Ukrainian legal system. If incorporation is presented merely as the mechanical insertion of amendments into the text of an act, it may create the illusion of the full accessibility of law. In reality, the accessibility of law is achieved not only through an up-to-date text, but through a comprehensive information system that makes it possible to verify the validity of an act, its version as of a particular date, the source of an amendment, the time of entry into force, its connection with other acts, and the limits of application of the relevant norm.

Separate attention should be paid to the relationship between incorporation and the principle of separation of powers. If the updated or revised text of an act is prepared not by parliament itself or by another law-making actor, but by a special editorial

body, a ministry, a law reform commission, or the administrator of an electronic database, the question arises as to the limits of such editorial intervention. Incorporation must not turn into hidden law-making. Editorial actions are permissible only insofar as they do not alter the normative content of the act and do not substitute for the will of the actor that adopted the relevant normative-legal act.

Therefore, incorporation should be as useful as possible for the user, but it must remain fundamentally derivative of the authentic normative text. It may ensure updating, navigation, reference tools, indications of amendments, version history, and a convenient presentation of law in force; however, it cannot independently alter the normative content of an act or resolve conflicts by editorially rewriting legal norms.

In this sense, incorporation should be regarded as one of the key technical-legal guarantees of the accessibility of law, legal certainty, and effective law application. It ensures the connection between an officially promulgated normative – legal act and a person's real possibility of establishing the content of the legal regulation in force. Therefore, under contemporary conditions, incorporation acquires not only reference-informational significance, but also broader law-supporting significance.

### **3. European practices of forming collections of legislation**

After clarifying the concept, features, and types of incorporation of legislation, as well as determining its role in ensuring the accessibility of law, it is appropriate to turn to the European experience of forming collections of legislation. European practices make it possible to see that contemporary incorporation is no longer limited to the classical combination of normative-legal

acts into printed collections. It increasingly takes the form of an electronic system for presenting legislation in force, combining official publication of acts, their recording, updating, consolidation, subject-matter classification, search, history of amendments, and verification of the validity of a legal text.

In this context, the very concept of a “collection of legislation” in contemporary European legal orders has a broader meaning than a traditional corpus or collection of acts. It encompasses not only the texts of normative-legal acts, but also the system of their official or informational presentation, the links between the original text and subsequent amendments, versions as of a particular date, information on entry into force, loss of force, territorial scope, sources of publication, and other elements of legal information. Thus, what is at issue is not merely a collection of texts, but an integrated infrastructure of access to law in force.

European experience shows that a contemporary state usually uses several interconnected resources for presenting legislation. The first level consists of official gazettes or journals in which normative-legal acts are officially promulgated and with which their legal validity is connected. The second level is formed by collections or databases of consolidated legislation, in which the original texts of acts are presented taking into account the amendments made to them. The third level consists of electronic databases that provide search, navigation, classification, access to the history of amendments, metadata, and related documents. It is precisely the combination of these levels that forms the contemporary model of electronic incorporation of legislation.

In European legal practice, phenomena functionally close to the Ukrainian concept of “incorporation of legislation” are denoted by different terms: revised legislation, revised acts, consolidated texts,

textes consolidés, geltende Fassung, teksty jednolite. They are not fully identical to the Ukrainian doctrinal category of incorporation, but they share a common functional basis: to provide the user with an ordered, up-to-date, and practically usable text of law in force without independently creating new legal norms. Therefore, in analyzing European experience, it is important to proceed not from the literal translation of terms, but from the functional similarity of the relevant legal instruments.

At the level of the European Union, the EUR-Lex system plays an important role in forming an accessible collection of legal acts. It provides free access to EU law in all official languages of the Union and covers the Official Journal of the European Union, the founding treaties, regulations, directives, decisions, consolidated legislation, preparatory documents, case law, international agreements, and other public documents. The significance of EUR-Lex lies not only in the publication of the texts of acts, but also in the creation of a system of links between them, which makes it possible to trace the life cycle of a legal document, its amendments, language versions, related acts, and other relevant materials [5].

Consolidated texts in European Union law perform the function of an incorporated presentation of normative material. They combine the original act with subsequent amendments in a single text and thereby facilitate the use of legal regulation in force. Although such consolidated versions are primarily of reference value and do not replace officially published acts, their practical role is extremely important. They enable the user to work not with scattered amending acts, but with a single updated text.

The European Legislation Identifier – ELI – has separate significance. This instrument is aimed at unifying approaches to the identification, description, and technical presentation of legislation

in the digital environment. Its purpose is to ensure that legal information at the level of the EU, Member States, and regions is described through stable web identifiers, structured metadata, and machine-readable formats. This facilitates search, access, reuse, and interconnection of legal information. In this respect, ELI shows that a contemporary collection of legislation must be not only textual, but also technologically structured [8].

One of the most developed models of electronic presentation of legislation is the British model. In the United Kingdom, the relevant function is performed by the [legislation.gov.uk](http://legislation.gov.uk) system, maintained by The National Archives. It is based on a distinction between the original text of an act – as enacted – and its revised text – revised legislation. Revised legislation is presented taking into account amendments made by subsequent acts, while the editorial process is accompanied by special notes concerning textual amendments, modifications, commencement, territorial extent, and other effects on the act [9].

The British model is illustrative because it demonstrates the transition from the historical institution of the revised statute book to a digital form of up-to-date legislation. The user is able to see both the original text of an act and its revised version, as well as to trace which provisions were amended, when they entered into force, and by which acts the relevant amendments were introduced. This provides grounds for considering the British system as an example of official electronic incorporation of the current text of an act.

The British technique of annotations is of particular significance. It makes it possible to distinguish textual amendments, non-textual modifications, information on commencement, territorial extent, and editorial explanations. As a result, the user receives not only the current text of an act, but also instruments for verifying how

it was formed. This approach is important for legal certainty, since it makes it possible to see not only the result of incorporation, but also the path by which that result was obtained [3].

The Irish model is particularly valuable for analyzing the incorporation of legislation. It demonstrates a combination of several instruments of access to law in force. The electronic Irish Statute Book provides access to the original texts of acts; Revised Acts present current texts of acts taking into account amendments made to them; the Legislation Directory makes it possible to trace the history of amendments, commencement, and subordinate acts adopted for the implementation of the relevant law; and the Classified List of In-Force Legislation provides subject-matter navigation through acts in force [10].

The advantage of the Irish model lies in the fact that it presents incorporation not as a single result, but as a complex of interconnected information tools. The user receives not only the current text of an act, but also the opportunity to verify its origin, amendments, temporal limits of operation, links with other acts, and position within the subject-matter structure of legislation. For Ukraine, this experience is particularly useful, since it demonstrates that the accessibility of law is ensured not by one electronic register, but by a coordinated system of original texts, updated versions, directories of amendments, and subject-matter classification.

At the same time, the Irish experience also demonstrates the limits of incorporation. A current text can fully reflect the content of law only where amendments are predominantly textual in nature and can be correctly incorporated into the principal act. Where, however, amendments are non-textual, connected with conditional commencement, transitional provisions, complex references, or

numerous subordinate acts, a revised text alone is insufficient. In such cases, additional instruments are required – tables of amendments, commencement directories, subject-matter classifiers, editorial notes, and other elements of a legal information system.

The French model represents the continental approach to forming collections of legislation. The official Légifrance portal plays a key role in this model. The French system includes, in particular, codes, laws, and regulations in consolidated form in the LEGI database, as well as the texts of acts as they were published in the Journal officiel in the JORF database. This division is important for distinguishing authentic official publication from the incorporated, that is, updated, text of an act [13].

The French experience shows a combination of the codification tradition and contemporary electronic incorporation. Codification ensures deeper structural systematization of a particular sphere of law, whereas electronic consolidated texts make it possible to work promptly with current versions of acts. This is especially important because even codified legislation is constantly amended and requires regular updating. Thus, incorporation is not opposed to codification, but complements it as an instrument for maintaining the up-to-date state of both codified and non-codified normative material.

The German model demonstrates a clear distinction between the official promulgation of an act and access to its current version. The Gesetze im Internet system provides free online access to a significant part of Germany's federal legislation in force. At the same time, the texts published in the Federal Law Gazette remain official [14].

This approach is important for the theory of incorporation because it shows the possibility of the coexistence of two levels of legal information: the official authentic text and the convenient

current text for the user. The first ensures legal authenticity, while the second ensures practical accessibility. Such a model is useful for Ukraine, since it makes it possible to avoid conflating the official publication of a normative legal act with its informational or reference presentation in the version in force.

A similar logic can be observed in Austria. The Rechtsinformationssystem des Bundes – RIS – is a free public database of Austrian legislation. It covers the authentic version of the Federal Law Gazette, consolidated federal law, and other categories of legal information. Consolidated federal law is presented as the original act with all subsequent amendments in a single text; however, such documents are primarily informational in nature [11].

The Austrian experience is useful because different types of legal information are combined within one electronic resource: official publication, consolidated presentation of law in force, search mechanisms, and access to different categories of acts. This indicates that contemporary electronic incorporation can be multifunctional, but at the same time it requires a clear indication of the legal status of each text.

The Polish model is important for Ukraine given the proximity of legal traditions and the parliamentary nature of the relevant electronic database. In Poland, an important role is played by the Internetowy System Aktów Prawnych – ISAP – available from the website of the Sejm. This system presents the texts of legal acts published in Dziennik Ustaw or Monitor Polski, together with bibliographic data. The database contains both original and consolidated texts of acts [1].

The specific feature of the Polish model lies in the clear distinction between the informational and legally authentic levels. The legitimate source of law is acts published in official

publications, whereas electronic versions in ISAP are informational in nature. Nevertheless, the practical role of ISAP is significant, since the system collects, orders, updates, and presents normative-legal acts in a user-friendly form. Thus, the Polish model demonstrates a variant of parliamentary electronic incorporation that does not replace official publication, but substantially facilitates access to legislation in force.

The experience of Estonia is particularly illustrative. The Riigi Teataja system functions simultaneously as the official online publication of the Republic of Estonia and as a database of the state information system. It publishes not only the original texts of acts, but also official consolidated texts of laws, acts of the President, governmental and ministerial acts, acts of local self-government bodies, and other documents. Consolidated texts are prepared on the basis of the original text and contain all amendments made to it [12; 18].

The Estonian model is one of the closest to official electronic incorporation. Its specific feature lies in the fact that the user receives not only the original act, but also an officially prepared version in force. The system makes it possible to view versions in force on a particular date, move between previous and subsequent versions, see related versions of the act, and verify the authenticity of published documents. This demonstrates that incorporation may be not only a method of consolidating text, but also a full-fledged mechanism for ensuring legal certainty.

The Portuguese model is also useful for comparison. The electronic Official Gazette, *Diário da República Eletrónico*, functions as a public online service with free and universal access. It provides the possibility to view, print, save, and search acts published in the Official Gazette. In addition to the texts of acts themselves, the service contains tools for viewing consolidated

legislative texts, although such consolidated texts do not have independent legal force [15].

The Portuguese experience clearly illustrates the distinction between the authentic publication of an act and its incorporated presentation for the user. The official source ensures the legal authenticity of the original promulgation, while the consolidated text performs a reference and practical function. This model makes it possible not to conflate the law-making and informational-reference levels: the incorporated text facilitates the use of law, but does not replace the act officially published in the prescribed manner.

The Slovenian experience is also of interest. Slovenia has a legal information system, and the legislative database of the National Assembly contains, in particular, officially consolidated texts of laws published in the official gazette, as well as unofficially consolidated texts. This model shows the coexistence of official and unofficial incorporation within one legal information space [17].

The Slovenian example is important for distinguishing between different levels of incorporation. An officially consolidated text has a higher level of legal trust and is the result of formalized work by a competent actor, whereas unofficial consolidation primarily performs a reference function. Both instruments may be useful for the user, but their legal significance is not the same. Therefore, in any national model of access to legislation, it is important clearly to indicate the status of each text: original, current, officially consolidated, unofficially consolidated, informational, or reference.

The Slovak experience is useful for comparison as well. The Slov-Lex portal combines two information systems: eZbierka, which provides access to official consolidated electronic texts of legislation and other normative documents,

and eLegislativa, which is used as a system for managing the stages of the legislative process [16; 19]. This model shows that a contemporary electronic legislative system may cover not only the publication of acts in force, but also the organization of the legislative process, the preparation of text, its subsequent consolidation, and its delivery to the user.

The N-Lex system has separate significance, as it provides access to the legislation of EU Member States through links with official national databases. It does not replace national sources of law, but performs an important navigational function, allowing the user to move to official or semi-official national resources [2; 7]. This reveals another feature of the European approach: the formation not of a single centralized database of all national legislation in Europe, but of a network of interconnected national systems of access to law.

A generalization of the practices discussed above makes it possible to identify several main models for forming collections of legislation in Europe. The first may be conditionally defined as the informational model. It consists in the fact that an electronic database presents updated or consolidated texts of normative-legal acts, but such texts do not have independent legal force and perform primarily a reference function. This approach is characteristic of Germany, Austria, Poland, and Portugal.

The second model has an administrative-incorporation character. It presupposes that a specially authorized body prepares and maintains updated texts of acts with incorporated amendments in order to facilitate access to law in force. An example is the Irish system of Revised Acts, which is combined with other instruments of access to legislation – directories of amendments, classifiers of legislation in force, and information on commencement.

The third model may be characterized as official electronic incorporation. It presupposes that the system of official publication simultaneously provides access to officially prepared consolidated texts of acts. This approach is most clearly manifested in Estonia, where the official electronic publication combines the functions of promulgation, updating, preserving the history of amendments, and presenting the version of an act in force.

The fourth model may be defined as the codification-consolidation model. It is characteristic primarily of France, where the accessibility of legislation is ensured not only through updated texts of individual acts, but also through a system of codes, consolidated texts, and official electronic access to legislation. In such a model, incorporation complements codification by ensuring that already ordered normative material is maintained in an up-to-date state.

The fifth model may be conditionally called the integrated electronic-legislative model. Its feature is the combination of access to legislation in force with electronic support for the legislative process, the preparation of texts, their promulgation, consolidation, and subsequent updating. This approach can be observed, in particular, in the Slovak Slov-Lex system. It demonstrates that incorporation may be connected not only with the result of law-making, but also with the organization of the entire cycle of movement of a normative text – from preparation to official promulgation and updating.

European practices make it possible to identify several common patterns. First, no developed system of access to legislation is limited solely to the original text of an act. Almost everywhere, alongside texts published in their original version, there are consolidated or revised current texts. Second, the current text is almost always accompanied by navigational tools: annotations,

timelines, directories of amendments, classifiers, subject headings, codes, or metadata systems. Third, the legal force of updated texts differs significantly: from an official revised version to purely informational material.

It is precisely the difference in the legal status of the updated text that determines the limits of permissible editorial powers. If a consolidated text has only informational significance, it cannot substitute for the officially published act. If, however, it is granted official or evidentiary status, legislation must clearly define the actor responsible for its preparation, updating procedures, permissible editorial actions, methods for recording amendments, and responsibility for the reliability of the text. Otherwise, incorporation may lose its technical-legal nature and turn into a hidden form of changing normative content.

Thus, the European experience of forming collections of legislation shows that contemporary incorporation is no longer merely a technique for bringing acts together into printed collections. It is being transformed into a complex digital system for organizing normative material, which ensures access to the original text, the version in force, the history of amendments, related acts, metadata, and the version as of a particular date. For Ukraine, this experience is of considerable importance in the context of developing official electronic legislative resources, improving the recording of normative-legal acts, ensuring legal certainty, and forming a high-quality digital infrastructure of access to law.

## CONCLUSIONS

The conducted study provides grounds to assert that the incorporation of legislation is not an auxiliary technical operation,

but an independent form of systematization of normative material that is of substantial importance for the proper functioning of the legal system. Its essence lies in the external, editorial-technical, and informational systematization of normative-legal acts without changing their normative content. It is precisely this feature that distinguishes incorporation from law-making, codification, consolidation, and revision of legislation, while not diminishing its significance for ensuring the quality of legal regulation.

Incorporation serves as a necessary prerequisite for a systemic understanding of legislation. It makes it possible to transform a dispersed, historically layered, and often repeatedly amended normative body into an ordered set of acts suitable for search, analysis, application, and further scholarly processing. In this sense, incorporation performs not only a reference-informational function, but also a methodological function, since it creates the basis for legal monitoring, the identification of gaps, duplications, conflicts, outdated provisions, and the preparation of further consolidation or codification of legislation.

The contemporary understanding of incorporation cannot be limited to the traditional view of it as the combination of normative-legal acts into printed collections. The development of electronic legal systems, official registers, databases, updated versions of acts, and digital instruments of access to law has substantially broadened the content of this form of systematization. Incorporation is gradually being transformed from a classical form of external systematization of acts into a dynamic digital infrastructure for presenting law in force.

Incorporation acquires particular significance in connection with the problem of the accessibility of law. The formal promulgation of a normative-legal act is a necessary condition of its

validity; however, by itself it does not always ensure a person's real possibility of establishing the content of legal regulation in force. In a legal system where acts are frequently amended, supplemented, partially repealed, or enter into force in stages, the user needs not only the original text, but also an updated version, the history of amendments, information on validity, and links with other normative-legal acts.

In this context, incorporation is one of the key means of moving from formally promulgated law to genuinely accessible law. It ensures the updating of normative material, navigation within a complex body of acts, explanation of the origin and nature of amendments, and the possibility of establishing the version of an act that was in force on a particular date. Through this, incorporation is directly connected with legal certainty, the foreseeability of legal regulation, the effectiveness of law application, and trust in the state.

At the same time, incorporation has its own limits. It cannot substitute for law-making and should not turn into a hidden method of changing the normative content of an act. Its task is not to correct legislation by editorially rewriting norms, but to reproduce reliably the normative material in force, record the amendments made, and ensure convenient access to it. Therefore, any official or semi-official incorporation requires a clear definition of the actor carrying it out, the limits of editorial powers, the legal status of the incorporated text, and the rules for its updating.

European experience confirms that contemporary collections of legislation are no longer merely printed or formally ordered bodies of acts. They function as complex electronic systems combining official publication, consolidated texts, updated versions, histories of amendments, metadata, classifiers, search tools, editorial

notes, and the possibility of establishing the state of legislation as of a particular date. At the same time, European models differ substantially in terms of the legal status of consolidated texts: from purely informational significance to official or evidentiary status.

For Ukraine, what is especially important is not the mechanical borrowing of a particular foreign model, but the thoughtful use of the most effective elements of European experience. This concerns, above all, a clear distinction between the authentic official text and the updated version, ensuring open electronic access to legislation in force, creating a reliable metadata system, recording the history of amendments, introducing editorial notes, enabling the viewing of the version of an act as of a particular date, and defining the legal status of incorporated texts.

**SUMMARY.** The incorporation of legislation is one of the important forms of ordering normative material, ensuring the external systematization of normative-legal acts without changing their normative content. The purpose of this study is to clarify the theoretical and legal foundations of the incorporation of legislation, to define its concept, features, and types, to reveal the role of incorporation in ensuring the accessibility of law, and to generalize European practices of forming collections of legislation. Addressing these research tasks determines the logic of the presentation: the analysis of doctrinal approaches to understanding the incorporation of legislation; the characterization of its general and special features; the classification of types of incorporation; the clarification of the significance of incorporation for the real accessibility of law; and the study of European models of the electronic presentation of legislation in force. The methodology of the study is based on general scientific and special legal methods of analysis and

synthesis, induction and deduction, as well as the formal-legal, comparative-legal, systemic-structural, functional, and hermeneutic methods, which are used to reveal the legal nature of incorporation, its relationship with the recording, consolidation, revision, and codification of legislation, and to assess foreign experience in forming collections of legislation. The results of the study show that the incorporation of legislation is not a mechanical collection of normative-legal acts, but an independent form of external systematization aimed at the ordered combination, arrangement, or reproduction of normative material according to certain criteria without changing its content. It is established that incorporation orders normative-legal acts and ensures their proper presentation to the user. It is substantiated that the main feature of incorporation is the preservation of the normative content of an act, since the actor carrying out incorporation does not create new legal norms, does not alter the will of the law-making actor, and does not resolve conflicts by independently editing legal provisions. It is shown that incorporation is important for ensuring the accessibility of law, since it makes it possible to move from a formally promulgated normative-legal act to a genuinely accessible legal text suitable for search, reading, verification of validity, and practical application. It is clarified that contemporary incorporation performs updating, navigational, explanatory, evidentiary-reference, and democratic functions, while its significance is increasing under conditions of the digitalization of legislation. Particular attention is paid to the Law of Ukraine “On Law-Making Activity”, which brings to the fore the issues of bringing normative-legal acts to the attention of the population, maintaining records of such acts, the operation of acts, the elimination of gaps, and the resolution of conflicts. On the basis of European experience, it is shown that contemporary

collections of legislation increasingly function as electronic legal systems combining official publication, consolidated texts, updated versions of acts, histories of amendments, metadata, classifiers, search tools, and the possibility of establishing the version of an act as of a particular date. Practical implications. The results of the study may be used in law-making activity, legal monitoring, maintaining records of normative-legal acts, preparing updated versions of legislation, improving official electronic legal resources, legal education, scholarly research, and law-application practice. Value / originality. The study substantiates an understanding of the incorporation of legislation not only as a traditional form of external systematization of acts into collections, but also as a contemporary instrument for ensuring the accessibility of law, legal certainty, and the digital organization of normative material, which is of particular importance for the further development of Ukrainian legislation with due regard to European practices of forming collections of legislation.

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**Information about the author:**

**Bodiul Yevhen Mykolaiovych,**

Candidate of Legal Sciences, Associate Professor,  
Leading Researcher of the Department of Research on Problems of  
Law-Making and Adaptation of Ukrainian Legislation to EU Law,  
Institute of Law-Making and Scientific-Legal Expertise of  
the National Academy of Sciences of Ukraine, Ukraine  
<https://orcid.org/0009-0008-5847-642X>