

## CHAPTER B.5

# Grammatical and Stylistic Issues of Translating EU Legal Acts

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*This chapter provides a glimpse into the style of the EU legal acts through the lens of translational challenges and solutions arising in the process of the harmonisation of the Ukrainian legislation with the EU acquis, including general stylistic issues, grammatical specificities, and technical nuances for uniformity in the translation of the EU acquis into the Ukrainian language, and analyses the EU acquis sub-style through the dichotomy of its de-cultured and neutralised nature versus its rhetorical power. The authors offer an overview of the general stylistic features of EU legal texts, describe the challenges in the translation of the EU legal acts, and propose strategies for dealing with semantic shifts, misrepresentations of concepts, and discordant wording, as well as pointing to the occasional use of connotative language amid the backdrop of the formal and stylistically neutral legal discourse. The stylistic formality of the EU legal acts governs the process of the grammatical organisation during the translation given the difference in the systems of the target and source languages. The most focal aspects cover the translation of verbals and verbal constructions, the translation of passive voice structures, and the translation of modal verbs which shape the pragmatics of preambles and enacting terms. The translation of EU legal documents must be done by adhering to technical formal requirements, which are represented in the structure of a legal act and the rules of uniform translating the title, preamble, recitals, articles (enacting terms), concluding formulas (place, date, and signature), and subdivisions of acts in Ukrainian. The observance of the considered stylistic parameters in the translation of the EU legal acts will contribute to the consistency and uniformity of aligning respective Ukrainian legislative acts in the EU integration pre-accession processes and improve the quality of the translations in the Ukrainian language. To these ends, the chapter first addresses general stylistic features of EU legal texts, followed by grammatical features of EU legal acts, and then exemplifies some technical stylistic features of EU legal texts.*

### **1. Introduction**

Among all linguistic aspects of the translation of the EU legal acts, style and grammar remain one of the most challenging issues. Style as

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such can be understood differently by translators given the level of their expertise and experiences as well as the scientific school they come from. Some would prefer adhering to the same level of formality proceeding from the source language, while others would tend to keep the target text close to the domestic translation tradition. Grammar, in turn, is quite a problematic point given the analytical versus synthetical nature of English and Ukrainian, which usually requires a translator to employ specific strategies for preserving the original intent of a legal act and ensuring transparent and clear verbal organisation of a target text. To avoid awkward wording by following the original pattern, a translator struggles to balance fidelity versus elegance of a provision in a legislative document. There may be other concerns related to properly translating the structural elements of a document which would not be misleading and are uniform across the respective sets or packages of the EU legal acts.

This chapter addresses the challenges in translating the EU legal acts from the point of view of their general stylistic, grammatical, and technical organisation. The authors offer an overview of the general stylistic features of EU legal texts, describe the challenges in the translation of the EU legal acts, and propose strategies for dealing with semantic shifts, misrepresentations of concepts, and discordant wording, as well as pointing to the occasional use of connotative language amid the backdrop of the formal and stylistically neutral legal discourse. The most focal aspects cover the translation of verbals and verbal constructions, the translation of passive voice structures, and the translation of modal verbs which shape the pragmatics of preambles and enacting terms. The translation of EU legal documents must be done by adhering to technical formal requirements, which are represented in the structure of a legal act and the rules of uniform translating the title, preamble, recitals, articles (enacting terms), concluding formulas (place, date, and signature), and subdivisions of acts in Ukrainian. The observance of the considered stylistic parameters in the translation of the EU legal acts will contribute to the consistency and uniformity of aligning respective Ukrainian legislative acts in the EU integration pre-accession processes and improve the quality of the translations in the Ukrainian language. Therefore, the chapter deals with finding a compromise between the

Eurolect style of the *acquis communautaire* and the demands of keeping stylistic and morphological consistency in Ukrainian. It also outlines what to be aware of when doing a pre-translation analysis: considering the hybrid and template-like nature of EU legal acts, their horizontality, and reproducibility [Bednárová-Gibová, 2015].

Section 2 addresses general stylistic features of EU legal texts and provides guidelines for a translator to avoid semantic shifts in delivering the meaning of enacting terms and to control the cases of misrepresentation of concepts or discordant wording as well as embrace occasional use of figurative language for achieving the utmost clarity and preserving the rhetorical power of an EU legal text. These are the points of departure for consideration of the general stylistic parameters of the EU legal acts which reflect the experience gained in the framework of the support by *Association4U* [Paliichuk, 2021], an EU-funded project in Ukraine aimed at supporting approximation of the Ukrainian legislation to the EU legal acts.

Section 3 addresses grammatical features of EU legal acts and outlines the challenges in translating verb constructions in the Ukrainian language, and how to deal with active and passive voice constructions, gerunds, participles, infinitive constructions, and modal verbs, as these linguistic aspects are crucial for ensuring clear wording and rendering unambiguous meanings.

Section 4 addresses technical stylistic features of EU legal texts and illustrates some examples of stylistic technical organisation of the EU legal acts in the Ukrainian language: how to avoid misleading labelling of the structural parts of the EU legal texts to preserve their consistency and compatibility with other relevant or tied legal acts, how to translate institutions, types of documents, recitals, formulae, signatures, including places and dates.

## **2. General Stylistic Features of EU Legal Texts**

Ukrainian legal discourse is being increasingly shaped through the lens of EU-specific language due to the EU integration aspirations of Ukrainian institutions. This process gives rise to the emergence of the special code, known as Eurolect, the awareness of which predetermines high-quality translations of EU legal acts. The knowledge of the Eurolect as a unique hybrid style of legal writing is

of paramount importance for ensuring the compatibility and interoperability of the Ukrainian law-making system and the EU acquis. On a broader level, much research has been done to explore the nature of EU legal writing and translation across national "Eurolects" and establish the stylistic parameters of such type of discourse with a focus on linguistic differences across official languages, for instance within the framework of the *Observing Eurolects Network* project [OEN, 2020]. Within a national Ukrainian context, the problem of distinguishing the stylistic features has become even more topical in the run-up to opening the pre-accession negotiations and considering further screening procedures because the process of formation of the Ukrainian version of Eurolect runs parallel to these negotiations.

The parliamentary and governmental institutions experience the need to have a viable methodological linguistic inventory for the comparative analysis of the existing Ukrainian legislation and respective EU legal acts for screening procedures. There are also concerns related to the terminological discrepancies within the bulk of national regulatory acts across operative sectoral legislation, which impedes the harmonisation of the laws broken down by respective chapters of the acquis. Much has been done to accommodate the Ukrainian legislation in the framework of the Association4U team whose efforts were focused on the unification of the general stylistic, grammatical, and terminological aspects of the legal documents according to the priorities predetermined by compliance with the Association Agreement between the European Union and Ukraine<sup>1</sup>. However, there is much effort to be put into the further stages of Ukraine's pathway to European integration, with strict vigilance in the process of ensuring comprehensive linguistic stylistic consistency, including typical clichés, grammatical patterns, pragmatics, and the genre features of the institutional discourse, in close cooperation with terminologists and legal linguists, lawmakers, and sectoral experts.

Apart from the challenges in translating EU legal documents by preserving the specific hybrid nature of the EU writing style in the

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<sup>1</sup> For more detailed information, see Association Agreement between the European Union and Ukraine at <https://www.kmu.gov.ua/en/yevropejska-integraciya/ugoda-pro-asociacyu>

source language, there is a specific linguistic issue of incorporating the EU legal writing style within the system of functional styles and registers, as well as understanding what comes at the forefront of stylistic analysis to be done at the pre-translation stage. An array of approaches should be used to deal with the institutional discourse from a stylistic perspective.

The structural linguistic approach to the subject matter of stylistics implies the study of every structural language level from the point of view of the communicative value of each language unit [Morokhovskiy, Vorobiova, et al, 1991; Yefimov, & Yasinetskaya, 2004]. It means that the language unit of each level may be the object of stylistic research from the point of their markedness (stylistically coloured language units (e.g. archaisms, historical words, neologisms, metaphor, etc.)) versus an unmarked (neutral) member of stylistic opposition. In this regard, such disciplines as stylistic phonology, stylistic graphology, stylistic morphology, stylistic lexicology, stylistic semasiology, and stylistic syntax all target the respective language units in the exploration of the stylistic peculiarities in speech. The understanding of the unity and interrelation of all language levels in the study of any phenomena from a stylistic perspective should serve as a springboard [Simpson, & Mayr, 2009] for solving the stylistic challenges in translation.

When it comes to the translation of legal and institutional documents, the relevant linguistic aspects to consider will be the lexicological, graphological, morphological, semasiological, grammatical, and syntactical levels. It means that a translator must analyse the lexicological stylistics particularities of the source and target languages such as stylistically neutral (including terms and nomenclature words) and stylistically coloured vocabulary (e.g., archaic forms of legal terms, jargonisms, foreignisms, etc.). The graphological level represents the technical consistency in translating legal documents, including their formal features such as rendering numbers, sums, dates, the structure of documents, etc. The stylistic features at the morphological level represent the accuracy in rendering the meaning through word formation patterns. For instance, in the modern Ukrainian language when there is a strong shift toward purely Ukrainian morphological forms as opposed to the Russian language-

dependent forms (с.f. the suffix in the modern Ukr. *протиоброєтні фарби* against previous forms *протиоброєтаючі фарби*) [Paliichuk, 2021]. The stylistic semasiological language level is responsible for rendering accurate meanings, which, in turn, depends on the proper transformation of grammatical and syntactical constructions. Therefore, it would be advisable for a translator to scan each language level to establish the specific stylistic features of any source text for its effective reproduction in the source language and develop a set of translation solutions.

At the same time, the functional approach in stylistics [Zhukovska, 2010] stems from viewing a style as a socially accepted stereotype of speech behaviour and implies a paradigm of linguistic features inherent to a particular style, sub-style, or register (official styles, academic style, conversational style, etc.). These two approaches serve as a bridge to the European research practices in contemporary Stylistics [Verdonk, 2002] focusing on speech and discourse rather than on language systems as such. A translator should embrace the complexity of the approaches so as to effectively preserve the meanings and pragmatic value of an EU document. This Section offers an overview of theoretical parameters and the description of the experience gained by an Associate Translation Fellow [Paliichuk, 2021] with the Association4U Project (hereinafter – Project)<sup>2</sup>, the EU-funded project aimed at harmonising Ukrainian legislation with the EU *acquis* (<https://association4u.in.ua>).

### ***2.1. Stylistic Challenges to be Met while Translating EU Legal Acts***

When dealing with original texts, a translator should first be aware of the general characteristics of the EU language style, the structure of the documents, their rhetoric, and common tendencies in using

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<sup>2</sup> The Association4U Project was organised in response to the challenges the Ukrainian governmental institutions face today in the process of reforming various sectors and spheres of public activity and bringing Ukrainian legislation in line with EU standards. Its activity is aimed at supporting the implementation of the Association Agreement. One of the key areas of the Project (Phase I) was Component I, aimed at legal approximation and policy implementation, which was achieved through the system of certified high-quality translations. This necessitated building the standardised Ukrainian sublanguage for translation based on specific jurilinguistic competencies, including sectoral expertise and translation technologies.

terminology. As a result of the review of scientific papers [Hatim, Munday, 2004; Biel, 2014, 2017, 2019; Bednárová-Gibová, 2015; Emerson, Movchan, 2016] and field experience of working with EU documents [Paliichuk, 2021], the summary of basic stylistic features of the EU legal acts was made with respective practical comments on the nature of the EU *acquis* for giving Ukrainian translators a better understanding of the specifics of the EU *acquis*.

The totality of specific linguistic features of EU legal documents includes the following stylistic parameters of institutional translation. Firstly, the texts of the *acquis communautaire* are "EU institutional-legal texts, which are supranational legal documents drafted against the backdrop of socio-cultural differences among the individual Member States of the European Union" [Bednárová-Gibová, 2015, p. 161]. Secondly, the EU texts constitute "a pan-European text genre" [Bednárová-Gibová, 2015, p. 162] and are reproduced across multilingual Europe.

EU legal acts represent "hybrid texts ... because of translation process within internationalisation comprising features which are 'strange or out-of-place' for the receiving culture in lexis, syntax and/or stylistics" [Ibid.]. In other words, the language of a document absorbs some specific features of the culture and language of other Member States. For example, when translating EU legal acts into Ukrainian, the fellows of the Project could observe the traces of grammatical and syntactical constructions of other languages in the English version of a document and were supposed to develop adequate wording in Ukrainian that would reproduce the meanings adequately.

This hybridity also comes from the fact that EU legal acts are "reproduced texts which are not based on the semantics of a source text, but on 'linguistic precedent', that is, the surface level of the wording of prior texts and parallel texts" [Ibid.]. For instance, the practice of working with EU acts in the framework of the *Association4U* Project embraced the situations when for representing the concept of the original version the participating fellows used other language versions as reference materials to find out how this or that term had been previously translated in other EU countries<sup>3</sup>. This was

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<sup>3</sup> There were about 100 junior and associate translation fellows engaged in the first phase of the *Association4U* project (2016–2019), including Elina Paliichuk as one of the authors, under the guidance of senior translation fellows among whom were Tetiana Cherevyk, Oleksii Tertychnyi, Anton Yur, Maksym Fediai, and Svitlana Sokolyk.

necessary for the most accurate rendering of the intentions and rhetoric of the source texts of EU documents.

The "template-like nature of EU texts is a consequence of the institutional standardisation of their form and language, which is manifested in the creation of a homogenous discourse by the use of identical means of the language inventory in the target language, i.e., by imitating (English) originals" [Ibid]. Working in the framework of templates, or typical compositional structure, has ensured sustainable uniform terminology at various levels of governmental institutions.

After all, EU texts are horizontal, i.e., of the same significance. All language versions have equal legal force, whereas multilingual particularities ensure the generalised pan-European worldview, with specific cultural features of individual Member States. All the instruments developed in the languages of Member States are formally equivalent [Hatim, & Munday, 2004, p. 17], with plurality and diversity of languages [Langlet, & Mahmoudi, 2016, p.11] considered. Considering the EU multilingualism strategy<sup>4</sup>, regulations, directives, decisions, and recommendations are developed by non-native speakers of English, which influences grammatical structures used, actual terminological equivalency, clichés, and overall stylistic consistency.

Therefore, a deeper philological expertise and theoretical review of the nature of EU legislation provides a clear understanding of the specificity of the texts that Ukrainian translators deal with in the process of adaptation of the national legislation to the legislation of the European Union. At the same time, the institutional translators in Ukraine should also consider the socio-cultural and political trends in the functioning of the Ukrainian language across legal discourses and give due regard to; the process of formation of the Ukrainian language as a supranational variety, normative shifts within the system of the modern Ukrainian language, and the prospective status of Ukrainian in the system of the official languages of the European Union.<sup>5</sup>

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<sup>4</sup> The state policy and mechanism for adaptation is detailed in the Law of Ukraine "On the State Programme for Adaptation of Ukrainian Legislation to the Legislation of the European Union" 1629-IV revised November 4, 2018. <https://zakon.rada.gov.ua/laws/show/1629-15?lang=en#Text>

<sup>5</sup> For more detailed information, see Chapter B.1.



## ***2.2. Dealing with Style-related Challenges in the Translating Process: Semantic Shift, Misrepresentation of Concepts, and Discordant Wording***

A translator should synthesise the stylistic approaches to understanding the peculiar features of translating an EU document and be able to preserve the balance between the neutrality of administrative legal writing and plain language. Another approach promoted within the framework of Practical Stylistics [Zhukovska, 2010] implies the rules for correct writing in particular genres of documents. This means that clarity and transparent wording are other stylistic aspects to be considered at all structural language levels – from morphology to syntax – while translating an EU document. To elucidate some stylistic challenges of translation into Ukrainian, given the common features of EU documents, we will illustrate some typical mistakes made in the process of translating and possible ways of improvement. The case study for the analysis of the instances of semantic shift and misrepresentation of concepts as well as discordant wording is based on the practice at the Association4U. It includes three segments taken from *Council Directive 2006/117/Euratom*<sup>6</sup> We will describe the instances of the shortcomings identified in the translation and offer ways of improvement for ensuring a balanced semantic and stylistic version by illustrating several Tables.

### ***2.2.1. Semantic Shifts***

Table 1 contains two columns, the left one contains the segment of the source text, the right column demonstrates the draft translation into Ukrainian prepared by a junior translator, and Table 2 illustrates the edited version. The most conspicuous drawback of the primary version of the translation is its literal wording, which results in a semantic shift in terms of categories and leads to misrepresentation. For instance, (1) "operations" in the meaning of actions erroneously acquire the features of the category "participants involved in the process of shipment".

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<sup>6</sup> Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel OJ L 337, 5.12.2006.

**Table 1****Identifying Semantic Shifts**

<b>The original text</b>	<b>The primary version of the translation</b>
(1) Operations involved in shipments of radioactive waste or spent fuel are subject to several requirements under Community and international legal instruments (2) regarding, in particular, the safe transport of radioactive material and the conditions under which radioactive waste or spent fuel is (3) disposed of or stored in the country of destination.	(1) Операції, залучені в перевезення радіоактивних відходів або відпрацьованого палива підлягають низці вимог відповідно до правових інструментів Співтовариства та міжнародних правових інструментів (2) щодо, зокрема, безпечного транспортування радіоактивних матеріалів та умов, згідно з якими радіоактивні відходи або відпрацьоване паливо (3) розміщують або зберігають у країні призначення

To improve the text from a stylistic point of view, it is necessary to revise conceptual levels and make semantic roles clear, as illustrated in the edited segment (Table 2). In the initial Ukrainian version, the term "operations" acquired the characteristics of an animate being, which impaired the understanding of the translated segment. Apart from correcting the semantic mistake, the syntactic structures should be revised and re-structured for the avoidance of unnecessary accumulation of specifying elements (2) щодо, зокрема. To describe the process of waste disposal, the passive constructions (3) "розміщують або зберігають" were used which were then replaced with infinitives "необхідно розміщувати або зберігати...". The analysis of this fragment shows the need to maintain stylistic awareness at all structural language levels, because any shortcomings at the grammatical or syntactical level affect the semasiological level and can lead to misunderstanding or improper wording.

**Table 2**

<b>Semantic Shifts</b>
<b>The edited and proofread segment</b>
1) На операції, пов'язані з перевезенням радіоактивних відходів або відпрацьованого палива, поширюється низка вимог відповідно до правових інструментів Співтовариства та міжнародних правових інструментів, (2) зокрема щодо безпечного транспортування радіоактивних матеріалів та умов, згідно з якими радіоактивні відходи або відпрацьоване паливо (3) необхідно розмішувати або зберігати в країні призначення.

### *2.2.2. Misrepresentation of Concepts*

There are similar shortcomings in the following fragment (Table 3), namely, they refer to the combination of lexical and morphological verbal means resulting in the misrepresentation of the concept and category of the phenomenon. Thus, the abstract idea of "protection" acquires the characteristics inherent to the category "entity", which makes it difficult for an end-user to grasp the meaning of the document. These inconsistencies at the lexical-morphological and syntactical levels disrupt the administrative neutrality of legal writing and result in unnecessary personification in the Ukrainian language (охорона... вимагає).

**Table 3**

<b>Identifying Misrepresented Concepts</b>	
<b>The original text</b>	<b>The primary version of the translation</b>
Further to these requirements, the health (1) protection of workers and the general public (2) requires that shipments of radioactive waste or spent fuel between Member States and into and out of the Community be subject to a compulsory and common system of prior authorisation.	Окрім цих вимог (1) охорона здоров'я працівників та широких верств населення (2) вимагає, щоб перевезення радіоактивних відходів або відпрацьованого палива між державами-членами і до Співтовариства та з нього підлягали обов'язковій та спільній системі надання попереднього дозволу.

To improve the verbal arrangement and ensure proper rendering of the meaning, it is necessary to rearticulate the fragment of the source text or transform it, regulating redundancy as appropriate, as shown in the right column (Table 4.).

**Table 4**

<b>Misrepresentation of Concepts</b>
<b>The edited and proofread segment</b>
Окрім цих вимог (1) у сфері охорони здоров'я працівників та широких верств населення (2) існує необхідність щодо встановлення обов'язкової та спільної системи надання попереднього дозволу для здійснення перевезень радіоактивних відходів або відпрацьованого палива на рівні між державами-членами, а також у разі їх ввезення та вивезення з Співтовариства.

### *2.2.3. Discordant Wording*

The fragment below (Table 5) contains discordant wording due to the use of passive constructions and lack of differentiation of coordinative sentences because of omitting a coma between them and due to lexical and semantic inconsistency (for instance, it is necessary to select a better Ukrainian equivalent than "постачати" for the lexical unit "supplied").

**Table 5**

<b>Identifying Discordant Wording</b>	
<b>The original text</b>	<b>The primary version of the translation</b>
The application for authorisation (1) shall be completed and (2) any further documentation and information referred to in Articles 10, 13, 14, and 15 shall be (3) supplied in a language that is acceptable to the competent authorities of the Member State to whom the application for authorisation is submitted by this Directive.	Заявку на дозвіл (1) заповнюють і (2) будь-яку додаткову документацію та інформацію, вказану в статтях 10, 13, 14 та 15, (3) постачають мовою, яку приймають компетентні органи держави-члена, якій подають заявку на дозвіл, відповідно до цієї Директиви.

The edited version contains a more acceptable combination of verbal means which ensures appropriate perception and understanding

of the document by the experts working in the sphere of shipments of radioactive waste. The improved version has stylistically neutral wording appropriate for a legal document (Table 6).

**Table 6**

<b>Discordant Wording</b>
<b>The edited and proofread segment</b>
(1) Необхідно заповнити заявку на отримання дозволу та (2) оформити будь-яку додаткову документацію та інформацію, вказану в статтях 10, 13, 14 та 15, і (3) подати її мовою, прийнятною для компетентних органів держави-члена, до яких подають заявку на отримання дозволу відповідно до цієї Директиви.

In all the cases described above, the stylistic imbalance was caused by the lack of properly applied transformative strategies. Mastering the ability to maintain a stylistic balance between two versions of documents must be a priority in the development of translators' competency. Proper pre-translation stylistic analysis helps a translator sharpen the skill of legal wording and avoid correcting serious flaws at the stage of initial translation, which simplifies the subsequent editing and proofreading processes.

### ***2.3. Breaking the Stereotypes: Neutral vs. Connotative Language Use***

Traditionally, translation of EU legislation is referred to as legal style, the issues of which can be resolved within the framework of legal linguistics. However, the style of EU documents, particularly that of preambles, contains political or diplomatic rhetoric. Preambles convey political, diplomatic, condemning, sanction-imposing, declarative, problem-solving, and preventive, etc. tones and messages. This is so because many provisions register the results of political negotiations between Member States, therefore each document embraces some rhetorical message or guidance. This distinctive style manifests itself in different ways: archaisms, formal language use, wordiness, and redundancy, impersonal language use, and occasionally even a poetic or literary style. However, the most important stylistic feature of legal language is precision, and there exists a tension between precision and vagueness. On the one hand, legal texts should be concrete enough to avoid discussion or confusion,

but on the other hand, the texts must be formulated in a way that allows them to cover as many cases and situations as possible [Tiersma, 2005, 2008; Carton, 2018].

A translator might struggle with a mix of registers, old-fashioned words, and Latinisms, which is particularly challenging because Eurolects show diverging directions in the representation of some patterns that feature legal language, such as the over-use of the passive voice, verbal encoding of the deontic modality and performative function through present indicative, petrified collocations (*having regard to*), complex prepositional bundles for legal mapping (*in accordance with, pursuant to, referred to in*), the preference for nominal style. These are particularly abundant in EU Primary law (i.e. the EU Treaties), rather than in EU secondary law such as directives and regulations. The extensive use of international prefixes is described as a cue of the Europeanisation process in some legal languages at the EU level [Biel, 2014] and mechanisms for textual cohesion and coherence [Mori, & Szmrecsanyi, 2020]

In terms of Ukrainian reality, the style of EU legislation translation is characterised by a complex of stylistically neutral lexical units, nomenclature words, and terminology, uniform grammatical structures as well as a tendency to simplification of legalese and bureaucratic language clichés. At the same time, the rhetoric of a document governs the language use in which a more connotative lexico-semantic variant may be more appropriate for rendering the original political intent, e.g.: *оптимальний* vs. *хороший*, *ефективна*, *міцна економіка* vs. *здорова економіка*, *надмірне навантаження* vs. *тягар*. Occasionally, metaphors may be used (e.g. *safe harbour*, *a financial bubble*, *umbrella agreement*). For instance, the Communication from the Commission 2013/C 216/01 contains the metaphorical terms translated as *здоровий фінансовий сектор*, *здорові банки*, *осередки вразливості* in its Ukrainian version (Повідомлення Комісії 2013/C 216/01) (cf. *healthy financial sector*, *healthy banks*, *pockets of vulnerability*). Therefore, adequate, and high-quality Ukrainian translation requires a translator to carry out a pre-translation stylistic analysis considering the unique nature of the Eurolect used across the EU official languages, as well as subsequent legal-linguistic revision of the prepared text, which is standard EU legislative practice.

### **3. Grammatical Features of EU Legal Acts:**

#### **A Translation Dimension**

This Section deals with the most challenging grammatical issues faced while translating EU legal acts. Namely, it emphasises the translation of non-finites and constructions containing them with a special focus on the most common translation techniques, used in approved Ukrainian *acquis* translations, with the explicit essence of Ukrainian versus the implicit character of EU English having been regarded. It also highlights possible ways of translating passive voice structures that EU legal acts are abundant in, given the fact that such structures are far less frequent in Ukrainian than in English. This Section also emphasises the issue of expressing modality in EU *acquis* translations through the modal verbs *shall* and *should*.

First and foremost, it must be taken into consideration that legal translation is different from EU legislation translation to such an extent that the latter is classified as "a sub-genre of legal translation" [Biel, 2007]. It is explained by the fact that "unlike most legal systems, the law of the European Union is written in many languages. In the European Union, the European Court of Justice (ECJ) is in the position of final interpreter of the meaning of European legal norms. Even if this is not stated expressly anywhere in the Treaties, the ECJ has acquired the authority of final interpreter of EU law due to its role in the preliminary ruling procedure, as regulated in Article 267 TEC [Capeta, 2009, p. 3].

As it is ironically emphasised, "for the banker in London, the EU is a political animal that speaks fluent English ... yet at the same time, a farmer in Crete can communicate with the EU institutions as if they spoke only Greek" [Wagner et al., 2002, p. 105]. Preparing for enlargement means making the necessary arrangements to enable the EU institutions to communicate in any official language after the enlargement. And the new or prospective Member States must prepare themselves for joining the union by translating all the relevant documents into their languages. Thus, it seems to be the turn for Ukrainian translators to do their utmost for Ukrainian citizens to communicate with the EU institutions as if Ukrainian were their only official and working language. Some preparations have already been made, at least the draft manual on the rules of translation into the Ukrainian language was compiled as an inner document and used among all the participants of the Project<sup>7</sup>.

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<sup>7</sup> Короткий практичний посібник з перекладу актів *acquis communautaire* українською мовою. Робоча версія 0.9. Association4U. Лютий 2016.

### 3.1. The Verb Constructions

This Section focuses on the grammatical particularities of translating the EU *acquis* into Ukrainian. Verb dominance is peculiar to the Ukrainian language, so it is preferable to use the infinitive rather than a noun derived from the corresponding verb, e.g.: *Пристрій (прилад), призначений вимірювати (охолоджувати, деформувати...)* but not *Пристрій (прилад), призначений для вимірювання (охолодження, деформування...)*. Although official translations of the EU *acquis* are also rich in nouns derived from verbs (Table 7):

**Table 7**  
**Nouns Derived from Verbs in the Official Translations**

Original text	Translation
This Regulation lays down rules on the making available on the market and the free movement of subsystems and safety components for cableway installations. It also contains rules on the design, construction, and entry into service of new cableway installations [OJ L 77, 23.3.2016].	Цей Регламент встановлює правила щодо надання на ринку та вільного руху пристроїв безпеки та вузлів для канатних доріг. Він також містить правила щодо проектування, спорудження та введення в експлуатацію нових канатних доріг. [es-2016424.pdf (kmu.gov.ua)]
This Regulation applies to new cableway installations designed to transport persons... [OJ L 81, 31.3.2016].	Цей Регламент застосовується до нових канатних доріг, спроектованих для транспортування людей... [es-2016424.pdf (kmu.gov.ua)].

It is also generally recognised that verbs ending in *-ся* with a passive meaning are not common in Ukrainian unlike Russian [EU *Acquis Translation Guidebook*, 2016, p. 13], so one should avoid Russian calques like *методика застосовується* (as the methods cannot apply themselves), *аналіз виконується* (as the analysis cannot perform itself) and one ought to use *методику застосовують; аналіз виконують*.

As passive voice forms are not so frequent in Ukrainian as in English, it is quite common to translate English passive voice forms in the EU



acquis with the help of the Ukrainian infinitive active voice. Study such a translation particularity in Directive (EU) 2018/843<sup>8</sup> (Table 8).

**Table 8**

**Passive Voice Forms**

<b>Original text</b>	<b>Your version of the translation</b>
To keep pace with evolving trends, further measures should <i>be taken</i> to ensure the increased transparency of financial transactions...	Щоб відповідати темпу розвитку тенденцій необхідно <i>вжити</i> подальших заходів для забезпечення більшої прозорості фінансових транзакцій...
In addition, the possibility to allow users to self-declare to designated authorities voluntarily should <i>be further assessed</i> .	Крім того, потрібно додатково <i>розглянути</i> можливість дозволити користувачам добровільне самодекларування до призначених органів.
When applying the access provisions, it is appropriate for pre-existing mechanisms <i>to be used</i> ...	При застосуванні положень про доступ, доцільно <i>використовувати</i> вже існуючі механізми...

Having considered a much higher frequency of passive voice structures in English and active voice structure dominance observed in Ukrainian, compare the original of the Council Directive 2006/117/EURATOM of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel and its translation into Ukrainian to illustrate this (Table 9).

**Table 9**

**Passive Voice vs. Active Voice**

<b>Original text</b>	<b>Translation</b>
It needs, nevertheless, <i>to be amended</i> in the light of experience to clarify and add concepts and definitions, to address situations that had been omitted in the past... (OJ L 337, 5.12.2006).	Проте існує необхідність <i>актуалізувати</i> її з огляду на досвід, для того щоб роз'яснити та додати поняття і визначення, врахувати ситуації, які не було враховано в минулому... (OJ L 337, 5.12.2006).

<sup>8</sup> Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 (OJ L 156, 19.6.2018; es-2018843.pdf (kmu.gov.ua)

As for the usage of non-finites, English has a much greater variety of verbals available in comparison with Ukrainian. The infinitive is sure to be the most common non-finite in Ukrainian which is used as an infinitive translation equivalent (Table 10).

**Table 10**

<b>Verbals</b>	
<b>Original text</b>	<b>Translation</b>
While radioactive waste should, as far as is compatible with the safe management of such material, be disposed of in the State in which it was generated it is recognized that Member States should <i>promote</i> agreements between themselves to <i>facilitate</i> the safe and efficient management of radioactive waste or spent fuel from Member States that produced it in small quantities and where the establishment of appropriate facilities would not be justified from a radiological point of view.	У той час як захоронення радіоактивних відходів необхідно здійснювати, з урахуванням ступеня сумісності такої необхідності з принципами безпечного поводження з такими матеріалами, в державі їх утворення, визнається, що держави-члени повинні <i>прагнути</i> укладення взаємних угод, щоб <i>забезпечити</i> безпечне та ефективне поводження з радіоактивними відходами або відпрацьованим паливом, виробленими у державах-членах з невеликим обсягом їх утворення, в яких створення відповідних об'єктів з точки зору радіології є невиправданим.
For the purposes of this Directive and in the light of past experience it is appropriate to <i>adapt</i> the existing standard document.	Для цілей цієї Директиви та з огляду на досвід минулого доцільно <i>адаптувати</i> існуючий стандартний документ.

### **3.2. The Participle and the Gerund**

Participle I<sup>9</sup> is mostly translated as дієприслівник and a noun derived from the corresponding verb (see Table 11):

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<sup>9</sup> The present participle (Participle I) is used in continuous tenses or as an adjective describing an action that is currently taking place. The past participle (Participle II) is used in the perfect tenses or as an adjective describing an action that has already been completed. It is also a key component in using the passive voice (<https://www.grammarly.com/blog/participle/>).

**Table 11**

**Gerund**

<b>Original text</b>	<b>Translation</b>
<p><i>Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 31(2) and 32 thereof,</i></p> <p><i>Acting in accordance with the ordinary legislative procedure...</i> (OJ L 156, 19.6.2018)</p>	<p><i>Беручи до уваги Договір про заснування Європейського співтовариства з атомної енергії, зокрема його статті 31(2) та 32,</i></p> <p><i>Діючи згідно зі звичайною законодавчою процедурою...</i> [es-2018843.pdf kmu.gov.ua]</p>

Participle II is commonly translated as дієприкметник (see Table 12).

**Table 12**

**Participle II**

<b>Original text</b>	<b>Translation</b>
<p>Having regard to the proposal from the Commission <i>drawn up</i> after obtaining the opinion of a group of persons <i>appointed</i> by the Scientific and Technical Committee from among scientific experts in the Member States.</p>	<p>Беручи до уваги пропозицію Європейської Комісії, <i>складену</i> після отримання висновку групи осіб, <i>призначених</i> Науково-технічним комітетом з числа наукових експертів держав-членів</p>

The most frequent translation equivalent of English gerunds, both non-perfect and perfect ones, in Ukrainian versions of EU acquis, is a noun derived from the corresponding verb (Table 13).

**Table 13**

**A Noun Derived from the Verb**

<b>Original text</b>	<b>Translation</b>
<p>Having regard to the proposal from the Commission drawn up after <i>obtaining</i> the opinion of a group of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States, in accordance with Article 31 of the Treaty, and after having consulted.</p>	<p>Беручи до уваги пропозицію Європейської Комісії, складену після <i>отримання</i> висновку групи осіб, призначених Науково-технічним комітетом з числа наукових експертів держав-членів, відповідно до статті 31 Договору та після <i>консультацій</i> з Європейським економічно-соціальним комітетом</p>

### 3.3. The Infinitive Constructions

The EU *acquis* texts are abundant in all types of infinitive constructions not available in the Ukrainian language: Objective Infinitive Construction, Subjective Infinitive Construction, and For-To-Infinitive Construction. The Objective Infinitive Construction is translated by means of a noun derived from the objective infinitive or a subordinate clause (Table 14).

**Table 14**

**The Objective Infinitive Construction**

Original text	Translation
<p>The Commission shall, in accordance with the procedure laid down in Article 21, establish criteria, taking due account of, <i>inter alia</i>, relevant safety standards of the International Atomic Energy Agency (IAEA), facilitating <i>Member States to evaluate</i> whether requirements for exports are met.</p> <p>If all the consents necessary for shipment have been given, the competent authorities of the Member State of origin shall be entitled to authorise <i>the holder to carry out</i> the shipment and shall inform the competent authorities of the Member State of destination and of any Member State or third country of transit accordingly (OJ L 337, 5.12.2006).</p>	<p>Комісія за процедурою, встановленою у статті 21, встановлює критерії, належним чином враховуючи, з-поміж іншого, відповідні стандарти безпеки Міжнародного агентства з атомної енергії (МАГАТЕ), сприяючи <i>оцінюванню</i> державами-членами ступеня дотримання експортних вимог.</p> <p>Володілець, який планує здійснити в межах Співтовариства перевезення радіоактивних відходів або відпрацьованого палива чи організувати <i>здійснення</i> такого перевезення, подає до компетентних органів держав-члена походження належним чином заповнену заявку на дозвіл.</p>
<p>The application shall include evidence that the consignee has made an arrangement with the holder established in the third country, and which has been accepted by the competent authorities of that third country,</p>	<p>Заявка повинна містити доказ укладення одержувачем угоди з володільцем, заснованим у третій країні, затвердженої компетентними органами такої третьої країни, <i>що зобов'язує такого володільця прийняти</i></p>

obliging that <i>holder to take back</i> the radioactive waste or the spent fuel where a shipment cannot be completed in accordance with this Directive... (OJ L 337, 5.12.2006).	<i>радіоактивні відходи</i> або <i>відпрацьоване паливо назад у випадку неможливості завершити перевезення відповідно до цієї Директиви.</i>
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The For-To-Infinitive Construction is mainly translated by means of a noun derived from the corresponding infinitive (Table 15).

**Table 15**

**The For-To-Infinitive Construction**

<b>Original text</b>	<b>Translation</b>
A holder who plans to carry out an intra-Community shipment of radioactive waste or spent fuel or to arrange <i>for such a shipment to be carried out</i> shall submit a duly completed application for authorisation to the competent authorities of the Member State of origin (OJ L 337, 5.12.2006).	Власник, який планує здійснити в межах Співтовариства перевезення радіоактивних відходів або відпрацьованого палива чи організувати <i>здійснення такого перевезення</i> , подає до компетентних органів держави-члена походження належним чином заповнену заявку на дозвіл.
...all general conditions and additional requirements, if any, necessary <i>for the</i> competent authorities of each Member State <i>to authorise</i> a shipment (OJ L 337, 5.12.2006).	- всіх загальних положень і додаткових вимог, за наявності, необхідних компетентним <i>органам</i> кожної держави-члена <i>для надання дозволу на перевезення.</i>

The Subjective Infinitive Construction is not so frequently used in the texts of the EU *acquis* as the Objective and the For-To-Infinitive Constructions. It is commonly translated into Ukrainian using a noun, whereas nominal predicates, interrupting the elements of the Subjective Infinitive Construction, such as *to be likely* may be translated into Ukrainian as a modal phrase *цілком імовірно, цілком можливо, не виключена можливість* (Table 16).

**Table 16**

**The Subjective Infinitive Construction**

Original text	Suggested translation
<p><i>Small and medium-sized enterprises</i> are not required to keep records of processing activities – unless the processing <i>is</i> regular or <i>likely to result</i> in a risk to the rights and freedoms of the person whose data is being processed or includes sensitive categories of data (OJ L 119, 4.5.2016).</p>	<p>Від малих і середніх підприємств не вимагають ведення обліку опрацювання персональних даних, якщо це регулярна процедура або <i>не виключена можливість виникнення ризику</i> для прав і свобод особи, чії персональні дані підлягають опрацюванню, або опрацюванню підлягає конфіденційна інформація.</p>

**3.4. Modal verbs**

EU acquis modal verb translation also has some particularities. The modal verb *shall*, expressing compulsion or obligation according to law, forms a sense unit with the infinitive. So, *shall* is predominantly omitted while translating EU acquis into Ukrainian, revealing the meaning of the notional verb with the corresponding active or passive voice forms of the Present tense. In some cases, *shall* is rendered in Ukrainian with the help of "повинний" in the proper form. The choice is predetermined by the context and the need to determine the degree of the binding force (Table 17).

EU acquis preambles often contain the modal verb *should* that it is feasible to translate as "повинний" [EU Acquis Translation Guidebook 2016:10] in the appropriate form and in impersonal sentences it can be translated with the help of "необхідно" as this structural part of the EU acquis contains reasoning, being the basis of the instruments. For instance, let us look at the example from Opinion CON/2011/85 on a State guarantee covering certain loans granted to Dexia SA and Dexia Crédit Local SA [europa.eu] (Table 18).

**Table 17**

**Modals: *shall***

Original text	Translation
<p>This Directive <i>shall</i> not affect the right of a Member State to safely return to its country of origin [OJ L 337, 5.12.2006]. For the purpose of this Directive, the following definitions <i>shall</i> apply: (1) 'consumer' means any natural person who, in contracts covered by this Directive, is acting for purposes that are outside his trade, business, craft, or profession (OJ L 304, 22.11.2011).</p>	<p>Ця Директива <i>не впливає</i> на право держави-члена безпечно повернути до країни походження (Директива Ради 2006/117/ЄВРАТОМ). Для цілей цієї Директиви: <i>застосовують</i> такі означення: (1) "споживач" означає будь-яку фізичну особу, яка за договорами, які охоплює ця Директива, діє для цілей, що виходять за межі її комерційної, підприємницької або професійної діяльності.</p>

**Table 18**

**Modals: *should***

Original text	Suggested translation version
<p>In this context, the ECB reiterates its view that the extension of the State guarantee to cover interbank deposits <i>should</i> be avoided, as this could entail substantial distortion in the various national segments of the euro area money market by potentially increasing short-term debt issuance activity across Member States and therefore impairing the implementation of the single monetary policy, which is an exclusive competence of the Eurosystem under Article 127(2) of the Treaty.</p>	<p>У зв'язку з цим ЄЦБ підтверджує свою думку, що <i>необхідно</i> уникати поширення державної гарантії на міжбанківські депозити, оскільки це може спричинити суттєві викривлення у різних національних сегментах грошового ринку євросони через потенційне збільшення активності з випуску короткострокових боргових зобов'язань між державами-членами і, таким чином, зашкодити реалізації єдиної монетарної політики, яка є виключною компетенцією Євросистеми згідно зі статтею 127(2) Договору.</p>

All the above analysed grammatical features of EU acquis and their suggested translation solutions, namely, means of expressing pragmatics and modality means, verbals and verbal constructions that are not peculiar

to the Ukrainian language, as well as passive voice structures which are much more dominant in English than in Ukrainian, are sure to contribute to the adequate EU acquis translation into Ukrainian, being the objective of Ukrainian students and translators.

#### 4. Technical Stylistic Features of EU Legal Texts

This Section outlines some of the formal, or technical, features of maintaining uniformity in translating EU legal acts and provides an overview of the structure of legal acts. It also particularises the rules of translating the title, recitals, concluding formulae (place, date, and signature), and subdivisions of acts. A translator should adhere to the rules of consistency across the documents considering the practices of translating titles, dates, names, particular structural elements, etc., and one can make use of the materials developed within the Association4U Project to preserve clarity of the structure and compatibility across the packages of the documents, especially in the case of references to other related EU documents incorporated into preambles or enacting terms.

A legal document usually starts with the preamble containing specific technical features apart from the pragmatic stylistic and discursive characteristics. A Ukrainian translator needs to remember how to translate *should* in a preamble<sup>10</sup>. Since the preamble contains a justification of the reasons underlying the adoption of a certain act, it is considered appropriate to translate *should* as "повинний". "Необхідно" should be used in the impersonal sentences. For instance, the segment "*Product parameters should be measured and calculated using reliable, accurate and reproducible methods which take into account recognised state-of-the-art measurement and calculation methods*" should be translated in Ukrainian as "*Параметри продуктів необхідно вимірювати й обчислювати за допомогою надійних, точних та відтворюваних методів, що беруть до уваги визнані найсучасніші методи вимірювань і обчислень*". At the same time, the rule about how *shall* is translated in the legal act should be strictly observed. The auxiliary word *shall* is translated as "повинний" in Ukrainian, while the full verb is rendered with the corresponding active or passive forms of the present tense.

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<sup>10</sup> See Section 3.4. Dealing with Modal verbs.



#### **4.1. Translation of the Title**

The title of an act can take two forms: full title or short title. The long title is the formal title appearing at the head of an act. The long title is intended to provide a summary description of the purpose or scope of the instrument. It contrasts with the short title, which is merely intended to provide a convenient name for referring to it. In references, when an act is cited for the first time in another act, the full title is given, and the reference to the Official Journal in which it was published (the publication reference) is always given in a footnote. In citations, the full title is given in the body of the text, in recitals, articles, and annexes in the footnote. In later references to an act previously cited, the short title is used, without mentioning the author or the publication reference. The full title of the act comprises:

- (1) the name of the institution or institutions which adopted the act;
- (2) type of the act;
- (3) the abbreviation or acronym of the field concerned (EU, CFSP or Euratom);
- (4) sequential reference number of the act and the year;
- (5) date of signature or of adoption;
- (6) subject matter.

Where the title of a legal act is amended by another one or is the subject of a corrigendum, the amended or corrected title should always be cited thereafter. The order of these components varies according to the type of act and the language. Below you can see the examples of the full title of the act (see tables 19–21).

The short title of the act comprises the author (institution or body that adopted the act); type of the act; and number.

Types of the act: the aims set out in the EU treaties are achieved by several types of legal acts. Some are binding, others are not. Article 288 of the EC Treaty lists the five existing basic acts: *regulation* (a binding legislative act), *directive* (sets out a goal that a country must achieve), *decision* (binding on those to whom it is addressed), *recommendation* (not binding) and *opinion* (not binding).

**Table 19****Names of Institutions**

<b>Original text</b>	<b>Translation</b>
Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information	Директива Європейського Парламенту і Ради 2003/98/ЄС від 17 листопада 2003 року про вторинне використання інформації публічного сектора
Commission Implementing Regulation (EU) 2015/1501 of 8 September 2015 on the interoperability framework pursuant to Article 12(8) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market	Імплементативний Регламент Комісії (ЄС) 2015/1501 від 8 вересня 2015 року про рамки інтеоперабельності відповідно до статті 12(8) Регламенту Європейського Парламенту і Ради (ЄС) № 910/2014 про електронну ідентифікацію та довірчі послуги для електронних транзакцій на внутрішньому ринку
Council Decision of 10 December 2010 on State aid to facilitate the closure of uncompetitive coal mines	Рішення Ради від 10 грудня 2010 року про державну допомогу для сприяння закриттю неконкурентоспроможних вугільних шахт

**Table 20****Title of Act**

<b>Original text</b>	<b>Translation</b>
Commission Implementing Regulation (EU) 2021/1935	Імплементативний Регламент Комісії (ЄС) 2021/1935
Directive 95/2/EC	Директива 95/2/ЄС
Common Position 2008/944/CFSP	Спільна позиція Ради 2008/944/СЗБП
Regulation (EU) No 260/2012 of the European Parliament and of the Council	Регламент Європейського Парламенту і Ради (ЄС) № 260/2012

**Table 21****Type of Act**

<b>Original text</b>	<b>Translation</b>
Council Regulation (EC) No 314/2000	Регламент Ради (ЄС) №314/2000
Council Directive 92/12/EEC	Директива Ради 92/12/ЄЕС
Commission Decision No 2233/97/ECSC	Рішення Комісії № 2233/97/ЄСВС
High Authority Recommendation No 1/65	Рекомендація Вищого органу № 1/65
Opinion	Висновок

**Subject of the act:** in the translation of the title of an act, relative clauses are avoided in some languages and replaced by an adequate preposition. For example, *(Regulation) implementing Directive 2009/125/EC* should be translated: *(Регламент) про імплементацію Директиви 2009/125/ЄС*, а не Регламент, що імплементує Директиву 2009/125/ЄС; *(Directive) ... concerning the protection of waters against pollution caused by nitrates from agricultural sources*. Директива ...щодо захисту вод від забруднення, спричиненого нітратами з сільськогосподарських джерел.

#### **4.2. Structural Parts of Legal Acts**

A translator of the EU legal acts should be aware of the particularities of the structural parts of documents and proper translation thereof to ensure consistency and homogeneity with the overall bulk of official translations. As for the subdivisions of acts, the enacting terms, which constitute the normative part of the act, are divided into articles. Where the enacting terms are simple, they may be set out in a 'Sole Article'. Articles may be grouped into 'parts', 'titles', 'chapters', and 'sections'.

Articles may be subdivided into paragraphs, subparagraphs, points, indents, and sentences. Paragraphs may be unnumbered or numbered with Arabic numerals and may contain points or indents, which may be preceded by a dash. In directives and, where applicable, decisions, the addressees are specified in the last article. For instance, *"This Directive is addressed to the Member States"* should be translated as: "Цю Директиву адресовано державам-членам". In regulations, after the final article, the following formula is used: *"This Regulation shall be binding in its entirety and directly applicable in all Member*

*States*". It should be translated in Ukrainian as "Цей Регламент обов'язковий у повному обсязі та підлягає прямому застосуванню у всіх державах-членах". Or "This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties". (This formula is used when the regulation is not applicable to and in all the Member States (for example, Member States whose currency is not the euro)).

Enacting terms comprise such components as *Subject matter, Scope/field of application, Definitions, Rights and obligations, Basic provisions, General provisions, Procedural provisions, Technical adjustments, Implementing measures, Transitional provisions, Final provisions, and Miscellaneous provisions.*

As for the subdivision and grouping of enacting terms, enacting terms are subdivided and grouped according to the original. These structural elements should be written with a lowercase letter in the text of the act. At the same time, the titles of articles, parts, or sections should be capitalised (Table 22).

**Table 22**

**Subdivision of Enacting Terms**

<i>Part</i>	<i>Частина</i>	<i>Paragraph</i>	<i>Параграф</i>
<i>Title</i>	<i>Розділ</i>	<i>Subparagraph</i>	<i>Підпараграф</i>
<i>Subtitle</i>	<i>Підрозділ</i>	<i>Point</i>	<i>Пункт</i>
<i>Chapter</i>	<i>Глава</i>	<i>Subpoint</i>	<i>Підпункт</i>
<i>Section</i>	<i>Секція</i>	<i>Indent</i>	<i>Абзац</i>
<i>Subsection</i>	<i>Підсекція</i>	<i>Subindent</i>	<i>Підабзац</i>
<i>Article</i>	<i>Стаття</i>	<i>Phrase</i>	<i>Речення</i>
<i>Sole Article</i>	<i>Єдина стаття</i>	<i>Sentence</i>	<i>Речення</i>

Combined nomenclature and TARIC (TARif Intégré Communautaire) subdivision (Table 23).

**Table 23**

**Nomenclature and TARIC Subdivision**

<b>Original text</b>	<b>Translation</b>
Section	Група
(Tariff) heading	Тарифна позиція
Subheading	Субпозиція
CN / Taric subheading	Код КН / Taric

### 4.3. Dealing with Recitals, Concluding Formulae, and Signatures

*Recitals* are the part of the act that contains the statement of reasons for its adoption; they are placed between the citations and the enacting terms. Recitals are introduced by the word: *whereas*. They are numbered and each sentence in each recital starts with a capital letter and ends with a full stop, except the last sentence of the concluding recital, which ends with a comma. It uses non-mandatory language and must not be confused with the enacting terms. For instance, "Whereas:" is commonly translated as "Оскільки:". As for concluding formulae (place, date, and signature), the act ends with the following: the words "Done at., ..." indicating the place and date of signature, and followed by the signature(s). Depending on the type of the act, the date may be presented in two different ways. In secondary legislation, the place and date are presented as follows (Tables 24–26). The date is that on which the act was signed (acts adopted jointly by the European Parliament and the Council) or adopted (in other cases). In treaties, international agreements, etc. the full date is written in words.

**Table 24**

#### Place and Date in Numbers

Original text	Translation
Done at Brussels, 8 November 2021.	Вчинено у Брюсселі 8 листопада 2021 року.

**Table 25**

#### Place and Date in Words

Original text	Translation
Done at Brussels on the twenty-fourth day of March in the year two thousand and ten, in two originals in the English language.	Вчинено у Брюсселі двадцять четвертого березня дві тисячі десятого року у двох примірниках англійською мовою.

The place of signature of the acts of the institutions can be Brussels (in general), Luxembourg (during Council sessions in April, June, and October), Strasbourg (notably for the European Parliament, including when it signs with the Council), or Frankfurt am Main (for most of the acts of the European Central Bank). As for signatures as such, the place and date of the act are followed by the signature(s) that include the name of the institution that adopted the act and the initial(s) and surname or full name of a representative of the institution.

**Table 26****Signatures**

<b>Original text</b>	<b>Translation</b>
For the Council	За Раду
For the Commission	За Комісію
For the European Parliament	За Європейський Парламент
For the High Authority	За Високий орган
On behalf of the Governing Council of ECB	Від імені Керівної ради ЄЦБ
For and on behalf of the General Council	Від імені та за дорученням Генеральної ради
For and on behalf of the Governing Council	Від імені та за дорученням Керівної ради
For the Government	За Уряд
For the ACP-E(E)C Council of Ministers	За Раду міністрів АСП-Є(Е)С
By the ACP-E(E)C Committee of Ambassadors	Комітетом постійних представників АСП-Є(Е)С
For the Association Council	За Раду асоціації
For the Cooperation Council	За Раду співробітництва
For the (EEA) Joint Committee	За Спільний комітет

**5. Conclusions**

In this chapter, the authors shed light on the style of EU legal acts as seen through the challenges and solutions encountered during the process of aligning Ukrainian legislation with the EU acquis. Although it covers various aspects such as general stylistic concerns, grammatical intricacies, and technical details essential for ensuring consistency in translating the EU acquis into Ukrainian, a translator is supposed to be open-minded and aspire to refine the skills of pre-translation analysis and extend the practical knowledge of implementing the genre characteristics of Eurolect as a specific language for preparing Ukrainian legislation.

The authors have examined major distinctive characteristics of EU legal writing, discussed translation challenges, and suggested strategies for addressing semantic shifts, concept misrepresentations, and discrepancies in wording. At the same time, it is advisable not to disregard instances of connotative language usage within the context of the formal

and stylistically neutral legal discourse for the most accurate rendering of the meaning and implication of a term or a phrase.

The collected instances illustrated in the chapter also provide Ukrainian students and translators with theoretical knowledge and practical skills, rendering the EU *acquis* stylistic sub-style of de-cultured and neutralized phenomenon; particularities of translating pragmatics and modality of EU legal acts with a special focus on translating non-finites and constructions containing them which are not typical of Ukrainian as well as passive voice structures that are much less prevalent in Ukrainian.

Striving to ensure high-quality translations of EU *acquis*, particularly Eurolect versus Ukrainian legal writing, the translator should not forget about the technical nuances of dealing with the EU *acquis*. To this end, the translator has been offered an overview of the structural components of EU legal documents and a basic toolkit for ensuring consistency in the translation of EU legal acts. It is of great importance to follow the guidelines on translating the title, recitals, concluding formulae, and subdivisions of acts because it helps navigate not only throughout the databases of the EU *acquis* but also throughout the intricate bulk of the respective Ukrainian legislative documents.

It is fundamental to ensure uniformity and maintain clarity while translating EU legal acts by following these established guidelines to deliver high-quality translation with consistent terminology and style. All the above-mentioned having been thoroughly studied and practiced, the target audience is sure to achieve not only a purely translational objective but also the ambitious political aim of the Ukrainian state to accede to the EU, with the EU *acquis* translations into Ukrainian being its prerequisite.

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