

THE QUEEN'S PRINTER FOR SCOTLAND

**Report covering the period
1 July 1999 to
31 March 2002**

Laid before the Scottish Parliament
by the Scottish Ministers
September 2002

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THE QUEEN'S PRINTER FOR SCOTLAND

The office of Queen's Printer for Scotland (QPS) was established by section 92 of the Scotland Act 1998. The Act sets out the responsibilities:

1. to exercise the Queen's Printer responsibilities in relation to the printing of Acts of the Scottish Parliament and subordinate legislation; and
2. on behalf of Her Majesty to exercise Her rights and privileges in connection with:
 - Crown copyright in Acts of the Scottish Parliament,
 - Crown copyright in subordinate legislation,
 - Crown copyright in any existing or future works (other than subordinate legislation) made in the exercise of a function which is exercisable by any office-holder in, or member of the staff of, the Scottish Administration (or would be so exercisable if the function had not ceased to exist) and
 - other copyright assigned to Her Majesty in works made in connection with the exercise of functions by any such office-holder or member.

Section 92(5) of the Scotland Act specifies that the Queen's Printer of Acts of Parliament shall hold the office of Queen's Printer for Scotland.

The QPS was specified, in the Scottish Administration (Offices) Order 1999 (S.I. 1999 No. 1127), as a non-ministerial office-holder and member of the staff of the Scottish Administration with effect from 1 July 1999.

The QPS, who also holds the position as Controller of Her Majesty's Stationery Office is supported in her role by the staff of Her Majesty's Stationery Office.



Office of the Queen's Printer for Scotland

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Our ref:

Date: 15 July 2002

Dear First Minister

I have the honour to present to you a report of the activities of the Queen's Printer for Scotland covering the period 1 July 1999 (when the Office was created) to 31 March 2002.

Yours sincerely

CAROL TULLO
Queen's Printer for Scotland

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1. THE QUEEN'S PRINTER RESPONSIBILITIES IN RELATION TO STATUTORY PUBLISHING

- 1.1 Under Section 92 of the Scotland Act 1998 the Queen's Printer for Scotland is responsible for the printing of Acts of the Scottish Parliament and subordinate legislation.

Acts of the Scottish Parliament

- 1.2 The Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 (S.I. 1999 No.1379) sets out the detailed provisions for the publication and citation of Acts of the Scottish Parliament by or under the authority of the Queen's Printer for Scotland. Article 3 of the Order provides that once an Act has received Royal Assent the Clerk of Parliament shall make a copy of the official print of the Act which he shall certify as a true copy. The Clerk shall send that copy to the Queen's Printer for Scotland who shall, as soon as possible after receiving it, cause copies of it to be printed and sold by or under her authority; and may make other arrangements for its publication.

Scottish Statutory Instruments

- 1.3 The Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999 (S.I. 1999 No. 1096) sets out the detailed provisions in relation to Scottish statutory and other statutory instruments or documents which are required by any enactment to be laid before the Scottish Parliament and made provision corresponding to that made by or under the Statutory Instruments Act 1946 Act relating to the numbering, printing and publishing of Scottish statutory instruments.

Article 5 of the Order provides that immediately after the making of any Scottish statutory instrument, the responsible authority shall send it to the Queen's Printer who shall number it in a series of the calendar year in which they are made.

Article 7 provides that as soon as possible after the Queen's Printer has allocated and numbered any Scottish statutory instrument in accordance with article 5(2), copies of it shall be printed and sold by, or under the authority of, the Queen's Printer.

Article 8 provides that the Queen's Printer shall from time to time cause to be published a list to be known as the "Scottish Statutory Instruments Issue List", showing the number and short title of each Scottish statutory instrument which has been issued for the first time by, or under the authority of, the Queen's Printer during the period to which that list relates and the date on which each such instrument was so issued.

Article 9 provides that the Queen's Printer shall prepare an annual edition of Scottish statutory instruments which shall be printed and published by or under her authority including:

- (a) a copy of all Scottish statutory instruments as have, at the time of the completion of the annual edition, been printed in compliance with the requirements of article 7 and not been included in any previous annual edition;
- (b) an Annual Numerical and Issue List of Scottish statutory instruments;
- (c) a classified list of local instruments;
- (d) tables showing the effect on enactments and previous statutory rules or statutory instruments (whether Scottish or not) of the Scottish statutory instruments included in that edition; and
- (e) an index.

The printing and publishing arrangements

1.4 At the time of devolution the Queen's Printer made arrangements to extend existing contracts which had been let in 1996 to The Stationery Office Limited (TSO) for the printing, publication and distribution of legislation to cover the arrangements for printing and publication of Acts of the Scottish Parliament and Scottish statutory instruments under her authority. Those contracts had only a short period of time to run and were already subject to a re-tendering exercise which resulted in new contracts operating from 1 October 2000. The new contracts were re-awarded to the existing contractor which continues to handle the printing, publishing and distribution of all new Scottish legislation.

Acts of the Scottish Parliament

1.5 The contract requires that the contractor should print and publish Acts of the Scottish Parliament within 5 working days of their receiving the authority to print (previously 7 days). Tables showing the page extents and time taken for the publication of Acts of the Parliament which received Royal Assent up until 31 March 2002 are attached at Annexes A1 and A2.

Scottish Statutory Instruments

1.6 The Office of the Queen's Printer for Scotland is responsible for both the registration and numbering of Scottish statutory instruments (SSIs) and for their subsequent printing and publishing under contract. The following table details those SSIs registered from July 1999 to the end of March 2001.

Scottish Statutory Instruments registered 1999 – 2002

	1999		2000		2001		2002	
	Total	Cumulative	Total	Cumulative	Total	Cumulative	Total	Cumulative
Jan			20	20	23	23	32	32
Feb			16	36	27	50	38	70
Mar			60	96	77	127	92	162
Apr			28	124	38	165		
May			35	159	34	199		
Jun			60	219	54	253		
Jul	17	17	45	264	23	276		
Aug	22	39	39	303	20	296		
Sep	48	87	36	339	36	332		
Oct	47	134	41	380	69	401		
Nov	26	160	53	433	47	448		
Dec	44	204	22	454	46	494		

- 1.7 Responsibility for the speed at which SSIs are registered and subsequently printed and published is a matter for the Scottish Executive. The contract requires that SSIs are printed and published within 3 working days of receipt of the press proof, for SSIs up to 16 pages in extent, and within 4 working days for those up to 96 pages in extent. For SSIs above 96 pages an additional day is allowed for each additional 32 pages.
- 1.8 The target should be for all SSIs to be registered within 3 days of their being made and for printing to be undertaken within a week of registration. The tables illustrate that registration of SSIs takes place for the majority of SSIs within 3 days of them being made. There are, however, often delays before these are subsequently printed and published due to current production procedures which are under review.

General Scottish Statutory Instruments - Registered

From Date of Making	1999	2000	2001	Jan-Mar 2002
Within 48 hours	50	136	152	55
3 Days	11	33	58	17
4 Days	8	19	59	17
5 Days	14	23	14	12
6 Days	2	16	18	5
7 Days	2	9	21	2
8 Days	1	14	8	7
9 Days	0	1	14	0
10 Days	2	4	8	1
Over 10 Days	9	12	45	15

Local Scottish Statutory Instruments - Registered

From Date of Making	1999	2000	2001	Jan-Mar 2002
Within 48 hours	23	64	46	16
3 Days	11	34	14	6
4 Days	20	40	8	5
5 Days	17	14	10	0
6 Days	12	13	5	0
7 Days	0	4	5	0
8 Days	0	5	4	1
9 Days	0	0	0	0
10 Days	0	0	0	0
Over 10 Days	6	4	5	2

Scottish Statutory Instruments - Published

From Date of Making	1999	2000	2001	Jan-Mar 2002
Within 5 Days	0	0	2	1
6 Days	0	1	0	0
7 Days	0	2	1	4
8 Days	2	7	15	4
9 Days	4	6	33	3
10 Days	15	10	31	10
11 Days	5	11	21	7
12 Days	11	15	15	9
13 Days	7	19	13	13
14 Days	9	24	19	12
15 Days	6	10	8	5
Over 15 Days	57	152	241	72

1.9 OQPS is seeking to address the delays in publication with the Scottish Executive by development of a template which the Executive will be able to use for the drafting of SSIs. This will enable the Executive to generate output from which printed copies can be produced without the need for the production of separate printers' proofs and checking by the draftsmen. Trials of the template started in 2001. Implementation of a direct to print link is scheduled for November 2002. The number of SSIs published in excess of 15 days from the date of making should then be greatly reduced with the majority capable of being published within 7 to 10 days.

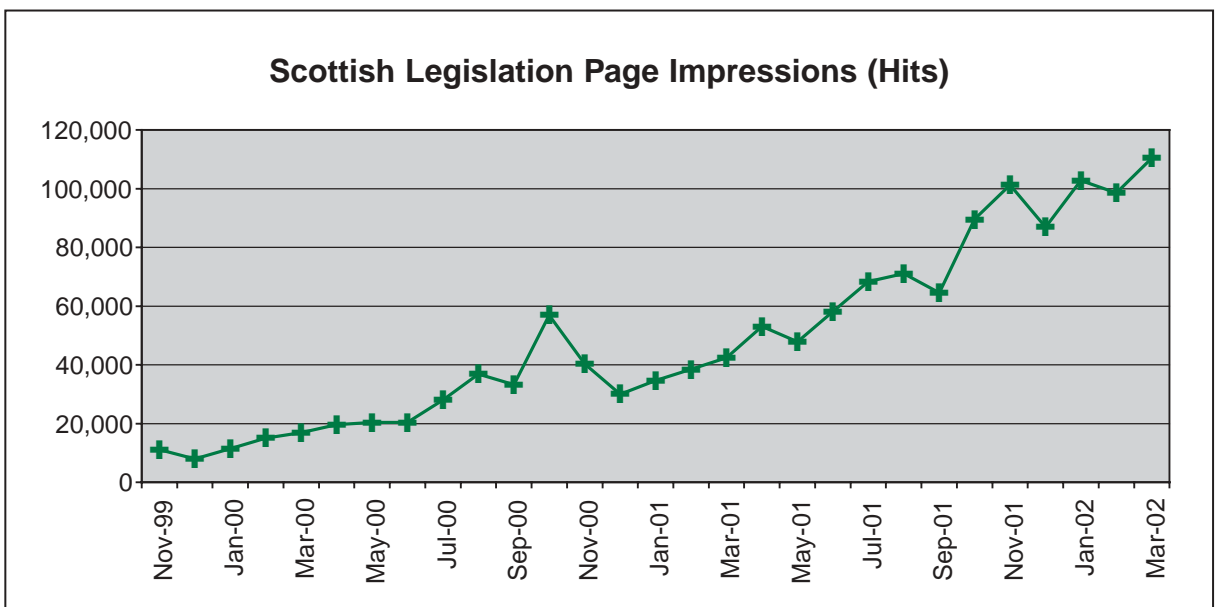
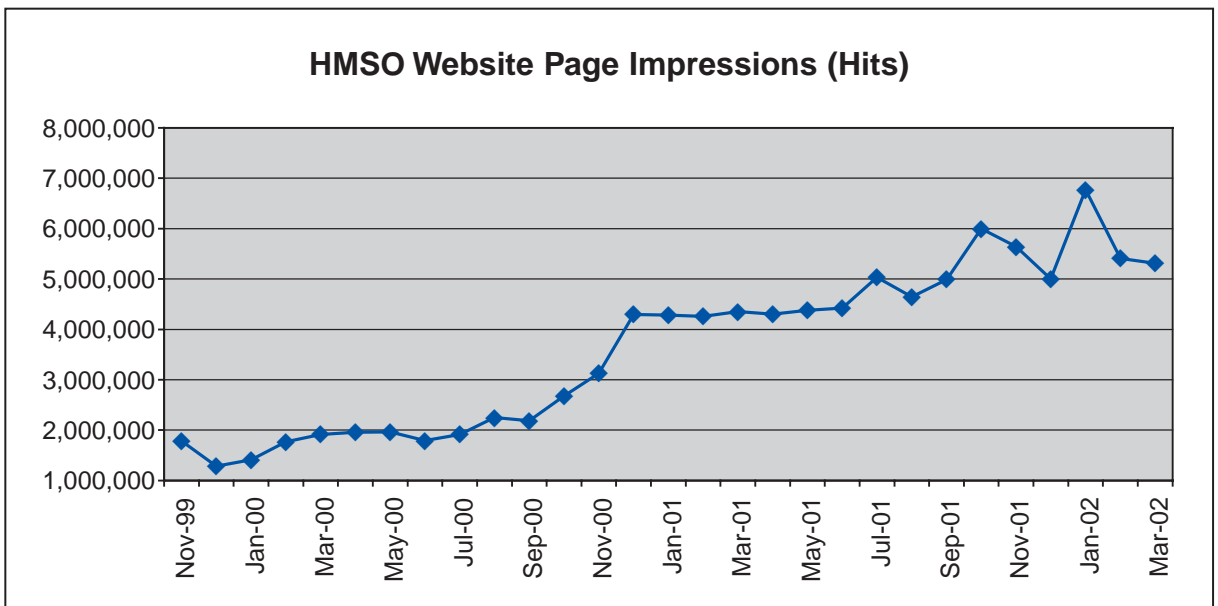
Internet Publication of Legislation

1.10 All Scottish legislation has continued to be published on the internet on the Scottish Legislation website: <http://www.scotland-legislation.hms.gov.uk> with

the target of simultaneous publication with the print editions being met for 99.9% of items published. The site currently operates as a sub-domain within the overall HMSO website but plans are being made to transfer this to the OQPS website: <http://www.oqps.gov.uk> during 2002. Apart from the inclusion of Acts of the Scottish Parliament (ASPs), Explanatory Notes to ASPs and Scottish statutory instruments, the site also includes links to other UK legislation which applies exclusively or primarily to Scotland.

1.11 Hits on the HMSO website have continued to grow with a high of 6,774,475 hits being recorded by 534,833 users during January 2002. The Scottish legislation website had a record 110,446 hits in March 2002 with 25,884 users.

1.12 The following graphs highlight the continuing growth in use of the website and the growing number of hits on the Scottish legislation part of the website:



Production of Annual Bound Volumes and Editions

- 1.13 Production of the first of the Annual Bound Volumes of Acts of the Scottish Parliament (ASPs) and the Annual Bound Editions of Scottish statutory instruments (SSIs) for 1999 publishes September 2002. The ASP Annual Volume for 2001 and the SSI Annual Edition for 2000 will publish by the end of 2002.
- 1.14 Acts of the Scottish Parliament were included in the reference work the *Chronological Tables of Statutes 1235 – 1999*. The table of ASPs will be updated in subsequent editions to include new ASPs showing the effects of all new legislation on these.

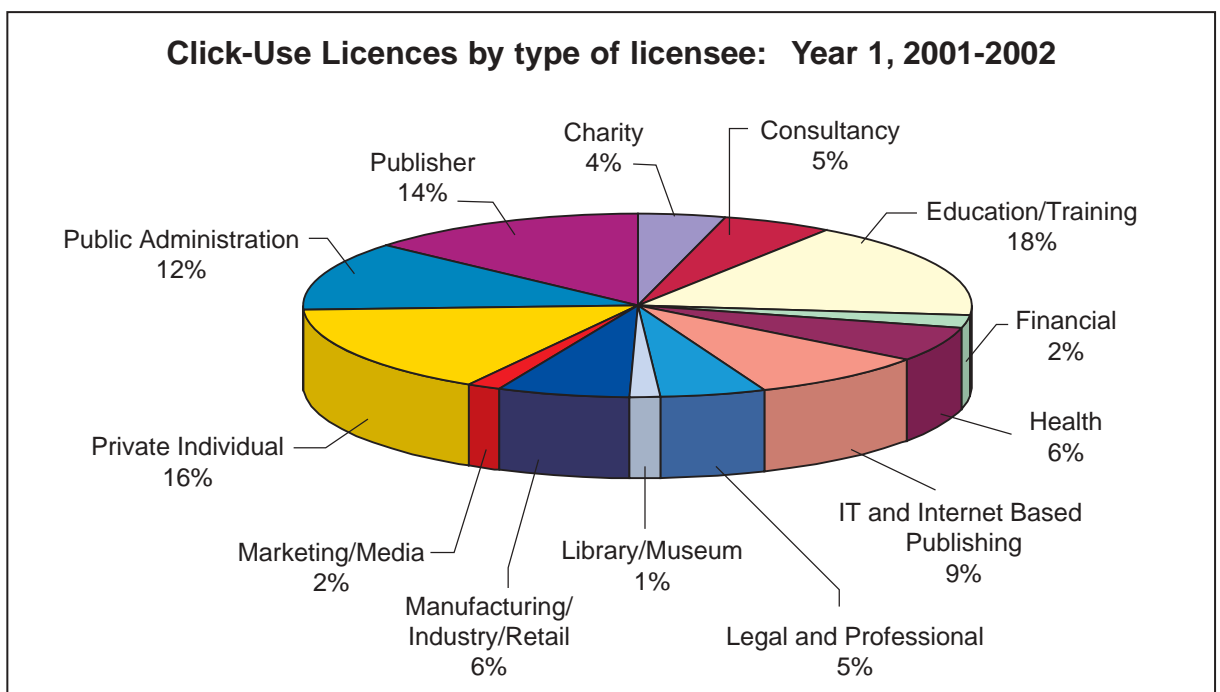
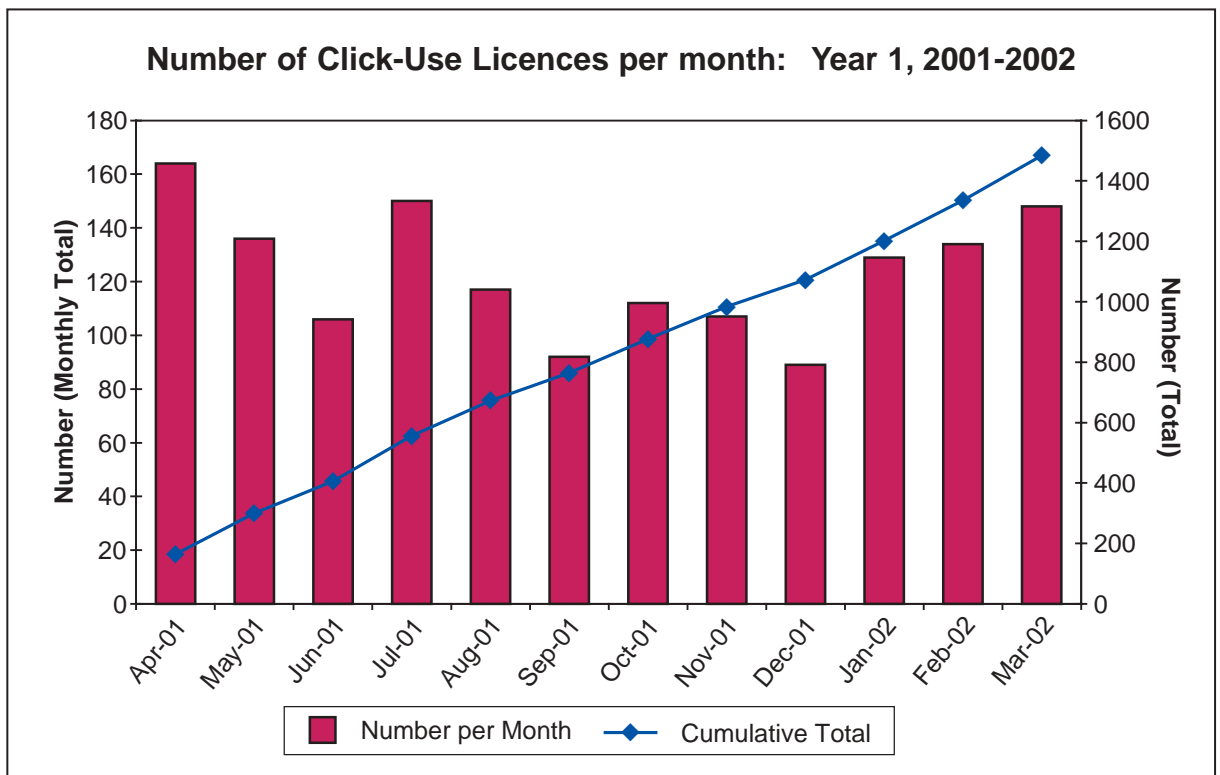
The Advisory Committee on Statute Law

- 1.15 The QPS reports to the meetings of the Advisory Committee on Statute Law about the arrangements for production and publication of legislation and other statutory publications and will take their advice on specific issues. Membership of the Advisory Committee of which the Lord Chancellor is the Chairman includes the Solicitor to the Scottish Executive, the Legal Secretary to the Lord Advocate, the First Scottish Parliamentary Counsel, the Chairman of the Scottish Law Commission and the Head of Publishing Services at HMSO.

2. MANAGEMENT AND ADMINISTRATION OF CROWN COPYRIGHT

Policy

2.1 The Click-Use online licensing system covering the reuse of government information was launched on 1 April 2001. As at 31 March 2002, there were 1485 holders of Click-Use Licences. The following charts show how many licences were taken out each month and the types of licensees taking out licences:



Licensing

- 2.2 There is considerable interest in the reuse of information which is originated by Scottish Executive Departments and agencies. Over 120 licensing transactions took place during the period of this report excluding Click-Use Licences. Licensees are drawn from a wide range of users including publishers, information providers, libraries, educational establishments and private individuals. Some of the most significant licensing activity related to *Looking After Children* forms and software, Historic Scotland's Listed Building Data and the assignment of copyright in the Glasgow Programs.
- 2.3 The Queen's Printer for Scotland issued delegations of authority to the Registers of Scotland and the Royal Commission on the Ancient and Historical Monuments in Scotland enabling those bodies to handle their own licensing. The QPS delegates her authority under strictly managed conditions ensuring fairness and transparency for all users.

Guidance Notes

- 2.4 Working closely with officials in the Scottish Executive the QPS has issued guidance material on licensing issues. This includes:
- an overview of current information policy
 - Guidance Note 1. Reproduction of Acts of the Scottish Parliament, Explanatory Notes to Acts of the Scottish Parliament and Scottish Statutory Instruments (26 November 1999, revised 23 August 2001). See: <http://www.hmsso.gov.uk/guidance/scotgn/scotgn1.htm>
 - Guidance Note 2. Reproduction of Press Notices issued by the Scottish Administration. (15 May 2000, revised 10 August 2001). See: <http://www.hmsso.gov.uk/guidance/scotgn/scotgn2.htm>
 - Guidance Note 3. Reproduction of 5-14 Curriculum Documents (16 January 2002)
See: <http://www.hmsso.gov.uk/guidance/scotgn/scotgn3.htm>

Regular Liaison

- 2.5 As well as providing general advice to applicants and licensees on copyright and licensing issues, the OQPS has had regular contact with officials within the Scottish Executive. This includes the following activities:
- holding a policy briefing seminar in Edinburgh in March 2001. This was attended by representatives from Scottish Executive Departments and agencies. The primary aim of the seminar was to brief officials about current initiatives on government information policy.

- the provision of advice about copyright notices to the Scottish Executive for inclusion in *The Health Bulletin*.
- meetings (representatives from OQPS Licensing attended meetings in Edinburgh on 23 October 1999, 27 October 2000, and 7 March 2001)

Regulation

- 2.6 Following through the recommendations of the Cross-Cutting Review of the Knowledge Economy, we have consulted the public on regulation of Crown copyright, see: <http://www.hmso.gov.uk/regulation-home.htm> The consultation material was designed to take account of the specific concerns of Trading Funds. Registers of Scotland played a strong and positive role in the design.
- 2.7 Consultation closed in January 2002. Since then we have been working to draw on the representations made by the public, to work out the requirements and processes for Crown copyright regulation. Registers of Scotland have continued to support our work throughout this final stage and we look forward to working closely with them in the future.

3. FINANCING THE OFFICE OF THE QUEEN'S PRINTER FOR SCOTLAND

- 3.1 Under the terms of the Scotland Act the Queen's Printer of Acts of Parliament is automatically the Queen's Printer for Scotland. The Queen's Printer is the Controller of Her Majesty's Stationery Office (HMSO) and by agreement with the Scottish Executive HMSO provides the necessary resources to undertake the work of the Office of the Queen's Printer for Scotland. In consideration of this the Scottish Executive has agreed to pay to HMSO an annual management charge covering the period 1 April to 31 March (inclusive) each year.
- 3.2 The management charge for the First Accounting Period was £40,650 and for each subsequent year is recalculated and agreed, based on the level of work in that financial year. No significant changes to the level of service provided have been made and therefore the charges have been updated for inflationary increases only.
- 3.3 An analysis of the management charges (exc. VAT) paid in relation to the period covered by this report are shown below:

Period Covered	Staff Costs	Non – Pay Costs	Total Charge
1 October 1999 – 31 March 2000 (half year charge)	£12,290	£8,035	£20,325
1 April 2000 – 31 March 2001	£24,021	£17,652	£41,673
1 April 2001 – 31 March 2002	£25,319	£16,531	£41,850
TOTAL	£61,630	£42,218	£103,848

These charges are accounted for as follows:

Staff Costs

Period covered	Whole Time Equivalent	Charge £
1 October 1999 – 31 March 2000 (half year charge)	0.51	12,290
1 April 2000 – 31 March 2001	0.95	24,021
1 April 2001 – 31 March 2002	1.02	25,319
TOTAL		61,630

Non-Pay Costs

	1999 – 2000 £	2000 –2001 £	2001 – 2002 £	Total
Web Site Development and Running Costs	4,675	2,550	9,623	16,848
Stationery and Postage	310	302	630	1,242
Travel	1,550	2,100	3,188	6,838
IT Systems	1,500	12,700	3,090	17,290
Total	8,035	17,652	16,531	42,218

4. OTHER ACTIVITIES OF THE OFFICE OF THE QUEEN'S PRINTER FOR SCOTLAND

- 4.1 The OQPS maintains strong links with those in Scotland who have an interest in official publishing with an OQPS representative attending meetings of the Scottish Working Group on Official Publications (SWOP). The membership of SWOP includes representatives from Scotland's university libraries, the two major public reference libraries in Glasgow and Edinburgh, the National Library of Scotland, special libraries, representatives from the Scottish Executive and the Scottish Parliament and other bodies concerned with access and availability of official materials in Scotland. An OQPS speaker has also spoken at seminars organised by SWOP. A major briefing on Aspects of Government Information organised by SWOP at Historic Scotland on 18 April 2002 featured keynote presentations by staff from the OQPS.
- 4.2 OQPS staff also attend regular meetings with staff in the Scottish Executive and with other Scottish Agencies to discuss various aspects of the application of Crown Copyright policies. They also join with staff in the Scottish Executive in meetings with external bodies to discuss the application of policies in relation to both Crown Copyright and the arrangements for publication and updating of legislation.
- 4.3 The OQPS has also provided input to the Scottish Executive in relation to the consideration of the Freedom of Information (Scotland) Act, particularly as to the policy for re-use by individuals of the information which is to be made available under the terms of the Act. The Office is also making preparations for production of its own Publication Scheme and will meet the requirements for submission of this to the Scottish Information Commissioner.

Acts of the Scottish Parliament 1999 – 2000										
ASP Year and Number	Title	Page Content (inc. cover)	Date of Royal Assent	Date rec'd in OQPS	Authority to TSO to print	Publication Date	Days from Authority to Print			
							Working	Elapsed		
1999										
1	Mental Health (Public Safety and Appeals) (Scotland)	8	13.9.99	16.9.99	16.9.99	17.9.99	1	1		
2000										
1	Public Finance and Accountability (Scotland)	36	17.1.00	25.1.00	25.1.00	27.1.00	2	2		
2	Budget (Scotland)	24	20.3.00	23.3.00	23.3.00	29.3.00	4	6		
3	Census (Amendment) (Scotland)	4	10.4.00	13.4.00	13.4.00	18.4.00	3	5		
4	Adults with Incapacity (Scotland)	92	9.5.00	11.5.00	11.5.00	16.5.00	3	5		
5	Abolition of Feudal Tenure etc. (Scotland)	120	9.6.00	15.6.00	15.6.00	26.6.00	7	11		
6	Standards in Scotland's Schools etc.	52	14.7.00	17.7.00	18.7.00	25.7.00	5	7		
7	Ethical Standards in Public Life etc. (Scotland)	40	24.7.00	26.7.00	28.7.00	3.8.00	4	6		
8	Education and Training (Scotland)	8	7.8.00	9.8.00	9.8.00	17.8.00	6	8		
9	Bail, Judicial Appointments etc. (Scotland)	20	9.8.00	16.8.00	16.8.00	22.8.00	4	6		
10	National Parks (Scotland)	44	9.8.00	16.8.00	16.8.00	22.8.00	4	6		
11	Regulation of Investigatory Powers (Scotland)	32	28.9.00	3.10.00	3.10.00	12.10.00	7	9		
12	Sea Fisheries (Shellfish) Amendment (Scotland)	4	2.11.00	6.11.00	6.11.00	10.11.00	2	4		

Acts of the Scottish Parliament 2001 – March 2002									
ASP Year and Number	Title	Page Content (inc. cover)	Date of Royal Assent	Date rec'd in OQPS	Authority to TSO to print	Publication Date	Days from Authority to Print		
							Working	Elapsed	
2001									
1	Abolition of Poindings and Warrant Sales	8	17.1.01	19.1.01	19.1.01	24.1.01	3	5	
2	Transport (Scotland)	64	25.1.01	26.1.01	29.1.01	5.2.01	5	7	
3	Salmon Conservation (Scotland)	8	14.2.01	16.2.01	16.2.01	22.2.01	4	6	
4	Budget (Scotland)	28	15.3.01	19.3.01	19.3.01	21.3.01	2	2	
5	Leasehold Casualties (Scotland)	12	12.4.01	17.4.01	17.4.01	24.4.01	5	7	
6	Education (Graduate Endowment and Student Support)	8	3.5.01	8.5.01	8.5.01	15.5.01	5	7	
7	Convention Rights (Compliance) (Scotland)	40	5.7.01	6.7.01	6.7.01	13.7.01	5	7	
8	Regulation of Care (Scotland)	80	5.7.01	6.7.01	6.7.01	13.7.01	5	7	
9	Scottish Local Authorities (Tendering)	4	6.7.01	10.7.01	10.7.01	17.7.01	5	7	
10	Housing (Scotland)	124	18.7.01	19.7.01	19.7.01	26.7.01	5	7	
11	Mortgage Rights (Scotland)	16	25.7.01	27.7.01	27.7.01	3.8.01	5	7	
12	Erskine Bridge Tolls Act	8	13.9.01	13.9.01	14.9.01	19.9.01	3	5	
13	International Criminal Court (Scotland)	40	24.9.01	28.9.01	5.10.01	10.10.01	3	5	
14	Protection from Abuse (Scotland)	12	6.11.01	12.11.01	13.11.01	19.11.01	4	6	
15	Police and Fire Services (Finance) (Scotland)	8	5.12.01	6.12.01	6.12.01	13.12.01	5	7	
2002									
1	Scottish Local Government (Elections)	12	22.1.02	24.1.02	24.1.02	31.1.02	5	7	
2	School Education (Amendment) (Scotland)	8	22.1.02	24.1.02	24.1.02	31.1.02	5	7	
3	Water Industry (Scotland)	92	1.3.02	7.3.02	7.3.02	14.3.02	5	7	
4	Criminal Procedure (Amendment)	8	8.3.02	11.3.02	11.3.02	18.3.02	5	7	
5	Community Care and Health (Scotland)	32	12.3.02	13.3.02	13.3.02	20.3.02	5	7	
6	Protection of Wild Mammals (Scotland)	12	15.3.02	21.3.02	21.3.02	28.3.02	5	7	
7	Budget (Scotland)	28	15.3.02	21.3.02	21.3.02	28.3.02	5	7	

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