

THE QUEEN'S PRINTER FOR SCOTLAND

**Report covering the period
1 April 2004 to
31 March 2005**

Laid before the Scottish Parliament
by the Scottish Ministers
September 2005

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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, Director of the Office of Public Sector Information, is supported in her role by the staff of Her Majesty's Stationery Office which, from 1 July 2005, operates from within the newly created Office of Public Sector Information.



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Our ref:

Date: 24 August 2005

Dear Minister

I am pleased to present to you a report of the activities of the Queen's Printer for Scotland covering the period 1 April 2004 to 31 March 2005.

This report sets out the detail of another constructive year of close collaboration on the range of statutory, legislative and information policy responsibilities that fall within the portfolio of the Queen's Printer for Scotland.

My office has continued to work closely with the Scottish Executive on a wide range of issues and advice most notably in relation to the UK Regulations which implemented the European Directive on the re-use of Public Sector Information across the UK on 1 July 2005 to ensure that the specific needs and requirements of Scottish Public Authorities were reflected in the accompanying guidance.

Yours sincerely

CAROL TULLO
Queen's Printer for Scotland

CONTENTS

1.	The Queen's Printer responsibilities in relation to Statutory Publishing	1
2.	Management of Public Sector Information	6
3.	OQPS Website	12
4.	Financing the Office of the Queen's Printer for Scotland	14
5.	Other activities of the Office of the Queen's Printer for Scotland	16
Annex A	Acts of the Scottish Parliament (ASPs)	18
Annex B	Explanatory Notes to ASPs	19
Annex C	Subjects covered by Scottish Statutory Instruments	20

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.

Printing and Publishing Arrangements

- 1.4 The Queen's Printer has in place a contract with TSO (The Stationery Office Limited) 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. The existing contract which commenced on 1 October 2000 will terminate on 30 September 2005. Following a competitive tendering exercise run under European Procurement Rules, the tender from TSO was accepted as providing the best value for money and a new contract will run from 1 October 2005 to 31 December 2009.

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 receipt of the authority to print. Tables showing the page extents and time taken for the publication of Acts of the Scottish Parliament (ASPs) which received Royal Assent between 1 April 2004 and 31 March 2005 are attached at Annex A.
- 1.6 The Office of the Queen's Printer for Scotland (OQPS) also co-ordinates the arrangements for the production and publication of the Explanatory Notes to ASPs. Explanatory Notes are produced for all Acts which have resulted from Executive sponsored Bills with the exception of Budget Acts, and most other Acts resulting from Bills sponsored by Members of the Scottish Parliament and Parliamentary Committees. A table at Annex B records details of the Explanatory Notes produced for Acts which gained Royal Assent between 1 April 2004 and 31 March 2005.

Scottish Statutory Instruments

- 1.7 The OQPS is responsible for the registration and numbering of Scottish Statutory Instruments (SSIs) and for their subsequent printing and publishing under contract. Responsibility for the speed at which SSIs are registered and subsequently printed and published is a matter for the Scottish Executive. The printing 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 is 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 following tables detail those SSIs registered from January 2000 to the end of March 2005 and record the steady growth in the number of instruments which have been made since devolution. The tables demonstrate that the percentage of general SSIs registered within 3 working days continues to increase with 95% registered within that period during the first three months of 2005, and the percentage taking longer than 6 working days has dropped to below 1% compared with 12% in 2000.

1.8.1 Scottish Statutory Instruments Registered

	2000		2001		2002		2003		2004		2005	
	Total	Cumulative	Total	Cumulative	Total	Cumulative	Total	Cumulative	Total	Cumulative	Total	Cumulative
Jan	20	20	23	23	32	32	53	53	31	31	50	50
Feb	16	36	27	50	38	70	69	122	48	79	39	89
Mar	60	96	77	127	92	162	106	228	91	170	112	201
Apr	28	124	38	165	44	206	14	242	35	205		
May	35	159	34	199	56	262	27	269	43	248		
Jun	60	219	54	253	65	327	75	344	67	315		
Jul	45	264	23	276	29	356	35	379	25	340		
Aug	39	303	20	296	40	396	24	403	25	365		
Sep	36	339	36	332	49	445	67	470	62	427		
Oct	41	380	69	401	41	486	53	523	38	465		
Nov	53	433	47	448	39	525	65	588	52	517		
Dec	22	454	46	494	50	575	36	624	48	565		

1.8.2 General Scottish Statutory Instruments – Speed of Registration

From Date of Making	2000	2001	2002	2003	2004	Jan- Mar 2005
Within 48 hours	136	152	223	259	372	122
3 Days	33	58	50	32	22	11
4 Days	19	59	28	58	10	6
5 Days	23	14	18	24	6	-
6 Days	16	18	10	12	1	1
7 Days	9	21	8	3	-	-
8 Days	14	8	8	4	-	-
9 Days	1	14	6	1	-	-
10 Days	4	8	4	1	-	-
Over 10 Days	12	45	23	5	1	-

1.8.3 Local Scottish Statutory Instruments – Speed of Registration

From Date of Making	2000	2001	2002	2003	2004	Jan- Mar 2005
Within 48 hours	64	46	124	129	140	49
3 Days	34	14	30	28	6	6
4 Days	40	8	13	19	-	6
5 Days	14	10	4	18	-	-
6 Days	13	5	4	16	3	-
7 Days	4	5	7	5	1	-
8 Days	5	4	2	2	1	-
9 Days	0	0	0	1	-	-
10 Days	0	0	1	1	-	-
Over 10 Days	4	5	3	3	2	-

1.9 This year efforts have continued to reduce delays between an SSI being made and its subsequent publication. Introduction of a standardised SSI template during the year has had a considerable impact on the speed at which SSIs are published with all but the most complex of instruments now capable of being transmitted electronically by the Executive to OQPS and then direct to our contracted printer. The following table demonstrates the success of these efforts. Over 96% of SSIs are now published within 10 working days of being made with under 3% of SSIs taking over 15 working days. This contrasts with the position in 1999 when 18% were published within 10 days, and over 81% were taking over 15 working days.

1.9.1 Scottish Statutory Instruments - Published

From Date of Making	2000	2001	2002	2003	2004	Jan- Mar 2005
Within 5 Days	0	2	4	11	18	67
6 Days	1	0	11	33	30	40
7 Days	2	1	33	44	105	23
8 Days	7	15	46	72	69	-
9 Days	6	33	38	52	66	1
10 Days	10	31	40	47	41	-
11 Days	11	21	34	29	27	1
12 Days	15	15	16	28	21	-
13 Days	19	13	50	29	15	-
14 Days	24	19	22	13	8	-
15 Days	10	8	16	13	2	-
Over 15 Days	152	241	78	35	18	4

Subjects covered by Scottish Statutory Instruments

- 1.10 Scottish Statutory Instruments cover a wide range of subjects reflecting the breadth of responsibilities which have been devolved to the Scottish Administration. OQPS has produced an analysis of SSIs which have been made between 1999 and 2004 and which is updated at periodic intervals. It is available on the OQPS website at:
- www.oqps.gov.uk/scotlegislation/ssi_statistics.htm

The table covering the period 1999 – 2004 is reproduced as Annex C to this report.

Production of Annual Bound Volumes and Editions

- 1.11 The Annual Bound Volume of Acts of the Scottish Parliament covering 2003 was published on 26 October 2004. The Annual Volume for 2004 is scheduled to publish in September 2005.
- 1.12 The Annual Bound Edition of Scottish Statutory Instruments for 2002 published in October 2004 and the 2003 edition in May 2005. The Annual Edition for 2004 is scheduled to publish in December 2005
- 1.13 Taking advantage of the technical improvements in speeding up production processes, in subsequent years OQPS expects to publish the Annual Bound Volume of ASPs in August of the following year and the Annual Edition of SSIs in September of the following year.
- 1.14 The Table of Acts of the Scottish Parliament was included as Section III in the reference work the Chronological Tables of Statutes 1235 – 2001 published in November 2004. The Table lists the Acts of the Scottish Parliament from 1999 to the end of 2001 in chronological order and reflects the effects of all new legislation on those Acts. An updated table to the end of 2004 is scheduled to publish by the end of 2005.

The Advisory Committee on Statute Law

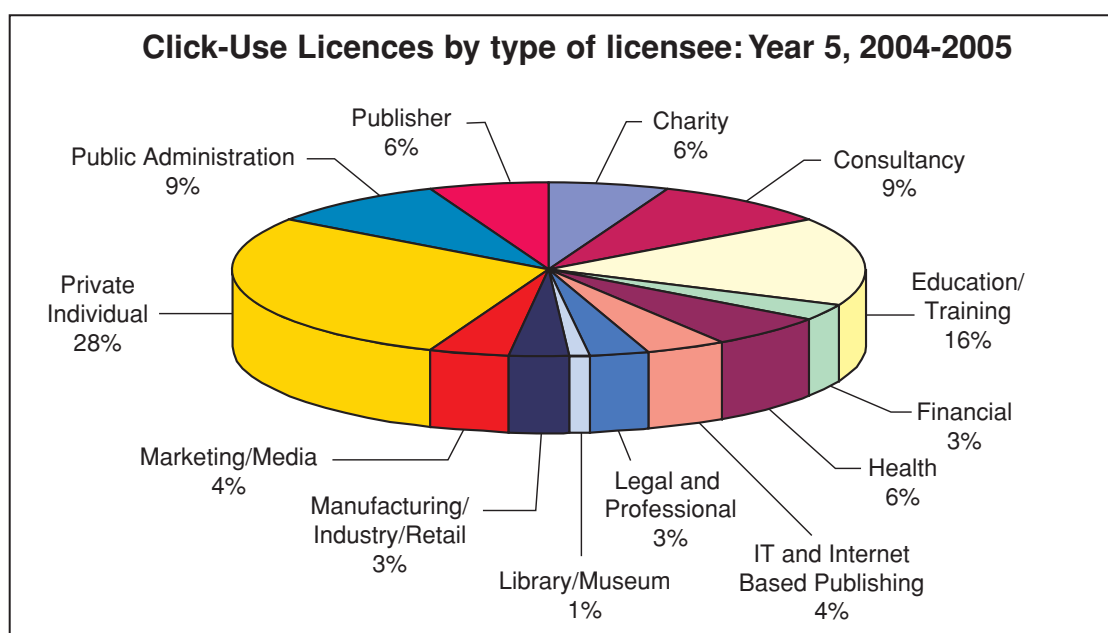
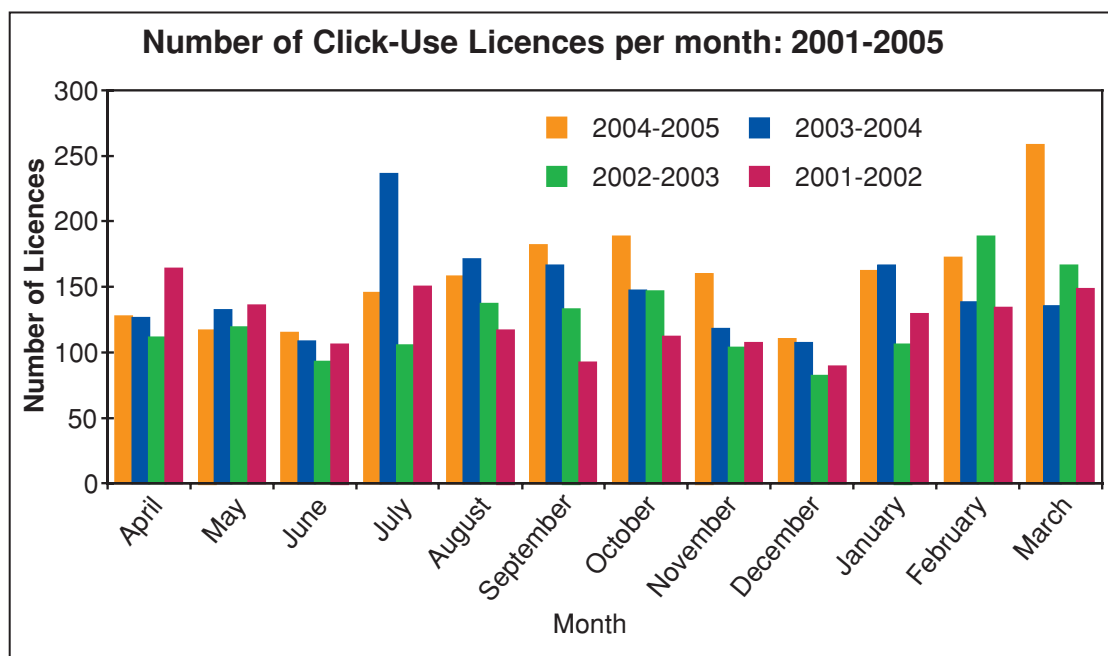
- 1.15 The QPS reports at meetings of the Advisory Committee on Statute Law about the arrangements for production and publication of legislation and other statutory publications and takes advice from members on specific issues. Membership of the Advisory Committee includes the Solicitor to the Scottish Executive, the Legal Secretary to the Lord Advocate, the First Scottish Parliamentary Counsel and the Chairman of the Scottish Law Commission.

2. MANAGEMENT OF PUBLIC SECTOR INFORMATION

Click-Use Licences

2.1 The online Click-Use Licence continues to provide a successful and streamlined approach for licensing the re-use of government information. There has been much interest in this online approach to licensing from the wider public sector in the UK and from member states in the European Union where the UK approach was commended in the course of negotiations on the PSI Directive.

Core government information that is produced by Scottish Executive departments is licensed by the OQPS within the scope of the Click-Use Licence. As at 31 March 2005, 6,620 Click-Use Licences for core information had been issued.



- 2.2 Phase 3 of the online Click-Use Licence system came into operation in July 2004. This enhancement to the system enables those who make applications to re-use value added information to monitor the progress of their licence application and to view the terms of their tailored licence online. Phase 4 extending the online Click-Use system for the UK Parliament launched on 11 August 2005.

During the period covered by this report 14 licences were issued for the re-use of value added information originated by Scottish Executive departments and agencies. Most of these licences were issued for the re-use of historical Census data originated by the General Registers for Scotland (GRO).

Provision of Detailed Advice

- 2.3 The Office of the Solicitor to the Scottish Executive and the OQPS were in regular contact over the last twelve months to discuss the transfer of ownership and rights by assignation. This included the assignation of rights to the Crown and on issues raised by joint copyright in works.
- 2.4 OQPS has also provided advice on:
- the copyright status of the work produced by a expert whom Scottish Ministers had allowed to go to Kosovo to undertake field studies for the EU;
 - the status of material produced by the Scottish Police College to the Librarian of the College. The Office of the Solicitor was able to confirm that the College is a Crown body;
 - a proposed contract between the Scottish Executive and the Home Office;
 - the wording of the Registers of Scotland's standard forms' licence.

Policy Guidance

- 2.5 During the last year OQPS has, in tandem with Her Majesty's Stationery Office, revised a range of guidance on copyright licensing and information policy issues to ensure advice remains included in them is up to date and is consistent with government information policy. Further information is available on the OQPS website at:
http://www.oqps.gov.uk/copyright/license_copyright.htm

Client Support

- 2.6 Throughout the year OQPS has provided advice to officials working for the Scottish Executive, its departments and agencies. The advice has been given by e-mail, conference call and by telephone. This advice has covered a broad range of subjects including data supply, charging for the re-use of information, distinction between access and re-use policy, the status of different organisations, contract terms and negotiations, freedom of information related issues and the copyright status of material produced by departments which have been privatised.

Implementation of EU Directive on the Re-Use of Public Sector Information

- 2.7 The EU Directive was published in the Official Journal of the European Union on 31 December 2003 and member states had 18 months to implement the Directive by 1 July 2005. Following detailed discussions between legal advisers it was agreed that the Directive was a reserved matter and would not require separate Scottish Regulations. Legal advisers in the Scottish Executive were consulted in detail at every stage of the draft regulations and the accompanying documents.
- 2.8 The Regulations establish a framework for making re-use of public sector information easier and more transparent. This will provide significant benefits for the information and publishing industries. This in turn will have economic benefits for the economies of Europe. The Regulations will apply to most UK public bodies including central government, government trading funds and executive agencies; local government; the National Health Service; and Parliaments. There are, however, some notable exemptions. The key exemptions are documents held by public sector broadcasters, educational establishments such as universities and schools, and certain cultural organisations including museums and libraries.
- 2.9 There were also detailed discussions and briefings with policy officials in the Scottish Executive. During these meetings it was agreed that OQPS would have a key role to play in supporting the Scottish Executive and other public sector bodies in meeting their responsibilities under the new Regulations. The main responsibilities concern:
- transparency of terms of re-use, including details of any charges;
 - the publication of asset lists showing the information that is available for re-use;
 - responding to requests for re-use within twenty working days;
 - managing information and its re-use in a non-discriminatory manner
- These responsibilities are underpinned by a disputes resolution process that will be provided by the Office of Public Sector Information and the Advisory Panel on Public Sector Information.
- 2.10 The Regulations (SI 2005 No.1515) were laid before the UK Parliament on 10 June 2005 and came into effect on 1 July 2005. They can be downloaded from the OPSI website at: <http://www.opsi.gov.uk/si/si2005/20051515.htm>.

Advisory Panel on Public Sector Information

- 2.11 The Advisory Panel on Public Sector Information (APPSI) was established on 14 April 2003. Its role is:
- to advise Ministers on how to encourage and create opportunities in the information industry for greater re-use of public sector information;
 - to advise the Director of the Office of Public Sector Information and Controller of Her Majesty's Stationery Office about changes and opportunities in the information industry, so that the licensing of Crown copyright and public sector information is aligned with current and emerging developments;

- to review and consider complaints under the Re-use of Public Sector Information Regulations 2005 and advise on the impact of the complaints procedures under those regulations.
- 2.12 The Chair of APPSI is Professor Richard Susskind OBE. He is assisted by a Deputy Chair and a number of expert and representative members: Expert Members provide an impartial perspective while Representative Members advocate the specific viewpoints of producers, re-users or end users of public sector information and the devolved regions. The secretariat is provided by the Office of Public Sector Information.
- 2.13 The members include representatives of the devolved regions. The representative for Scotland is Professor Hector MacQueen, who was appointed in January 2004. Professor MacQueen is Professor of Private Law and Director of the AHRB Research Centre for Studies in Intellectual Property and Technology Law at Edinburgh University (where he has taught since 1979). He was Dean of the Edinburgh Law School 1999-2003 and has also held visiting appointments at the Universities of Cornell (USA) and Utrecht (Netherlands). He became Dean of Research in the College of Humanities and Social Science in Edinburgh University in 2004. He is a member of the DTI Intellectual Property Advisory Committee, the Advisory Council of the Intellectual Property Institute, and the Law Society of Scotland Working Party on Intellectual Property. He is also Chair of the Scottish Records Advisory Council, and a member of the Legal Advisory Board of Creative Commons UK. He has published extensively in the field of intellectual property, notably Copyright, Competition and Industrial Design (2nd edn, 1995, 3rd edn forthcoming) and the Intellectual Property chapter of The Laws of Scotland: Stair Memorial Encyclopaedia. Professor MacQueen's other main research interests are in the history of law (he is Literary Director of the Stair Society), and in various areas of private law, including contract, delict and unjustified enrichment. He has published a wide range of books and articles in these areas. He also has an active interest in legal education, and has published an introductory guide to the study of Scots law. He is a Fellow of the Royal Society of Edinburgh.
- 2.14 In July 2004 APPSI produced its first Annual Report (<http://www.appsi.gov.uk/reports/annual-report.htm>). This included eight key recommendations for the Government to improve the re-use of public sector information. During 2004 it concentrated on the emerging public sector information regulations, and in March 2005 it responded to the second consultation that informed the final drafting of the Re-use of Public Sector Information Regulations 2005. As part of these, in 2005 APPSI takes on a new role reviewing complaints under the regulations either where they relate directly to the Office of Public Sector Information (OPSI), the Office of the Queen's Printer for Scotland, Her Majesty's Stationery Office or where OPSI has investigated a complaint about a public sector body but one of the parties involved in the dispute is dissatisfied with OPSI's findings. In March 2005 APPSI held its second Annual Seminar, at the Oxford Internet Institute, where it discussed *Managing public sector information more coherently*.
- 2.15 In August 2005 APPSI produced its second Annual Report in which it highlighted the enormous potential value of public sector information and set out its concern that awareness of this potential value, particularly among public sector employees, is not as

high as it deserves to be. Amongst its recommendations was a need for greater harmonisation of information policy across Government and further research into the economics behind PSI.

- 2.16 More information on the Panel, its work and Reports can be found at APPSI's new website, which was revamped in May 2005 and re-launched at www.appsi.gov.uk.

The Information Fair Trader Scheme

- 2.17 The Information Fair Trader Scheme was established in 2000 to ensure that re-users of public sector information can be confident that they will be treated reasonably and fairly by public sector information providers. All Crown bodies that have a licensing delegation from the Queen's Printer for Scotland, such as Registers of Scotland (RoS), must join the Scheme, but it is open to most public sector organisations to join voluntarily. Further information about the Information Fair Trader Scheme can be found on the OPSI website at: <http://www.opsi.gov.uk/ifts/index.htm>
- 2.18 To be recognised as an Information Fair Trader, a Chief Executive will make a commitment that their organisation will trade in information openly, transparently and fairly. In essence this means that all information created by the organisation will be licensed for any use, by any customer; that there will be clear and simple licensing and pricing policies and systems in place, and; all applicants and licensees should be treated alike for the same type of licence. A verification then takes place to find out whether the body has the infrastructure to deliver this commitment and whether the administrative processes are actually followed in practice (<http://www.opsi.gov.uk/ifts/ifts-verification-process.htm>). An organisation which passes the verification is then accredited and is entitled to use the IFTS logo on letterheads, websites and literature. Depending on the level of risk which is identified during the verification process the organisation will be re-visited on a periodic basis with a full re-verification taking place at least every four years.
- 2.19 In May 2004, a OQPS verification team carried out a verification of Registers of Scotland (RoS) which lasted two days. RoS were found to have a high standard of compliance with the principles of IFTS and were accredited to the Scheme. In particular, RoS were found to have a very open approach to allowing the re-use of information. RoS was judged to be a low risk organisation and will be re-verified three years from first verification in May 2007.
- 2.20 OQPS also carried out an internal review to provide evidence that IFTS was not a devolved matter and it applied to all Scottish authorities for which a delegation had been granted by the Queen's Printer for Scotland. This was in response to the Keeper's concern about the applicability of IFTS to RoS.
- 2.21 OQPS continue to have regular dialogue with RoS, and are pleased to report that RoS continue to trade fairly, openly and transparently.
- 2.22 The Office of Public Sector Information has recently developed IFTS Online (<http://www.opsi.gov.uk/ifts/assessment/index.htm>). This is an online assessment tool

aimed at all public sector bodies who wish to demonstrate basic compliance with IFTS principles and the Re-use of Public Sector Information Regulations 2005. Public Sector Bodies complete an online questionnaire which is then assessed by OPSI. IFTS Online is also the tool now being used to ensure that those bodies with limited Crown copyright delegations, such as Royal Commission on the Ancient and Historical Monuments for Scotland (RCAHMS) and Historic Scotland comply with IFTS principles and the terms of their delegations.

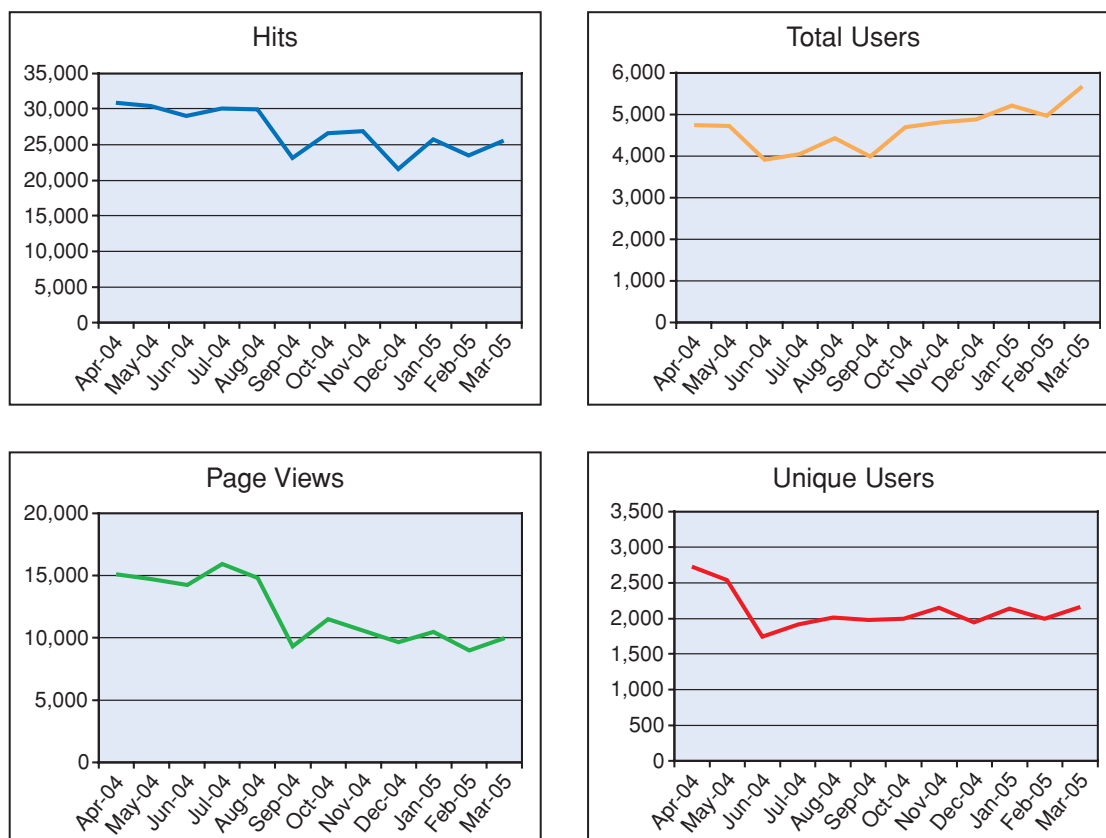
3. OQPS WEBSITE (www.oqps.gov.uk)

3.1 Throughout the year new information has been added and existing information updated on the OQPS site. Details of the European Directive on the Re-use of Public Sector Information were updated in February 2005 and a direct link to the PSI section on the OPSI website was added. The third OQPS annual report was added in September 2004 and details of the current contract including the OQPS contracts schedule were added to the site in January 2005. Examples of other areas of the site that were updated include the OQPS Publication Scheme and Guidance on the Reproduction of 5-14 Curriculum Documents.

OQPS Website Activity April 2004 – March 2005

3.2 Having enjoyed a period of rapid growth in 2003-2004, usage of the OQPS website (excluding legislation) reached a plateau in 2004-2005 with a steady level of traffic over the year.

The following graphs present the statistics for hits, page views, users and unique visitors.



3.3 All Scottish legislation, including Acts of the Scottish Parliament (ASPs), Explanatory Notes to ASPs and Scottish Statutory Instruments can be accessed from the site. The site also contains publishing and copyright guidance notes relating to Crown copyright material produced by the Scottish Administration and the Scottish Parliament. As a service to users, it includes links to other UK legislation and to further information on publishing, licensing and re-use of government information.

3.4 Since its launch, the site has continued to meet the 99.9% target of simultaneous publication with print editions of legislation.

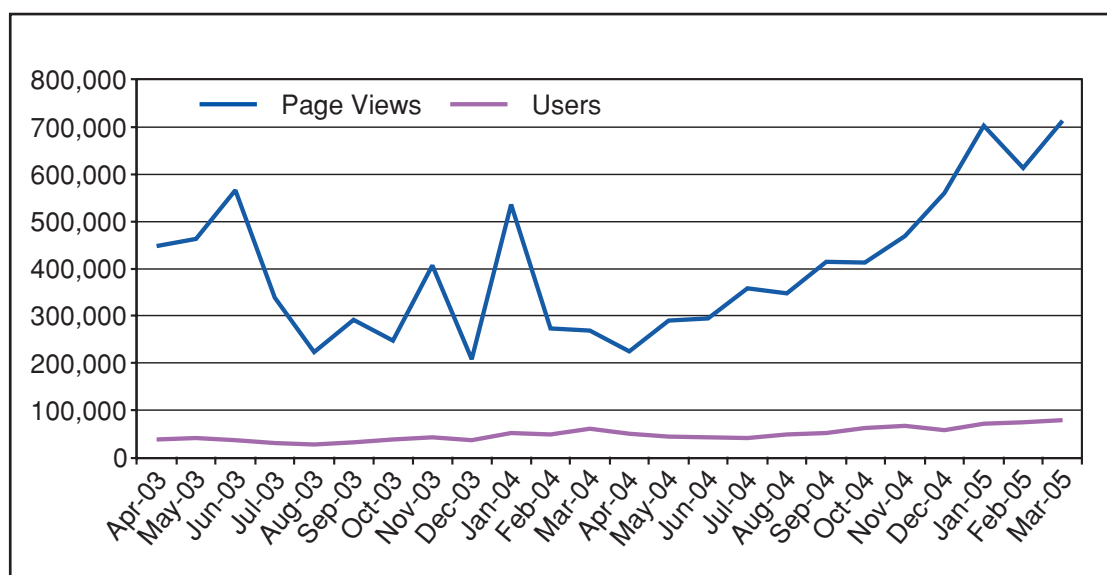
Scottish Legislation Page Views and Users April 2004 – March 2005

3.5 In this reporting period, Scottish legislation page views and users have sustained continuing growth as the table and graph illustrate below:

Scottish Legislation 2004 – 2005 Page Views and Users Statistics

Month	Page Views	Users
Apr-04	225,139	50,908
May-04	289,242	44,375
Jun-04	294,527	43,261
Jul-04	358,869	42,297
Aug-04	348,269	48,847
Sep-04	413,899	53,273
Oct-04	412,804	63,602
Nov-04	468,950	67,426
Dec-04	559,943	57,955
Jan-05	703,238	71,460
Feb-05	613,307	73,820
Mar-05	713,842	79,956

2 Year Analysis - Scottish Legislation 2003 –2005 Website Trends



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

4.1 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.

4.2 The management charge for 2004/05 was £59,378 (exc. VAT) and is based on the actual level of work undertaken in the year. An analysis of the management charge (exc. VAT) between staff costs and non-pay costs is shown below with the previous year's costs included for comparison:

Period Covered	Staff Costs	Non – Pay Costs	Total Charge
1 April 2004 – 31 March 2005	£33,849	£25,529	£59,378
1 April 2003 – 31 March 2004	£30,420	£22,945	£53,365

4.3 The 2004/05 charge is accounted for as follows:

Staff Costs

The total cost of staff resources was £33,849; this represents 207 days resource across a number of different staff and disciplines. The areas of activity included:

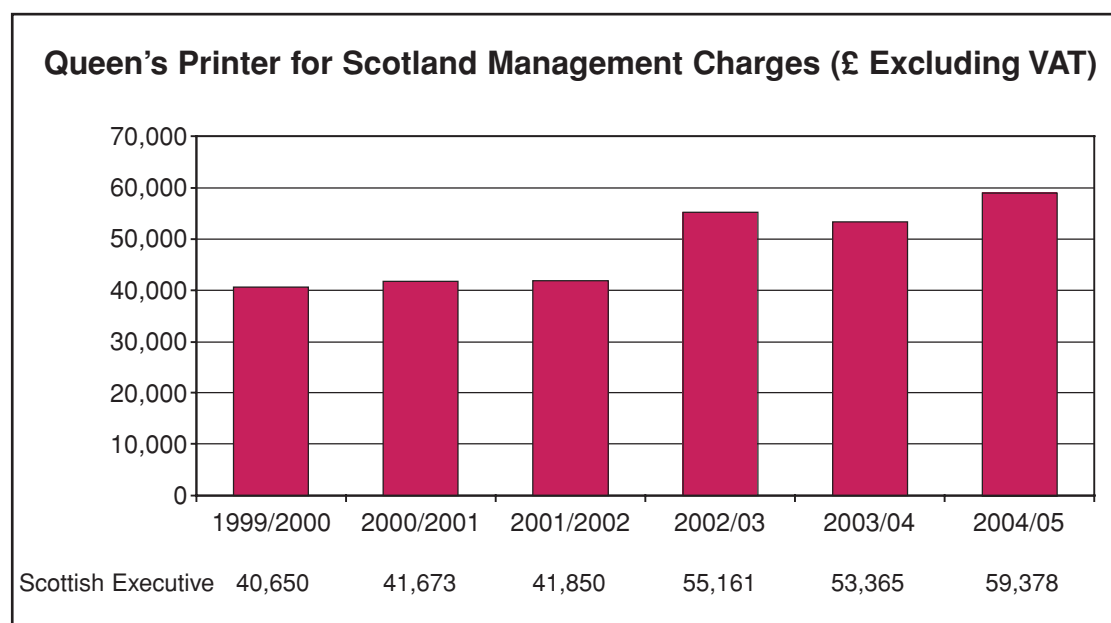
- Management of Scottish Statutory Publications/SSI registration
- Contract Monitoring and Procurement
- Registration and Numbering of SSIs
- Editorial preparation and styling of ASPs and SSIs
- Production of Annual Edition of SSIs
- Production of Annual Volume of Acts of the Scottish Parliament
- Compilation of Chronological Table of Acts of the Scottish Parliament
- Information Asset Register
- Management of Scottish Legislation uploaded to OQPS Website
- Explanatory Notes to ASPs
- Management of OQPS Website
- Management and Verification of Registers of Scotland under Information Fair Trader Scheme and provision of advice
- Copyright and licensing advice and guidance
- Briefings and submissions on PSI Directive, Regulations and APPSI to Minister
- PSI complaints processes and meetings with Scottish Information Commissioner
- Seminars and briefings on PSI and licensing activity
- In-house FOI training workshops

Non-Pay Costs

Non-pay costs totalled £25,529 analysed across:

	Total
Website running costs and simultaneous publication	16,536
Tables of Effect – Cost of Production	3,996
Click-Use on-line licensing development costs	1,842
Travel and Expenses Costs	2,144
Formatting, Proofing and Printing of QPS Report	510
Stationery and postage	501
Total	25,529

- 4.4 The Management charge for the Office of the Queen’s Printer for Scotland during the last six financial years is shown below. The charge in 2002/03 reflected the set up costs incurred for the OQPS website.



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

The Freedom of Information (Scotland) Act 2002

- 5.1 The QPS has continued to work closely with the Scottish Executive to ensure that those within the Executive and its Agencies responsible for dealing with requests for information under the Freedom of Information (Scotland) Act make it clear to those provided with information that supply does not give an automatic right to re-use the information and that an appropriate copyright licence may be required.
- 5.2 OQPS has also discussed with the Office of the Scottish Information Commissioner (OSIC) the links between access legislation, particularly the Freedom of Information (Scotland) Act 2002 and the new regulations on the re-use of public sector information. The outcome of these discussions is a protocol setting out the working links between the Commissioner's office and the Office of Public Sector Information, focussing particularly on the handling of complaints. The protocol is published on the OPSI website at: (<http://www.opsi.gov.uk/advice/psi-regulations/disputes-resolution/opsi-sic-protocol-2005-08.pdf>) Under the protocol there will be regular meetings between OSIC and OQPS to discuss policy issues.
- 5.3 Like other public authorities in Scotland, the OQPS has continued to keep its Publication Scheme up to date. The OQPS Publication Scheme is available on the OQPS website at: www.oqps.gov.uk/foi/pub_scheme.htm.
- 5.4 As at the end of March 2005 OQPS had received no requests for information to be supplied under the Freedom of Information (Scotland) Act.

The Information Asset Register

- 5.5 OQPS manages and supports the redevelopment of the Information Asset Register (IAR). The IAR is a listing of primarily unpublished government information accessible via the *inforoute* gateway at <http://www.opsi.gov.uk/iar/index.htm>. Scottish organisations represented on the IAR, include Historic Scotland, Registers of Scotland, Royal Commission on the Ancient and Historical Monuments of Scotland, Scottish Agricultural Science Agency, Scottish Court Service, Scottish Environment Protection Agency and the Scottish Executive Development Department, Scottish Executive Health Department, Scottish Executive Finance and Central Services, Scottish Executive Environment and Rural Affairs, Scottish Executive Enterprise, Transport and Lifelong Learning Department and Scottish Executive Corporate Services and OQPS.

Links with other bodies

- 5.6 The OQPS has continued to maintain strong links with those in Scotland who have an interest in official publishing with OQPS representatives 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 for 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.

- 5.7 SWOP and its members take a keen interest in the development of policy in regard to access to Public Sector Information and have been keen to ensure that access is maintained to the growing volume of official materials which are only published online. OQPS with Her Majesty's Stationery Office has continued to work with interested parties including the Legal Deposit Libraries and the National Archives to ensure that the Legal Deposit Libraries Act 2003 is implemented in such a way that it will ensure that these materials are archived for future use by researchers and others interested in the development of official policies.
- 5.8 OQPS has been working with the UK Web Archiving Consortium (<http://www.webarchive.org.uk>) of which the British Library and the National Library of Scotland are key members on the project to develop a test-bed for selective archiving of UK websites. Initially the Consortium is archiving a number of UK Central Government websites on a periodic basis but it is also planned to include the Scottish Executive and Scottish Parliament websites as part of its future programme. QPS will facilitate this by the grant of a licence to reproduce those sites covered by Crown copyright.
- 5.9 OQPS staff also join colleagues 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 legislation.
- 5.10 OQPS staff have maintained close contact with representatives of the Scottish Parliament and the Office of the Scottish Parliamentary Counsel to discuss issues surrounding the production arrangements for Bills, Acts and the Explanatory Notes to Acts and the possible impact on these of the development of a common data standard based on the Extensible Mark-Up Language (XML) for all United Kingdom legislation which is due to be implemented in 2006.

ANNEX A

Acts of the Scottish Parliament which received Royal Assent between 1 April 2004 and 31 March 2005											
ASP No	Title	Page content (incl cover)	Date of Royal Assent	Date rec'd in OQPS	Authority to TSO to print	Publication Date	Days from Royal Assent to Publication		Days from Authority to Print to Publication		
							Working	Elapsed	Working	Elapsed	
2004											
3	Vulnerable Witnesses (Scotland)	36	14/04/04	15/04/04	19/04/04	26/04/04	8	12	5	7	
4	Education (Additional Support for Learning) (Scotland)	48	07/05/04	12/05/04	12/05/04	19/05/04	8	12	5	7	
5	Criminal Procedure (Amendment) (Scotland)	60	04/06/04	07/06/04	07/06/04	14/06/04	6	10	5	7	
6	Nature Conservation (Scotland)	80	11/06/04	14/06/04	14/06/04	21/06/04	6	10	5	7	
7	National Health Service Reform (Scotland)	20	11/06/04	14/06/04	4/06/04	21/06/04	6	10	5	7	
8	Antisocial Behaviour etc (Scotland)	110	26/07/04	30/07/04	04/08/04	10/08/04	11	15	4	6	
9	Local Governance (Scotland)	16	29/07/04	30/07/04	04/08/04	10/08/04	11	15	4	6	
10	Stirling-Alloa-Kincardine Railway and Linked Improvements	44	10/08/04	12/08/04	12/08/04	18/08/04	6	8	4	6	
11	Tenements (Scotland)	42	22/10/04	26/10/04	26/10/04	01/11/04	6	10	4	6	
12	School Education (Ministerial Powers and Independent Schools) (Scotland)	28	12/11/04	17/11/04	17/11/04	23/11/04	7	11	4	6	
2005											
1	Breastfeeding etc (Scotland)	8	18/01/05	19/01/05	19/01/05	04/02/05	12	15	11	13 ¹	
2	Emergency Works (Scotland)	12	01/02/05	02/02/05	04/02/05	10/02/05	7	9	4	6	
3	Water Services etc (Scotland)	68	17/03/05	21/03/05	21/03/05	29/03/05	6	12	4	8	
4	Budget (Scotland)	28	17/03/05	21/03/05	21/03/05	29/03/05	6	12	4	8	

¹ Text delivered to incorrect address causing delay in publication.

Explanatory Notes to Acts of the Scottish Parliament which received Royal Assent between 1 April 2004 and 31 March 2005							
ASP Number	Title	Royal Assent	ASP Published	Date rec'd by OQPS	Date sent to TSO	EN Page Content (inc Cover)	ENs Published
2004							
3	Vulnerable Witnesses (Scotland)	14/04/04	26/04/04	16/04/04	19/04/04	16	26/04/04
4	Education (Additional Support for Learning) (Scotland)	07/05/04	19/05/04	27/05/04	27/05/04	20	04/06/04
5	Criminal Procedure (Amendment) (Scotland)	04/06/04	14/06/04	22/06/04	22/06/04	36	28/06/04
6	Nature Conservation (Scotland)	11/06/04	21/06/04	22/06/04	22/06/04	118	28/06/04
7	National Health Service Reform (Scotland)	11/06/04	21/06/04	30/06/04	01/07/04	16	08/07/04
8	Antisocial Behaviour etc (Scotland)	26/07/04	10/08/04	19/08/04	20/08/04	52	26/08/04
9	Local Governance (Scotland)	29/07/04	10/08/04	10/08/04	10/08/04	12	16/08/04
10	Stirling-Alloa-Kinross Railway and Linked Improvements	10/08/04	18/08/04				
11	Tenements (Scotland)	22/10/04	01/11/04	03/02/05	03/02/05	32	10/02/05
12	School Education (Ministerial Powers and Independent Schools) (Scotland)	12/11/04	23/11/04	16/12/04	16/12/04	28	22/12/04
2005							
1	Breastfeeding (Scotland)	18/01/05	04/02/05				
2	Emergency Workers (Scotland)	01/02/05	10/02/05	29/04/05	29/04/05	12	06/05/05
3	Water Services etc (Scotland)	17/03/05	29/03/05	01/04/05	01/04/05	52	15/04/05 ²
4	Budget (Scotland)	17/03/05	29/03/05				No ENs

² Extra days were allowed for publication due to problems in supply of cover paper by manufacturer.

ANNEX C

Subjects Covered by Scottish Statutory Instruments

The following tables record the subjects to which the Scottish Statutory Instruments made during 1999- 2004 relate and the number of instruments covering each subject. The total will be greater than the total number of Scottish Statutory Instruments as some instruments will have carried a range of subject headings.

General Scottish Statutory Instruments made

Subject	1999	2000	2001	2002	2003	2004
Acquisition of Land	0	0	1	0	2	0
Adults with Incapacity	2	0	7	11	7	0
Agriculture	0	18	31	16	20	22
Animal Health	0	0	0	0	1	0
Animals	2	9	79	23	16	6
Betting, Gaming and Lotteries	0	1	2	1	1	0
Building and Buildings	1	0	1	1	0	5
Census	0	4	0	0	0	0
Children and Young Persons	0	3	7	4	4	1
Cinemas and Films	0	0	0	0	1	0
Civil Defence	0	0	1	0	0	0
Clean Air	1	1	2	1	1	0
Constitutional Law	2	1	0	0	0	0
Consumer Protection	0	0	1	1	2	1
Contracts	0	0	0	3	0	0
Contamination of Food	1	0	1	0	3	2
Council Tax	1	2	0	2	5	0
Countryside	0	1	0	4	2	2
Court of Session	3	10	8	8	7	8
Cremation	0	0	0	0	1	0
Criminal Law	0	2	5	3	12	17
Crofters, Cottars and Small Landholders	0	0	1	0	0	0
Damages	0	0	0	1	0	0
Debt	0	0	0	0	0	5
Defamation	0	0	1	0	0	0
Devolution	1	0	0	0	0	0
District Courts	0	0	1	0	1	3
Ecclesiastical Law	0	0	0	0	0	1
Education	3	14	18	12	12	16
Electricity	0	1	1	5	0	1
Employment and Training	0	0	1	0	0	0
Energy Conservation	0	0	1	0	2	1
Enforcement	0	1	1	0	0	0
Environmental Protection	0	11	2	7	21	17
Ethical Standards	0	0	0	0	6	2
European Communities	0	1	2	0	0	0
Family Law	0	5	1	0	1	0
Feudal Tenure	0	0	0	0	3	2
Fire Services	0	0	0	2	0	2
Fireworks	0	0	0	0	0	1
Food	7	21	11	24	32	20
Freedom of Information	0	0	0	1	1	4
Harbours, Docks, Piers and Ferries	0	0	2	0	0	0
High Court of Justiciary	1	2	1	4	3	5
Horticulture	0	0	0	0	0	1

Subject	1999	2000	2001	2002	2003	2004
Housing	0	3	9	24	15	9
Income Tax	0	0	0	0	2	0
International Criminal Court	0	0	1	0	0	2
Investigatory Powers	0	3	1	3	4	0
Land Drainage	1	0	0	1	1	0
Land Reform	0	0	0	0	1	11
Landlord and Tenant	0	0	0	0	5	4
Land Registration	1	1	1	1	0	1
Lands Tribunal	0	0	0	0	3	2
Legal Aid and Advice	1	6	13	16	11	18
Legal Profession	0	1	0	0	0	5
Legal Services	0	0	0	1	0	0
Licences and Licensing	0	0	0	3	2	2
Licensing (Liquor)	0	0	1	0	0	1
Local Government	4	10	7	8	12	13
Marriage	0	0	0	2	1	0
Mental Health	0	0	0	0	1	14
National Assistance Services	0	1	4	1	5	3
National Health Service	42	24	45	18	33	50
Nature Conservation	0	0	0	0	0	2
Nurses, Midwives and Health Visitors	0	0	2	2	0	0
Partnership	0	0	1	0	0	0
Pensions	0	6	7	2	3	4
Pesticides	0	1	5	5	3	4
Plant Health	2	2	3	4	1	7
Police	0	2	2	9	3	5
Prisons	0	1	2	2	1	0
Proceeds of Crime	0	0	0	1	4	0
Protection of Wrecks	0	1	2	0	0	0
Public Bodies	0	0	0	0	4	4
Public Finance and Accountability	0	4	3	7	4	4
Public Health	28	49	51	51	44	57
Public Passenger Transport	0	0	3	1	0	1
Race Relations	0	0	0	1	1	1
Rating and Valuation	0	16	3	5	7	3
Registers and Records	0	0	1	0	2	2
Registration of Births, Deaths, Marriages etc	1	1	0	2	2	0
Rehabilitation of Offenders	0	0	0	0	1	0
Representation of the People	0	0	0	3	1	0
Residential and Other Establishments	0	1	1	0	0	0
Rivers	0	1	2	3	2	0
Road Traffic	4	4	1	14	6	6
Roads and Bridges	1	0	0	4	6	1
Scottish Public Service Ombudsman	0	0	0	3	1	0
Sea Fisheries	2	15	8	6	15	14
Seeds	0	7	0	3	1	4
Shellfish	0	0	0	1	0	0
Sheriff Court	3	10	9	20	17	16
Social Care	0	0	3	20	15	8
Social Work	0	1	1	0	1	0
Sports Grounds and Sporting Events	0	0	1	1	0	1
Summary Jurisdiction	1	0	0	0	0	0
Tenements	0	0	0	0	0	3
Terms and Conditions of Employment	0	0	2	0	1	1
Title Conditions	0	0	0	0	4	3

Subject	1999	2000	2001	2002	2003	2004
Town and Country Planning	1	1	3	2	2	2
Transport	0	0	2	8	3	1
Tribunals and Inquiries	0	0	0	0	0	1
Water	0	1	0	4	6	1
Water Resources	0	0	0	0	1	0
Water Supply	1	3	4	6	3	1
Wildlife	0	0	1	0	0	1
Young Offenders Institutions	0	0	0	1	0	0
Zoos	0	0	0	0	1	0

Local Scottish Statutory Instruments made

Subject	1999	2000	2001	2002	2003	2004
Railways, Tramways and Trolley Vehicles	0	0	0	1	1	0
Rivers and Inland Waterways	2	0	1	2	2	2
Roads, Bridges, Road Traffic and Rights of Way	78	172	95	181	212	143
Shipping, Harbours, Docks, Ports etc	7	3	1	6	5	4
Town and Country Planning, Open Spaces, Access to Countryside	0	0	1	0	0	0
Water Supply	2	4	1	0	2	4
Sea Fisheries	1	0	0	0	0	0

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