



THE QUEEN'S PRINTER FOR SCOTLAND

Report covering the period 1 January to 31 December 2009

Laid before the Scottish Parliament by the Scottish Ministers
April 2010

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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 is supported in her role by the staff of The National Archives.



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Date: 31 March 2010

Dear Minister

I am pleased to present to you the annual report of the activities of the Queen's Printer for Scotland covering the period 1 January to 31 December 2009.

This report sets out the detail of another constructive period of activity on the range of statutory, legislative and information policy responsibilities that fall within the portfolio of the Queen's Printer for Scotland. These deliver the authentic and authoritative record of legislation within robust processes and principles for the responsible publishing and dissemination of this core information that underpins government. The efficiency and improved service of the statutory publishing, benefiting from electronic transmission, is noticeable in the statistics. The shift from paper to online delivery illustrates the changes in user preferences and the investment in web services reflected in this report.

The section of the report covering Public Sector Information policy issues not only includes information about my direct responsibilities in relation to the management of the copyright in the works of the Scottish Administration but also provides context on the key European and UK policy issues which relate to the re-use of Scottish Public Sector Information generally.

Collaboration with colleagues in the Scottish Government on the review of the legislation which governs my role in relation to the production and publication of Scottish legislation features in the report. This follows the consultation paper of last January which resulted in the introduction of the Interpretation and Legislative Reform (Scotland) Bill currently before the Scottish Parliament. We have been working closely with officials on the Bill team and planning has started for the future delivery of legislation services based on the expected final text of the Act. We will ensure that we deliver the requirements which result from the Parliament's deliberations.

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 | 7 |
| 3. | The Office of the Queen's Printer for Scotland Website | 12 |
| 4. | Financing the Office of the Queen's Printer for Scotland | 15 |
| 5. | Other activities of the Office of the Queen's Printer for Scotland | 17 |
| Annex A | Acts of the Scottish Parliament (ASPs) | 21 |
| Annex B | Explanatory Notes to ASPs | 23 |
| Annex C | Subjects covered by Scottish Statutory Instruments | 25 |

1. THE QUEEN'S PRINTER RESPONSIBILITIES FOR 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 for Scottish statutory and other statutory instruments or documents which are required to be laid before the Scottish Parliament. The Act made provision in relation to the numbering, printing and publishing of Scottish statutory instruments, corresponding to the provisions made by, or under, the Statutory Instruments Act 1946 Act.

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 sequence in the calendar year 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, publish a list, 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. The list covers a specific period and lists the instruments issued in that period.

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 contracts 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 was extended by a year, will terminate on 31 December 2010. A re-tendering exercise is now being taken forward under EU Procurement Rules with the new contract to be implemented from 1 January 2011.
- 1.5 Most of the work relating to the production and publication of Scottish legislation is carried out by the contractor from their offices in Edinburgh with some printing and distribution work sub-contracted to other Companies in Scotland. The contractor also holds a major contract from the Controller of Her Majesty's Stationery Office for the provision of editorial, printing, publishing and dissemination for the Edinburgh Gazette, which is the Official Journal of Scotland.
- 1.6 Following the Royal Assent of the Scottish Government's Home Owner and Debtor Protection (Scotland) Act 2010, there will be a change in the volume of notices which are published in the Edinburgh Gazette. The Accountant in Bankruptcy (AIB) will be producing a new Register of Insolvencies. The QPS, in her capacity as Controller of HMSO, and the AIB are working to deliver robust and effective solutions for access to the notices in both the current and new processes. The two services will co-exist and we will ensure that users retain the quality and responsive service on which they rely.

Acts of the Scottish Parliament

- 1.7 The existing 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 January 2009 and 31 December 2009 are attached at Annex A. Throughout the year our Contractor has delivered to the terms of its contract.
- 1.8 All Acts of the Scottish Parliament are available on the Office of the Queen's Printer for Scotland (OQPS) website within 24 hours of the official text being received from the Parliament.
- 1.9 The 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. The table at Annex B records details of the Explanatory Notes produced for Acts which gained Royal Assent between 1 January and 31 December 2009.

Scottish Statutory Instruments

1.10 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 rate at which SSIs are registered and subsequently printed and published is a matter for the Scottish Government. 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.

1.11 The target is for all General SSIs to be registered within 3 days of being made and printing to be undertaken within a week of registration. The tables below detail those SSIs registered from January 2004 to the end of December 2009. The tables demonstrate that the percentage of general SSIs registered within 3 working days has reached a new high of 96.16% during 2009 compared to 94.3% during 2008 and 79.9% during 2007. The percentage taking longer than 6 working days is now only 1.18% compared with 2.1% in 2008 and 12.96% in 2002.

1.11.1 Scottish Statutory Instruments Made and Registered

| | 2005 | | 2006 | | 2007 | | 2008 | | 2009 | |
|------------|-------|------------|-------|------------|-------|------------|-------|------------|-------|------------|
| | Total | Cumulative | Total | Cumulative | Total | Cumulative | Total | Cumulative | Total | Cumulative |
| Jan | 50 | 50 | 38 | 38 | 26 | 26 | 27 | 27 | 27 | 27 |
| Feb | 39 | 89 | 50 | 88 | 95 | 121 | 41 | 68 | 51 | 78 |
| Mar | 112 | 201 | 99 | 187 | 148 | 269 | 69 | 137 | 60 | 138 |
| Apr | 42 | 243 | 41 | 228 | 14 | 283 | 33 | 170 | 34 | 172 |
| May | 42 | 285 | 69 | 297 | 14 | 297 | 36 | 206 | 31 | 203 |
| Jun | 87 | 372 | 88 | 385 | 50 | 347 | 64 | 270 | 67 | 270 |
| Jul | 17 | 389 | 29 | 414 | 14 | 361 | 10 | 280 | 15 | 285 |
| Aug | 36 | 425 | 33 | 447 | 31 | 392 | 11 | 291 | 17 | 302 |
| Sep | 53 | 478 | 29 | 476 | 48 | 440 | 33 | 324 | 32 | 334 |
| Oct | 58 | 536 | 44 | 520 | 46 | 486 | 29 | 353 | 44 | 378 |
| Nov | 76 | 612 | 53 | 573 | 52 | 538 | 48 | 401 | 53 | 431 |
| Dec | 53 | 665 | 52 | 625 | 45 | 583 | 40 | 441 | 24 | 455 |

1.11.2 General Scottish Statutory Instruments – Speed of Registration

| From Date of Making | 2005 | 2006 | 2007 | 2008 | 2009 |
|----------------------|------|------|------|------|------|
| Within 48 hrs | 397 | 321 | 310 | 291 | 291 |
| 3 Days | 30 | 38 | 48 | 23 | 35 |
| 4 Days | 14 | 21 | 18 | 10 | 6 |
| 5 Days | 6 | 28 | 3 | 2 | 3 |
| 6 Days | 4 | 5 | 4 | - | 2 |
| 7 Days | 1 | 9 | 2 | 2 | 1 |
| 8 Days | 2 | 1 | - | - | - |
| 9 Days | 1 | - | 4 | 1 | - |
| 10 Days | 1 | 1 | - | 2 | 1 |
| Over 10 Days | 2 | 6 | 59 | 2 | - |

1.11.3 Local Scottish Statutory Instruments – Speed of Registration

| From Date of Making | 2005 | 2006 | 2007 | 2008 | 2009 |
|---------------------|------|------|------|------|------|
| Within 48 hrs | 175 | 153 | 60 | 56 | 73 |
| 3 Days | 13 | 12 | 24 | 17 | 19 |
| 4 Days | 15 | 6 | 13 | 11 | 9 |
| 5 Days | - | 2 | 5 | 7 | 1 |
| 6 Days | 1 | 7 | 1 | 2 | 2 |
| 7 Days | 1 | 9 | 6 | 2 | 10 |
| 8 Days | 1 | 0 | 7 | 4 | - |
| 9 Days | 1 | 1 | 6 | - | 1 |
| 10 Days | - | 0 | 2 | 2 | 1 |
| Over 10 Days | - | 5 | 11 | 7 | - |

- 1.12 The introduction of a standardised SSI template 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 Scottish Government Legal Directorate to OQPS and then direct to our contracted printer. The following table demonstrates the success of these efforts. During 2009 98.79% of SSIs published within 10 working days of being made and 70.39% published within 5 working days with none taking longer than 15 days. This contrasts with the position in 1999 when 18% were published within 10 days, and over 81% were published more than 15 working days of being made.

1.12.1 Scottish Statutory Instruments - Published

| From Date of Making | 2005 | 2006 | 2007 | 2008 | 2009 |
|---------------------|------|------|------|------|------|
| Within 5 Days | 142 | 127 | 184 | 264 | 233 |
| 6 Days | 134 | 119 | 92 | 44 | 49 |
| 7 Days | 94 | 73 | 59 | 15 | 35 |
| 8 Days | 48 | 28 | 38 | 5 | 6 |
| 9 Days | 18 | 29 | 9 | 3 | 4 |
| 10 Days | 7 | 14 | 5 | 0 | 0 |
| 11 Days | 5 | 7 | 3 | 4 | 2 |
| 12 Days | 5 | 19 | 2 | 1 | 0 |
| 13 Days | 3 | 6 | 1 | 2 | 0 |
| 14 Days | 0 | 1 | 4 | 1 | 1 |
| 15 Days | 1 | 0 | 13 | 0 | 1 |
| Over 15 Days | 11 | 12 | 46 | 3 | 0 |

- 1.13 Under the new contract all SSIs will be published on the internet within 24 hours of receipt of the authorised text from the Scottish Government Legal Directorate.

Subjects covered by Scottish Statutory Instruments

- 1.14 SSIs cover a wide range of subjects reflecting the breadth of responsibilities that have been devolved to the Scottish Government. The OQPS has produced an analysis of SSIs which have

been made between 1999 and 2009 and the table is updated at periodic intervals. It is available on the OQPS website.¹ The table covering the period 1999 – 2009 is at Annex C to this report.

Production of Annual Bound Volumes and Editions

- 1.15 The Annual Bound Volume of Acts of the Scottish Parliament covering 2007 was published on 30 April 2009 and the Annual Volume for 2008 was published on 4 January 2010. The Annual Volume for 2009 is scheduled to publish in September 2010.
- 1.16 The Annual Bound Edition of Scottish Statutory Instruments for 2007 was published on 28 August 2009. The Annual Edition for 2008 is scheduled to publish during Summer 2010.
- 1.17 The Table of Acts of the Scottish Parliament are included as Section III in the annual reference work the *Chronological Tables of Statutes*. The Table lists the Acts of the Scottish Parliament from 1999 in chronological order and reflects the effects of all new legislation on those Acts. The Tables covering the period 1235 – 2007 published on 2 January 2009 and those covering the period 1235 – 2008 published on 4 January 2010. An updated table to the end of 2009 is scheduled to publish by the end of 2010.
- 1.18 The Annual Bound Volume and the Annual Bound Edition include Tables of Effect which show the effects of any United Kingdom or Scottish legislation on previously enacted Acts of the Scottish Parliament and Scottish Statutory Instruments. Since August 2007 these have also been published on the OQPS website, with Tables covering the period 1999 – 2008.²

Interpretation and Legislative Reform (Scotland) Bill

- 1.19 The arrangements for production, printing and publication of Scottish legislation are, as highlighted at paragraphs 1.2 and 1.3 above, currently governed by two Scotland Act Transitory and Transitional Provisions Orders made in 1999. The arrangements for Scottish Statutory Instruments were the subject of an Inquiry by the Scottish Parliament's Subordinate Legislation Committee during 2006 which resulted in its final report³ published on 23 February 2007. It was subsequently agreed that the legislative recommendations from the Committee should be taken forward as part of a wider Bill from the Scottish Government which would replace the Transitory and Transitional Provisions Orders.
- 1.20 Following consultation on a draft Bill the OQPS worked closely with colleagues in the Government's Constitutional and Parliamentary Secretariat ahead of the introduction of the Interpretation and Legislative Reform (Scotland) Bill into the Scottish Parliament on 15 June 2009. The Bill will result in the replacement of the statutory duty to "print" SSIs being replaced by a duty to "publish", reflecting as it does the major shift away from use of printed copies of legislation to access of the online versions. The demand for printed copies of individual pieces of legislation, whilst showing signs of stabilising, remains low, with an average of 69 copies of Acts and 25 copies of SSIs being sold to a specialist group of users.

¹ <http://www.oqps.gov.uk/legislation/ssi/statistics>

² <http://www.oqps.gov.uk/legislation/tables-of-effect/>

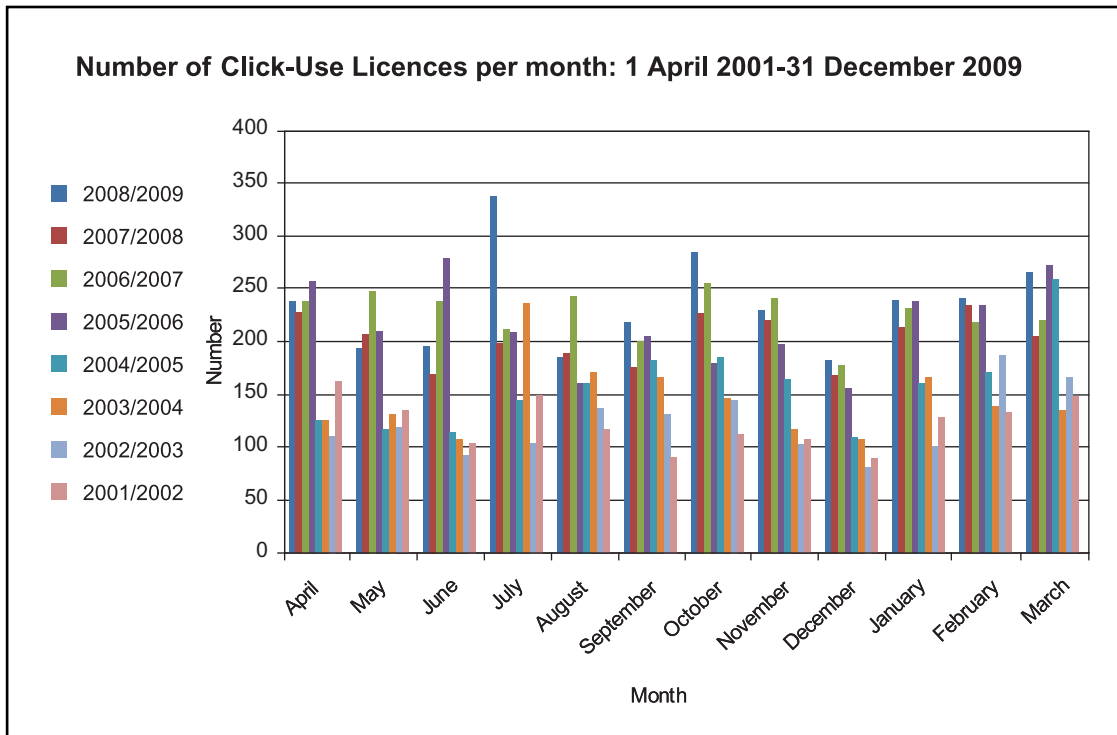
³ <http://www.scottish.parliament.uk/business/committees/subleg/reports-07/sur07-14-00.htm>

- 1.21 Printed copies will continue to be produced to meet this low demand and that of the Legal Deposit Libraries, which continue to prefer to receive printed copies. The change in the statutory obligation nevertheless, places greater emphasis on the need to ensure that all Scottish legislation is published on the internet as soon as possible after receipt of the authentic text from either the Scottish Parliament or the Scottish Government. This reinforces the current process where Acts of the Scottish Parliament are published online within 24 hours of receipt of the text from the Parliament. Additionally, the text of SSIs will be published online as soon as the text has been provided, coinciding in most cases with the day on which the Scottish Government lays the instruments before the Scottish Parliament. Printed copies will generally be available no more than a further 48 hours later.
- 1.22 OQPS officials continue to work closely with Scottish Government colleagues during the Bill's consideration by the Scottish Parliament.

2. MANAGEMENT OF PUBLIC SECTOR INFORMATION

Licensing

2.1 The PSI Click-Use Licence continues to be a highly effective means of facilitating the re-use of government information. At the end of December 2009 over 19,500 were in place across the world. The provision of an online licence, the terms of which are expressed in plain English, has proved to be a key milestone in making a wide range of information available for re-use.



2.2 There continues to be a healthy interest in re-use in Scotland. In addition to the organisations that have held PSI Click-Use Licences for a number of years, such as the Royal Bank of Scotland, the National Library of Scotland and BBC Scotland, there was an encouraging growth in the number of Scottish based organisations that took out licences during 2009. The list, which reflects the diversity of organisations interested in public sector information, includes: Central Scotland Forest Trust, NHS Health Scotland, Action on Dementia, Clarion Events Scotland, Quality Meat Scotland, Learning and Teaching Scotland, COLEG, Scotland Colleges, Scottish Health Action on Alcohol problems and the Tourist Board Training Ltd (Scotland).

2.3 During the year there has been regular contact between the OQPS and the Scottish Government at both policy and working level on a range of licensing issues. These include:

- advice to the Scottish Government's European Structural Funds department over licensing the re-use of training materials developed with third parties;
- continuation of discussions with the General Register Office for Scotland regarding the licensing of Scottish census material and old parish records;

- advice to the Scottish Screen Archive at National Library of Scotland on the use of Department for Transport, information as part of a project with Learning and Teaching Scotland and Scottish Screen to develop a new learning and teaching website for use in Scottish Schools;
 - advice to Historic Scotland on the use of text from the booklet, *St Andrew's House: an Edinburgh Controversy 1912-1939*, to celebrate the 70th anniversary of St Andrew's House as the headquarters of government in Edinburgh; and
 - advice to Scottish Native Woods on the use of images in a leaflet they were producing.
- 2.4 Whilst the PSI Click-Use Licence has proved a great success a new non-transactional form of licensing for Crown copyright is being developed to be launched in 2010. This reflects a move to establish a licence that is interoperable with the internationally recognised Creative Commons model. It is envisaged that the Scottish Government will be directly involved in the piloting of the new licence. Preliminary discussions about the new licence plans for 2010 have taken place with Scottish Government officials.
- 2.5 The OQPS manages Scottish Parliamentary copyright on behalf of the Scottish Parliamentary Corporate Body (SPCB) under the terms of a service level agreement. The OQPS maintains regular contact with SPCB ensuring that it is regularly updated on policy developments in the field of public sector information and current thinking on the development of new licence models.

Geographic Information Strategy for Scotland

- 2.6 The OQPS has worked closely with officials in the General Register Office for Scotland and others to develop a solution for ensuring access to Ordnance Survey mapping data as part of the Geographic Information Strategy for Scotland (GISS) programme. In May 2009 the One Scotland Mapping Agreement was signed by the Cabinet Secretary for Finance and Sustainable Growth and the Parliamentary Under Secretary in the Department for Communities and Local Government. The Agreement establishes a framework that facilitates data sharing and information delivery via web services and represents a new partnership between the public sector and Ordnance Survey. This is key to establishing a Spatial Data Infrastructure.
- 2.7 The EU INSPIRE Directive was transposed in 2009 by the Scottish Government (and England, Northern Ireland and Wales separately). The INSPIRE Directive is supported by five Regulations and intends to bring about easier access and greater re-use of public sector location information by all levels of society. The Directive complements the UK Location Strategy which acknowledges that "everything happens somewhere" reflecting the fact that most events and records can be linked to location. Making this data easier to access, using the INSPIRE standards, as a foundation will enable better and more effective decision making and the provision of innovative public sector services. The UK Location Council provides the governance to deliver the necessary change.
- 2.8 The OQPS has played an active role in taking forward the strategy, ensuring that Scottish interests are reflected. Future work will focus on developing technical solutions that facilitate access, sharing and re-use of spatial data. This will be underpinned by a streamlined licensing model. The OQPS has a leading role in both of these strands of work.

PSI Progress

- 2.9 The European Commission continues to monitor compliance with the European Directive on the Re-use of Public Sector Information which was implemented UK wide under the re-use of Public Sector Information Regulations (SI 2005 No. 1515)⁴ (PSI Regulations). The OQPS has a central co-ordinating role to play in ensuring compliance and developing best practice.
- 2.10 During 2009 there has been a wide range of activity on the information policy front. These are covered in detail in *The United Kingdom Report on the Re-use of Public Sector Information 2009: unlocking psi potential*.⁵
- 2.11 The Commission published a formal Review of the PSI Directive in May 2009. The principal aim of this exercise was to review the application of the PSI Directive and to highlight the potential for re-use of PSI in the digital age. The Commission summarised the key points for action in Member States, which are to:
- ensure full and correct implementation and application of the Directive;
 - terminate exclusive arrangements as prescribed by the Directive;
 - apply licensing and charging models that facilitate re-use of PSI; and
 - ensure fair competition between public sector organisations and re-users.

The Commission cited the progress made by the UK.

Making Public Data Public

- 2.12 Sir Tim Berners Lee, founder of the World Wide Web, and Professor Nigel Shadbolt were appointed Information Advisers in June 2009 to lead the *Making Public Data Public* project with the aim of driving the opening up of access to non-personal public data. They support public data principles. These are:
- public data will be published in re-usable machine readable form;
 - public data will be available and easy to find through a single to easy to use online access point⁶
 - public data will be published using open standards and following the recommendations of the World Wide Web Consortium;
 - any raw dataset will be represented in linked data form;
 - more public data will be released under an open licence which enables free re-use, including commercial re-use;
 - data underlying the government's own websites will be published in reusable form for others to use; and
 - personal, classified, commercially sensitive and third party data will continue to be protected.

⁴ <http://www.opsi.gov.uk/si/si2005/20051515.htm>

⁵ <http://www.opsi.gov.uk/advice/psi-regulations/uk-report-reuse-psi-2009.pdf>

⁶ www.data.gov.uk

- 2.13 An important piece of work outlined under the MPDP initiative was the creation of a single online access point for public data – data.gov.uk. Scottish departments, in common with other departments across the UK have identified datasets for release on this site. To date over 3000 datasets have been identified. The OQPS has played a key role in taking forward this work, engaging with key stakeholders in Scotland.

Links with the Scottish Information Commissioner

- 2.14 The OQPS continues to work closely with the Office of the Scottish Information Commissioner. The focus of this liaison is on sharing information and best practice regarding the links between access and re-use of information. These arrangements are set out in a protocol with the Scottish Information Commissioner.

Advisory Panel on Public Sector Information

- 2.15 The Advisory Panel on Public Sector Information (APPSI) was established on 14 April 2003. Its role embraces:
- advising Ministers on how to encourage and create opportunities in the information industry for greater re-use of public sector information; and
 - reviewing complaints under the PSI Regulations.
- 2.16 APPSI consists of twenty expert and representative members (including the Chair and Deputy Chair). Expert Members provide an impartial perspective while Representative Members represent the specific viewpoints of producers, re-users or end users of PSI and the devolved regions. The Representative Member for Scotland is Professor Hector MacQueen, who was appointed in January 2004 and provides expert and informed advice. Full biographies of APPSI members are available on the APPSI website.⁷

The Information Fair Trader Scheme

- 2.17 The Information Fair Trader Scheme (IFTS), underpinned by a complaints process, regulates the information trading activities of government trading funds and other public sector bodies that trade information. One such organisation is Registers of Scotland. IFTS is an audit based process that ensures that members meet certain principles and government policy frameworks.
- 2.18 IFTS has been successful in ensuring compliance with the PSI Regulations and encouraging best practice. However, the government re-use agenda is constantly evolving and it is important that the shape of the future regulatory framework aligns with the new agenda.
- 2.19 New principles of simplicity, maximisation and innovation were introduced in 2009 to complement the existing principles and to strengthen the Scheme. More is expected of public sector information holders (PSIHs), particularly in terms of being proactive in allowing the information they hold to be used and re-used. The IFTS principles are:

⁷ <http://www.appsi.gov.uk/members/biographies.htm>.

| | |
|--------------|--|
| Maximisation | An obligation to allow others to re-use information unless there are strong policy reasons not to (e.g. personal data and copyright ownership issues). |
| Simplicity | Simplicity of processes, policies and licences, including process in place that allow sub licensing and use in derived data products. |
| Transparency | Transparency of licence terms and conditions, and charging information |
| Fairness | PSIHs should not use their market power to compete unfairly. All customers to be treated equally for the same types of re-use. |
| Challenge | A robust complaints process in place to reconsider licensing decisions. The Office of Public Sector Information (OPSI) can investigate the PSIH's licensing decisions. |
| Innovation | PSIHs to explore new methods of presenting information to help re-users innovate and develop information products and services. |

2.20 The IFTS guidance was revised and reissued in 2009. Additional elements strengthened IFTS to enhance the Scheme. These measures include:

- A revised IFTS strategy⁸ that sets out the direction and aims;
- Talking to re-users and user groups to gain further perspective on IFTS members' performance;
- Introduction of a performance framework⁹ within the verification report to highlight good and weak practice and track performance;
- More robust checks on the separation between upstream and downstream activities, and clarity of IFTS members' statement of their public task; and
- Regular appraisals and discussions to track progress and gain a better understanding of the business.

2.21 The National Archives runs a cross-government Licensing Forum, where information access and licensing practitioners from across government gather to discuss the latest developments in public sector information policy and practice. This enables the communication of key messages, the sharing of good practice and offers practical help with issues.¹⁰ Members include The Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS), the Registers of Scotland and Scottish Parliament. Recent topics for discussion have included:

- the development and launch of data.gov.uk;
- the implications of Google Books for publishing;
- the Ordnance Survey consultation on free re-use of data;
- OPSI's move to non-transactional licensing; and
- the new IFTS Strategy and Performance Management Framework

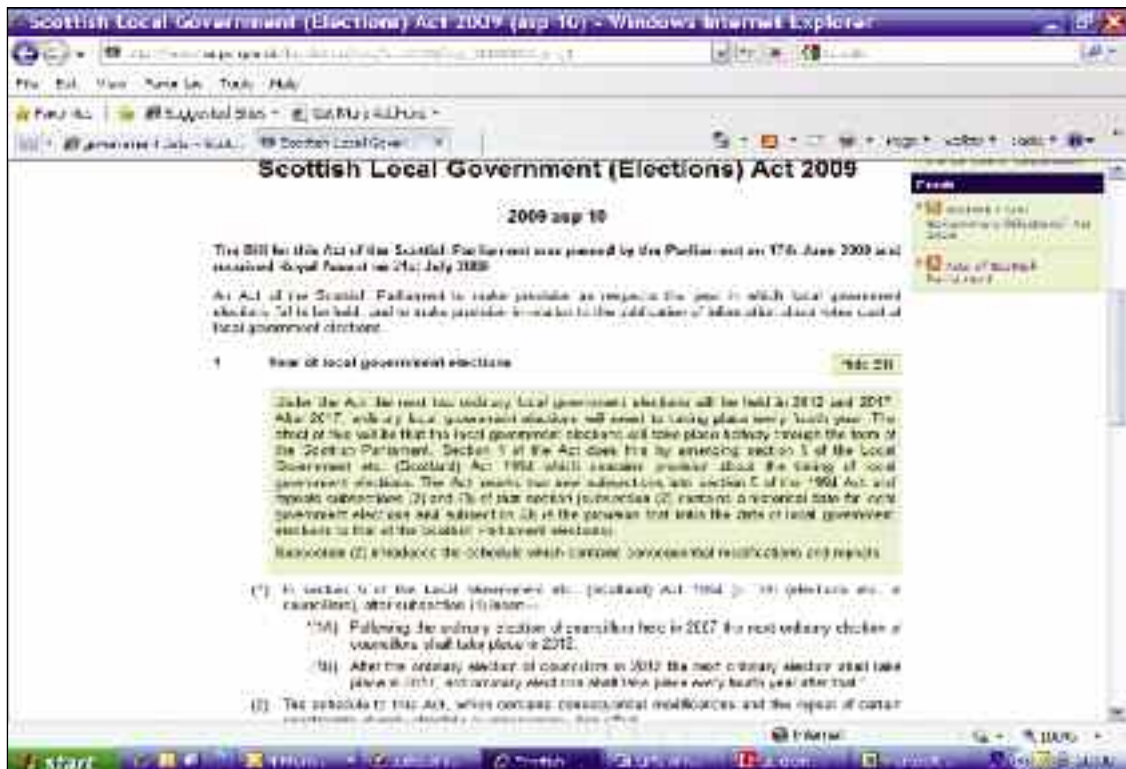
⁸ IFTS strategy can be found at www.opsi.gov.uk/ifts/ifts-strategy.pdf

⁹ IFTS performance management framework can be found at: <http://www.opsi.gov.uk/ifts/ifts-performance-management-framework.pdf>

¹⁰ Minutes of the meetings are published online at <http://www.opsi.gov.uk/advice/licensing-forum>.

3. OQPS WEBSITE

- 3.1 The OQPS website is the official source for Scottish legislation online.¹¹ It provides access to all ASPs and subordinate legislation as it is enacted or made. The service continues to provide swift web publication of Scottish legislation in high quality XHTML alongside a print version in PDF. The website meets high standards of availability and accessibility.
- 3.2 There has been a dramatic increase in the volumes of traffic served by the OQPS website and a consequential increase in hosting costs. This stems from technical improvements on the process of publishing legislation, optimising the website for search engines. The official version of Scottish legislation can now be found easily online.
- 3.3 A number of improvements were completed, in 2009, relating to the process for publishing legislation on the OQPS website. The website was used to test these improvements in publishing legislation which, subsequently, were carried over to the main United Kingdom legislation website.¹² Recent innovations include the ability to link from a Scottish Statutory Instrument implementing an EU Directive to the text of the directive on the Europa website. Another major innovation has been the re-publication of the Explanatory Notes to ASPs in high quality XHTML. In doing so, identifiers were added so that specific parts of the document can be referenced. This has also allowed for the text of an Act to be interwoven with the Explanatory Note, enabling users of ASPs on the website to view a section of the ASP and the explanation of that section on the same page. The following screenshot shows section 1 of the Scottish Local Government (Elections) Act with the Explanatory Note for the section also displayed on the page.



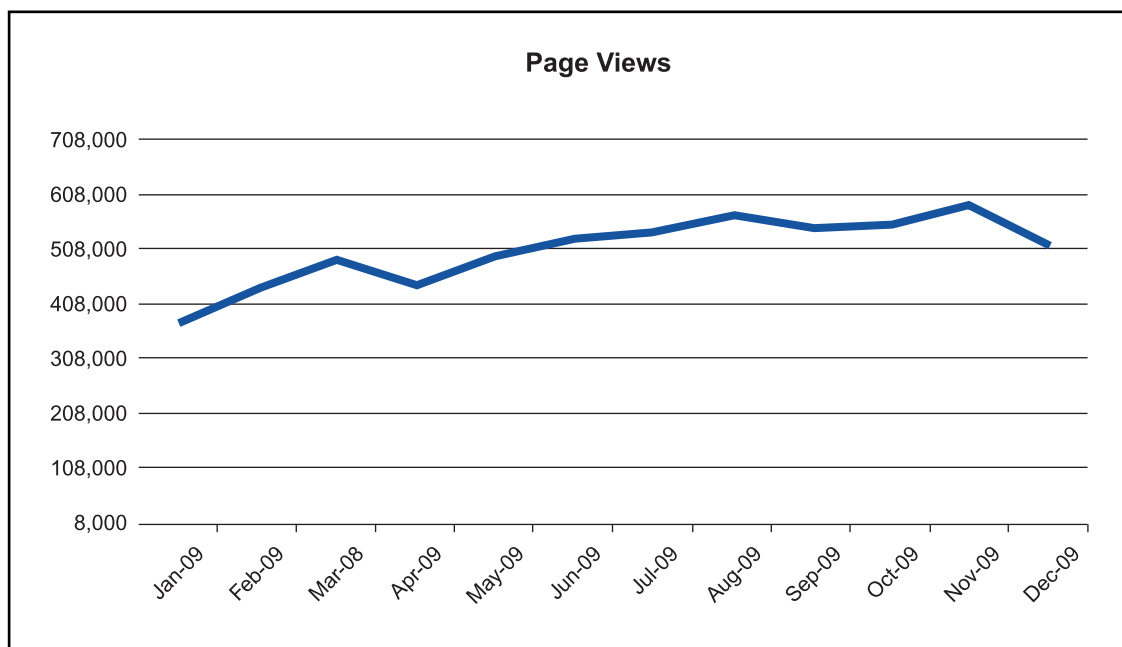
¹¹ www.oqps.gov.uk

¹² www.opsi.gov.uk/legislation

- 3.4 The OQPS has also been working closely with colleagues in The National Archives who are developing the new legislation website.¹³ This site brings together the legislation pages on the OPSI website and the revised and updated legislation, which is currently published on the Statute Law Database website.¹⁴ The National Archives has responsibility for the OPSI and SLD websites. The new website will provide a single means of accessing both new, as enacted, legislation and the revised and updated legislation. This website will provide a single point of access to both new and revised Scottish legislation in 2010.
- 3.5 As part of the development of the new website a new Legislation Application Programming Interface (API) has been launched.¹⁵ The API allows users and re-users to access content and develop functionality on top of that content from the two websites. It is the first step towards creating the new legislation website.
- 3.6 The API brings together revised and as enacted legislation and provides a number of services that will underpin the new website, including legislation in HTML, XML and PDF format. It also makes available legislation as Linked Data.¹⁶ The API is experimental, designed to open up the statute book to allow the information held to be as easy to re-use as possible. While there are some limitations to the service, it is provided for use on an "as is" basis to stimulate innovation. The information provided by the API is designed for free re-use and will be updated when the new website is launched.

Page Views and Visits to the OQPS Website

- 3.7 The following graphs show that unique users to the OQPS website remain consistent around 20,000 while page views and visits continue to follow last year's pattern and rise throughout the year, highlighting the increasing use being made of the website.

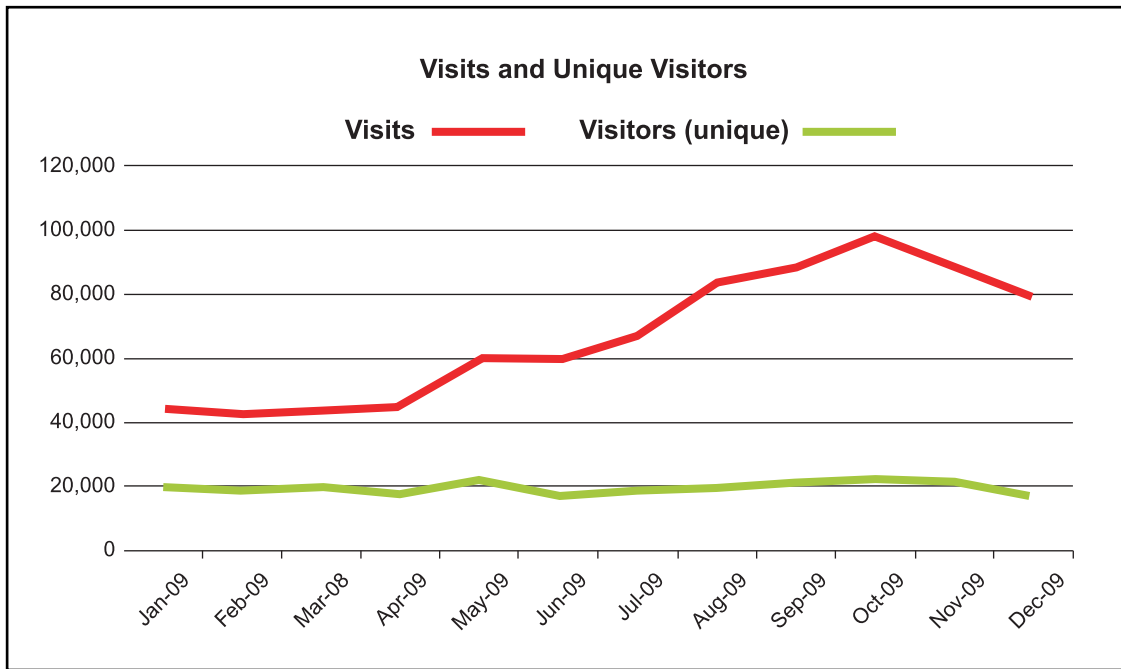


¹³ www.legislation.gov.uk

¹⁴ www.statutelaw.gov.uk

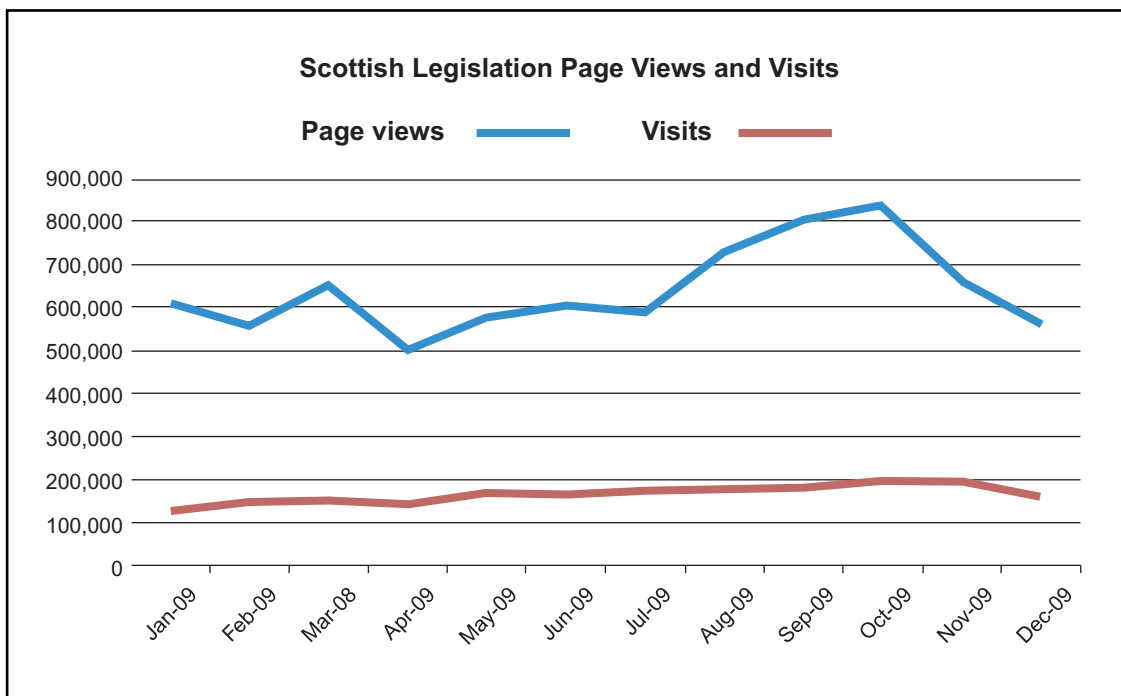
¹⁵ Details of the API can be found at: <http://www.opsi.gov.uk/legislation-api/>.

¹⁶ Linked Data is a sub-topic of the Semantic Web. The term Linked Data is used to describe a recommended best practice for exposing, sharing, and connecting pieces of data, information and knowledge on the Semantic Web.



Page Views and Visits of Scottish Legislation January 2009 to December 2009

3.8 The graph that follows shows combined statistics for Page Views and Visits from the Scottish legislation section on the OPSI website (figures from Webtrends), and the OQPS website (figures from Nedstat).



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 pays an annual management charge covering the period 1 April to 31 March (inclusive) each year.

4.2 The management charge for 2008/09 was £83,262 (excluding VAT) and is based on the actual level of work undertaken in the year. An analysis of the management charge (excluding 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 2008 – 31 March 2009 | £34,865 | £48,397 | £83,262 |
| 1 April 2007 – 31 March 2008 | £33,944 | £33,618 | £67,562 |
| 1 April 2006 – 31 March 2007 | £32,584 | £24,837 | £57,421 |
| 1 April 2005 – 31 March 2006 | £35,118 | £21,544 | £56,662 |
| 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 2008/09 charge is accounted for as follows:

Staff Costs

The total cost of staff resources was £34,865; this represents resource across a number of different staff and disciplines. The areas of activity included:

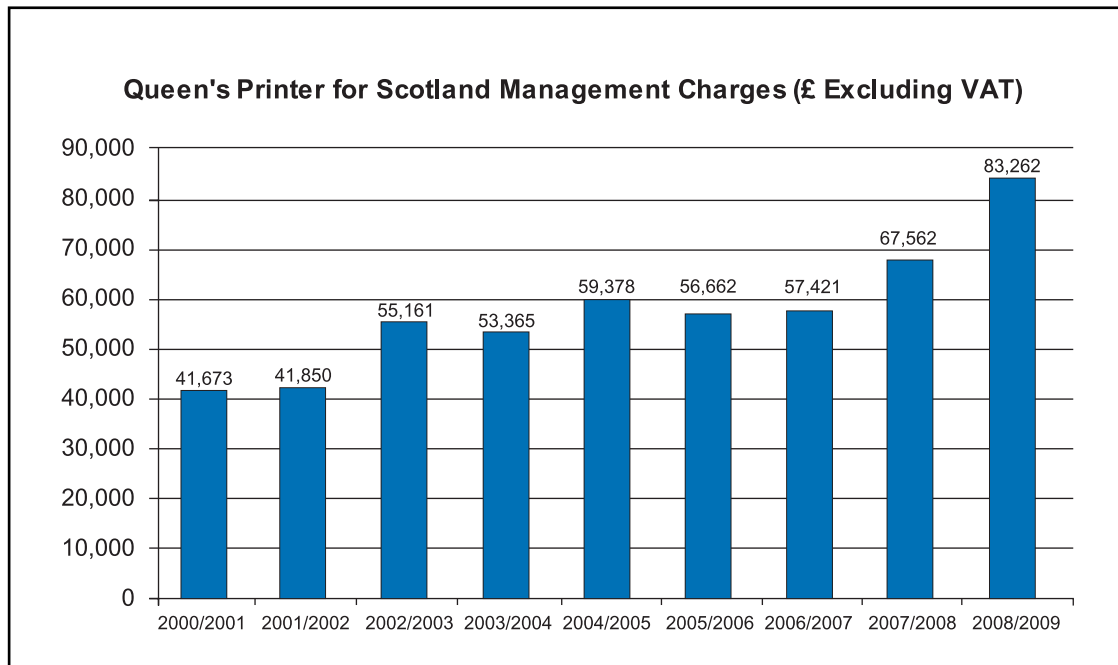
- Management of Scottish Statutory Publications/SSI registration;
- Contract Monitoring and Procurement;
- Registration and Numbering of SSIs;
- Editorial preparation and styling of ASPs and SSIs;
- Production of Annual Edition of SSIs;
- Production of Annual Volume of Acts of the Scottish Parliament;
- Compilation of Chronological Table of Acts of the Scottish Parliament;
- Information Asset Register;
- Management of Scottish Legislation uploaded to the OQPS Website;
- Explanatory Notes to ASPs;
- Management of the OQPS Website;
- Provision of advice and management of the Registers of Scotland as members of IFTS;
- 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; and
- Seminars and briefings on PSI and licensing activity.

Non-Pay Costs

Non-pay costs totalled £48,397 analysed across:

| | Total £ |
|--|---------------|
| Website running costs and simultaneous publication | 38,352 |
| Tables of Effect – Cost of Production | 7,620 |
| Formatting, Proofing and Printing of QPS Report | 884 |
| Stationery and postage | 760 |
| Travel & Subsistence | 781 |
| TOTAL | 48,397 |

- 4.4 The Website running costs for the year reflect the developments which took place during the last financial year and which have provided improvements in the access and usability of legislative data.
- 4.5 The Management charge for the OQPS during the last nine financial years is shown below. The charge in 2002/03 reflected the set up costs incurred for the OQPS website, and subsequent years include the cost of running the website.
- 4.6 The management charges are based on a cost allocation basis of the total charges for providing access to legislation online. The number of visitors to Scottish legislation increased as a proportion of the service during 2008/09, so the share of the costs increases.



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

The Freedom of Information (Scotland) Act 2002

- 5.1 The OQPS continues to work closely with officials in the Scottish Government to ensure that colleagues within the Executive and its Agencies, who are responsible for dealing with requests for information under the Freedom of Information (Scotland) Act provide clear instruction on the re-use of the information provided under the Act. That is, the supply of information under the Act, does not give an automatic right to re-use the information and that an appropriate copyright licence may be required.
- 5.2 Similarly with other public authorities in Scotland, the OQPS continues to keep its Publication Scheme up to date. The OQPS Publication Scheme was reviewed during the year and the updated version is available on the OQPS website.¹⁷
- 5.3 During 2009 the OQPS received two requests for information to be supplied under the Freedom of Information (Scotland) Act. Details of the information provided have also been made available via the OQPS website.¹⁸

Links with other bodies

- 5.4 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 of Scotland, law librarians from major law firms, special libraries representatives from the Scottish Government and the Scottish Parliament and other bodies concerned with access and availability of official materials in Scotland.
- 5.5 SWOP and its members take a keen interest in the development of policy in regard to access to PSI and have been keen to ensure that access is maintained to the growing volume of official materials which are only published online
- 5.6 OQPS staff have also 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.

¹⁷ www.oqps.gov.uk/foi/publication-scheme/oqps-publication-scheme.doc

¹⁸ www.oqps.gov.uk/foi/information-provided

Annexes

The following Annexes set out the detailed information in relation to Scottish legislation reported in paras 1.10 – 1.17 of the Report.

ANNEX A
Acts of the Scottish Parliament which received Royal Assent between 1 January 2009 and 31 December 2009

| ASP Number | Title | Page Content (inc. cover) | Date of Royal Assent | Authority to TSO to print | Date pdf uploaded to Website | Date Published in print | Days from Royal Assent to Publication in print | | Days from Authority to Print to Publication | |
|------------|---|---------------------------|----------------------|---------------------------|------------------------------|-------------------------|--|---------|---|---------|
| | | | | | | | Working | Elapsed | Working | Elapsed |
| 1 | Scottish Parliamentary Pensions Act 2009 | 61 | 25/02/2009 | 27/02/2009 | 02/03/2009 | 05/03/2009 | 7 | 9 | 5 | 7 |
| 2 | Budget (Scotland) Act 2009 | 24 | 10/03/2009 | 12/03/2009 | 12/03/2009 | 18/03/2009 | 7 | 9 | 5 | 7 |
| 3 | Disabled Persons' Parking Places (Scotland) Act 2009 | 15 | 01/04/2009 | 06/04/2009 | 06/04/2009 | 09/04/2009 | 7 | 9 | 4 | 6 |
| 4 | Damages (Asbestos-related Conditions) (Scotland) Act 2009 | 4 | 17/04/2009 | 20/04/2009 | 21/04/2009 | 24/04/2009 | 6 | 8 | 5 | 5 |
| 5 | Health Boards (Membership and Elections) (Scotland) Act 2009 | 14 | 22/04/2009 | 28/04/2009 | 28/04/2009 | 01/05/2009 | 8 | 10 | 4 | 4 |
| 6 | Flood Risk Management (Scotland) Act 2009 | 75 | 16/06/2009 | 18/06/2009 | 19/06/2009 | 24/06/2009 | 7 | 9 | 5 | 7 |
| 7 | Education (Additional support for Learning) Scotland Act 2009 | 17 | 25/06/2009 | 26/06/2009 | 29/07/2009 | 02/07/2009 | 6 | 8 | 5 | 7 |
| 8 | Offences (Aggravation by Prejudice) (Scotland) Act 2009 | 5 | 08/07/2009 | 13/07/2009 | 13/07/2009 | 17/07/2009 | 8 | 10 | 5 | 7 |
| 9 | Sexual Offences (Scotland) Act 2009 | 65 | 14/07/2009 | 20/07/2009 | 22/08/2009 | 24/07/2009 | 9 | 11 | 5 | 7 |
| 10 | Scottish Local Government (Elections) Act 2009 | 5 | 21/07/2009 | 28/07/2009 | 28/07/2009 | 31/07/2009 | 9 | 11 | 4 | 6 |
| 11 | Convention Rights Proceedings (Amendment) (Scotland) Act 2009 | 3 | 23/07/2009 | 28/07/2009 | 28/07/2009 | 31/07/2009 | 7 | 9 | 4 | 6 |
| 12 | Climate Change (Scotland) Act 2009 | 70 | 04/08/2009 | 08/08/2009 | 07/08/2009 | 13/08/2009 | 8 | 10 | 4 | 6 |

ANNEX B
Explanatory Notes to Acts of the Scottish Parliament which received Royal Assent between 1 January 2009 and 31 December 2009

| Chapter Number | Title | Royal Assent | Act Published | ENs Published | EN Page Content <i>(inc Cover)</i> | Date sent to TSO | Days from receipt by TSO to Publication | |
|----------------|--|--------------|---------------|---------------|---------------------------------------|------------------|---|---------|
| | | | | | | | Working | Elapsed |
| 2007 | | | | | | | | |
| 5 | Legal Profession and Legal Aid (Scotland) Act 2007 | 19/01/2007 | 26/01/2007 | 24/08/2009 | 50 | 18/08/2009 | 5 | 7 |
| 2009 | | | | | | | | |
| 1 | Scottish Parliamentary Pensions Act 2009 | 25/02/2009 | 05/03/2009 | 01/04/2009 | 89 | 26/03/2009 | 5 | 7 |
| 3 | Disabled Person's Parking Places (Scotland) Act 2009 | 01/04/2009 | 09/04/2009 | 14/05/2009 | 15 | 11/05/2009 | 4 | 4 |
| 4 | Damages (Asbestos-related Conditions) (Scotland) Act 2009 | 17/04/2009 | 24/04/2009 | 24/04/2009 | 6 | 21/04/2009 | 4 | 4 |
| 5 | Health Boards (Membership and Elections) (Scotland) Act 2009 | 22/04/2009 | 01/05/2009 | 16/06/2009 | 14 | 10/06/2009 | 5 | 7 |
| 6 | Flood Risk Management (Scotland) Act 2009 | 16/06/2009 | 24/06/2009 | 06/07/2009 | 47 | 30/06/2009 | 5 | 7 |
| 7 | Education (Additional support for Learning) Scotland Act 2009 | 25/06/2009 | 02/07/2009 | 09/07/2009 | 18 | 03/07/2009 | 5 | 7 |
| 9 | Sexual Offences (Scotland) Act 2009 | 14/07/2009 | 24/07/2009 | 17/08/2009 | 28 | 11/08/2009 | 5 | 7 |
| 10 | Scottish Local Govt. (Elections) Act 2009 | 21/07/2009 | 31/07/2009 | 21/08/2009 | 7 | 19/08/2009 | 3 | 3 |
| 11 | Conventions Rights Proceedings (Amendment) (Scotland) Act 2009 | 23/07/2009 | 31/07/2009 | 23/09/2009 | 5 | 17/09/2009 | 5 | 7 |
| 12 | Climate Change (Scotland) Act 2009 | 04/08/2009 | 13/08/2009 | 27/08/2009 | 45 | 21/08/2009 | 5 | 7 |

ANNEX C

General Scottish Statutory Instruments by Subject Heading*Note: An individual SSI may have more than one heading.*

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|------|------|------|------|------|------|------|------|------|------|------|
| Acquisition of Land | - | - | 2 | - | 2 | - | 1 | - | - | - | - |
| Adult Support | - | - | - | - | - | - | - | - | 1 | 5 | - |
| Adults with Incapacity | - | - | 7 | 11 | 7 | - | 3 | - | 6 | 9 | - |
| Agriculture | 2 | 9 | 31 | 16 | 20 | 22 | 22 | 17 | 16 | 21 | 14 |
| Anatomy | - | - | - | - | - | - | - | 3 | - | - | - |
| Animals | 2 | 9 | 79 | 23 | 16 | 6 | 13 | 22 | 35 | 14 | 18 |
| Anti-Social Behaviour | - | - | - | - | - | - | 4 | - | 1 | - | - |
| Armorial Bearings, Ensigns and Flags | - | - | - | - | - | - | - | - | - | 1 | - |
| Bankruptcy | - | - | - | - | - | - | - | - | - | 7 | - |
| Bee Diseases | - | - | - | - | - | - | - | - | 1 | - | - |
| Betting, Gaming and Lotteries | - | 1 | 2 | 1 | 1 | - | 1 | 2 | 12 | - | - |
| Building and Buildings | 1 | - | 1 | 1 | - | 5 | 1 | 2 | 4 | 4 | 3 |
| Canals and Inland Waterways | - | - | - | - | - | - | - | - | 5 | 2 | - |
| Census | - | 4 | - | - | - | - | - | - | - | - | - |
| Charities | - | 1 | - | - | - | - | 2 | 8 | 5 | 4 | 3 |
| Children and Young Persons | - | 3 | 7 | 4 | 4 | 1 | 3 | 5 | 3 | 7 | 20 |
| Cinemas and Films | - | - | - | - | 1 | - | - | - | - | - | - |
| Civil Contingencies | - | - | - | - | - | - | 2 | - | - | - | - |
| Civil Defence | - | - | 1 | - | - | - | - | - | - | - | - |
| Civil Partnership | - | - | - | - | - | - | 10 | 4 | 2 | - | - |
| Clean Air | 1 | 1 | 2 | 1 | 1 | - | 2 | - | 2 | 4 | 1 |
| Climate Change | - | - | - | - | - | - | - | - | - | - | 1 |
| Companies | - | - | - | - | - | - | - | - | - | 1 | - |
| Constitutional Law | 2 | 1 | - | - | - | - | - | - | 1 | - | - |
| Construction | - | - | - | - | - | - | - | 1 | - | - | - |
| Consumer Protection | - | - | 1 | 1 | 2 | 1 | - | 1 | - | - | - |
| Contamination of Food | 1 | - | 1 | - | - | 1 | - | 3 | - | - | - |
| Contracts | - | - | - | 3 | - | - | - | - | - | - | - |
| Council Tax | 1 | 2 | - | 2 | 3 | - | 1 | 2 | 3 | - | - |
| Countryside | - | 1 | - | 4 | 2 | 2 | - | - | 2 | 3 | - |
| Court of Session | 3 | 10 | 8 | 8 | 7 | 8 | 14 | 6 | 16 | 10 | 17 |
| Cremation | - | - | - | - | 1 | - | - | - | - | - | - |
| Criminal Law | - | 2 | 5 | 3 | 12 | 17 | 25 | 20 | 17 | 23 | 18 |
| Crofters, Cottars and Small Landholders | - | - | 1 | - | - | - | - | 2 | 2 | 1 | - |
| Cultural Objects | - | - | - | - | - | - | - | - | - | 1 | - |
| Damages | - | - | - | 1 | - | - | - | - | - | - | 1 |
| Debt | - | - | - | - | - | 5 | - | - | 3 | 1 | 9 |
| Defamation | - | - | 1 | - | - | - | - | - | - | - | - |
| Devolution | 1 | - | - | - | - | - | - | - | 1 | - | - |
| Diligence | - | 1 | - | - | - | - | - | - | - | 1 | 7 |
| Disabled Persons | - | - | - | - | - | - | 1 | - | 1 | - | - |

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|------|------|------|------|------|------|------|------|------|------|------|
| District Courts | - | - | 1 | - | 1 | 3 | 1 | 1 | 4 | - | - |
| Ecclesiastical Law | - | - | - | - | - | 1 | - | - | - | - | - |
| Education | 3 | 14 | 18 | 12 | 12 | 16 | 35 | 21 | 29 | 18 | 10 |
| Electricity | - | 1 | 1 | 5 | - | 1 | 4 | 2 | 1 | 2 | 2 |
| Electronic Communications | - | - | - | - | - | - | - | 1 | - | 1 | - |
| Energy Conservation | - | - | 1 | - | 2 | 1 | 1 | 1 | 1 | 1 | 2 |
| Enforcement | - | 1 | 1 | - | - | - | - | 1 | - | - | 8 |
| Environmental Protection | - | 11 | 2 | 7 | 21 | 18 | 17 | 11 | 10 | - | 10 |
| Equal Opportunities | - | - | - | - | - | - | - | - | 1 | - | - |
| Ethical Standards | - | - | - | - | 6 | 2 | - | 1 | - | - | - |
| European Communities | - | 1 | 2 | - | - | - | - | - | - | 1 | - |
| Family Law | - | 5 | 1 | - | 1 | - | 1 | 4 | 1 | 1 | - |
| Farriers Registration Council | - | - | - | - | - | - | - | 1 | - | - | - |
| Feudal Tenure | - | - | - | - | 3 | 2 | - | 1 | - | - | - |
| Fire and Rescue Services | - | - | - | - | - | - | 8 | - | - | - | 1 |
| Fire Safety | - | - | - | - | - | - | - | 4 | - | - | - |
| Fire Services | - | - | 1 | 2 | - | 2 | 1 | 2 | 3 | 2 | - |
| Fireworks | - | - | - | - | - | 1 | 1 | - | - | - | - |
| Fish Farming | - | - | - | - | - | - | - | 1 | - | 1 | 1 |
| Fisheries | - | - | - | - | - | - | - | - | 1 | - | - |
| Flood Risk Management | - | - | - | - | - | - | - | - | - | - | 1 |
| Food | 7 | 21 | 11 | 24 | 32 | 20 | 25 | 13 | 25 | 14 | 15 |
| Forestry | 1 | - | - | - | - | - | - | 1 | 1 | 1 | - |
| Freedom of Information | - | - | - | 1 | 1 | 4 | - | - | - | 2 | - |
| Gaelic Language | - | - | - | - | - | - | - | 1 | - | - | - |
| Gender Recognition | - | - | - | - | - | - | 2 | - | - | - | - |
| High Court of Justiciary | 1 | 2 | 2 | 4 | 3 | 5 | 7 | 5 | 7 | 2 | 8 |
| Horticulture | - | - | - | - | 1 | 1 | - | - | - | - | 1 |
| Housing | - | 3 | 9 | 24 | 15 | 9 | 15 | 7 | 10 | 12 | 4 |
| Human Rights | - | 1 | - | - | - | - | - | - | 1 | 2 | - |
| Human Tissue | - | - | - | - | - | - | - | 10 | - | 1 | - |
| Income Tax | - | - | - | - | 2 | - | - | - | - | - | - |
| Industrial Development | - | - | 1 | - | - | - | - | - | - | - | - |
| Inquiries | - | - | - | - | - | - | - | - | 1 | - | - |
| Insolvency | - | - | - | - | - | - | - | - | 1 | 3 | 1 |
| International Criminal Court | - | - | 1 | - | - | 2 | - | - | - | - | - |
| International Immunities and Privileges | - | - | - | - | - | - | - | - | - | - | 1 |
| Investigatory Powers | - | 3 | 1 | 3 | 4 | - | - | 1 | - | - | 1 |
| Judgments | - | - | - | - | - | - | 1 | - | - | - | - |
| Judicial Appointments and Discipline | - | - | - | - | - | - | - | - | - | - | 3 |
| Judicial Independence | - | - | - | - | - | - | - | - | - | - | 1 |
| Justice of the Peace Court | - | - | - | - | - | - | - | - | - | 8 | 12 |
| Land Drainage | 1 | - | - | 1 | 1 | - | - | 1 | - | - | - |
| Land Reform | - | - | - | - | 1 | 11 | 2 | 1 | - | - | 3 |
| Land Registration | 1 | 1 | 1 | 1 | - | 1 | - | 2 | - | - | - |

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|--------------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| Landlord and Tenant | - | - | - | - | 5 | 4 | - | - | - | - | - |
| Lands Tribunal | - | - | - | - | 3 | 2 | - | - | - | - | 2 |
| Legal Aid and Advice | 1 | 6 | 13 | 16 | 11 | 18 | 16 | 11 | 11 | 7 | 4 |
| Legal Profession | - | 1 | - | - | - | 5 | - | - | 7 | 4 | 1 |
| Legal Services | - | - | - | 1 | - | - | - | - | - | - | - |
| Licences and Licensing | - | - | - | 3 | 2 | 2 | - | 2 | - | - | 3 |
| Licensing (Housing) | - | 1 | - | - | - | - | - | - | - | - | - |
| Licensing (Liquor) | - | - | 1 | - | - | 1 | - | 2 | 25 | 2 | 3 |
| Local Government | 4 | 10 | 7 | 8 | 12 | 13 | 10 | 42 | 10 | 9 | 9 |
| Maintenance of Dependants | - | - | - | - | - | - | - | - | 2 | - | - |
| Marriage | - | - | - | 2 | 1 | - | 3 | 2 | - | - | - |
| Medical Profession | - | 1 | - | - | - | - | - | - | - | - | - |
| Mental Health | - | - | - | - | 2 | 14 | 40 | 5 | 2 | 7 | 1 |
| National Assistance Services | - | 1 | 4 | 1 | 5 | 3 | 3 | 2 | 2 | 2 | 3 |
| National Health Service | 42 | 24 | 45 | 18 | 33 | 50 | 25 | 37 | 26 | 16 | 17 |
| National Lottery | - | 1 | - | - | - | - | - | - | - | - | - |
| Nature Conservation | - | - | - | - | - | 2 | - | - | - | 2 | - |
| Nurses, Midwives and Health Visitors | - | - | 2 | 2 | - | - | - | - | - | - | - |
| Official Statistics | - | - | - | - | - | - | - | - | - | 2 | - |
| Olympic Games & Paralympic Games | - | - | - | - | - | - | - | 1 | - | - | - |
| Open Spaces | - | - | - | - | - | - | 1 | - | - | - | - |
| Opticians | - | - | - | - | - | - | - | 1 | - | - | - |
| Partnership | - | - | 1 | - | - | - | - | - | - | - | 1 |
| Pensions | - | 6 | 7 | 2 | 3 | 4 | 9 | 8 | 7 | 7 | 6 |
| Pesticides | - | 1 | 5 | 5 | 3 | 4 | 5 | 6 | 5 | 2 | - |
| Pilotage | - | - | - | - | - | - | - | - | 1 | - | - |
| Plant Breeders' Rights | - | - | - | - | - | - | 1 | - | - | - | - |
| Plant Health | 2 | 2 | 3 | 4 | 1 | 7 | 6 | 4 | 9 | 4 | 3 |
| Police | - | 2 | 2 | 9 | 3 | 5 | 6 | 12 | 17 | 4 | 5 |
| Prisons | - | 1 | 2 | 2 | 1 | - | - | 2 | 2 | 4 | 1 |
| Prisons Young Offenders Institutions | - | 1 | - | - | - | - | - | - | - | - | - |
| Private International Law | - | - | - | - | - | - | - | - | - | 1 | 2 |
| Proceeds of Crime | - | - | - | 1 | 4 | - | - | - | - | 1 | 3 |
| Protection of Vulnerable Adults | - | - | - | - | - | - | - | - | 2 | - | 2 |
| Protection of Wrecks | - | 1 | 2 | - | - | - | - | - | - | - | - |
| Public Bodies | - | - | - | - | 4 | 4 | 2 | 3 | 1 | 1 | 1 |
| Public Finance and Accountability | - | 4 | 3 | 7 | 4 | 4 | 1 | 3 | 2 | 2 | 2 |
| Public Health | 28 | 49 | 50 | 51 | 44 | 57 | 53 | 22 | 4 | 1 | 5 |
| Public Order | - | - | - | - | - | - | - | - | 1 | - | - |
| Public Passenger Transport | - | - | 3 | 1 | - | 1 | 1 | 1 | 1 | 2 | 1 |
| Public Procurement | - | - | - | - | - | - | - | 2 | 1 | 3 | 2 |
| Public Sector Information | - | - | - | - | - | - | - | - | - | - | 1 |
| Race Relations | - | - | - | 1 | 1 | 1 | - | 1 | - | - | - |
| Radioactive Substances | - | 1 | - | - | - | - | - | - | - | - | - |
| Rating and Valuation | - | 16 | 3 | 5 | 7 | 3 | 9 | 8 | 6 | 8 | 6 |

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|--|------|------|------|------|------|------|------|------|------|------|------|
| Registers and Records | - | - | 1 | - | 2 | 2 | 2 | 3 | - | - | 1 |
| Registration of Births, Deaths, Marriages, etc | 1 | 1 | - | 2 | 2 | - | 3 | 6 | 5 | 3 | 4 |
| Rehabilitation of Offenders | - | - | - | - | 1 | - | - | 1 | 1 | - | 2 |
| Representation of the People | - | - | - | 3 | 1 | - | 1 | - | 6 | - | 8 |
| Residential and Other Establishments | - | 1 | 1 | - | - | - | - | - | - | - | - |
| River | - | 1 | 2 | 3 | 2 | - | 4 | 2 | 1 | 2 | 1 |
| River, E & W | - | - | - | - | - | - | - | - | 1 | - | - |
| Road Traffic | 4 | 4 | 1 | 14 | 8 | 6 | 9 | 1 | 2 | 2 | 1 |
| Roads and Bridges | 1 | - | - | 4 | 6 | 1 | - | 2 | 2 | 7 | 2 |
| Scottish Court Service | - | - | - | - | - | - | - | - | - | - | 5 |
| Scottish Public Service Ombudsman | - | - | - | 3 | 1 | - | - | - | - | - | 1 |
| Sea Fisheries | 2 | 15 | 8 | 6 | 15 | 13 | 10 | 11 | 11 | 7 | 8 |
| Security Industry | - | - | - | - | - | - | - | 2 | 3 | - | - |
| Seeds | - | 7 | - | 3 | 1 | 4 | 4 | 4 | 6 | - | 4 |
| Serious Organised Crime Agency | - | - | - | - | - | - | - | 1 | - | - | - |
| Shellfish | - | - | - | 1 | - | - | - | - | - | - | - |
| Sheriff Court | 3 | 10 | 8 | 20 | 17 | 16 | 22 | 20 | 29 | 20 | 33 |
| Social Care | - | - | 3 | 20 | 15 | 8 | 7 | 6 | 4 | 2 | 10 |
| Social Work | - | 1 | 1 | - | 1 | - | 1 | - | 1 | - | 2 |
| Sports Grounds and Sporting Events | - | - | 1 | 1 | - | 1 | - | 1 | 1 | 2 | 1 |
| Succession | - | - | - | - | - | - | 1 | - | - | - | - |
| Summary Jurisdiction | 1 | - | - | - | - | - | - | - | - | - | - |
| Tartans | - | - | - | - | - | - | - | - | - | - | 2 |
| Tenements | - | - | - | - | - | 3 | - | - | 2 | - | - |
| Terms and Conditions of Employment | - | - | 1 | - | 1 | 1 | - | - | - | - | - |
| Title Conditions | - | - | - | - | - | 3 | - | 3 | 3 | 2 | 1 |
| Tourism | - | - | - | - | - | - | - | - | 1 | - | - |
| Town and Country Planning | 1 | 1 | 3 | 2 | 2 | 2 | - | 9 | 12 | 15 | 19 |
| Transport | - | - | 2 | 8 | 3 | 1 | 7 | 11 | 9 | 9 | 1 |
| Transport and Works | - | - | - | - | - | - | - | - | 5 | 2 | - |
| Tribunals and Inquiries | - | - | - | - | - | 1 | - | - | 1 | - | 1 |
| Water | - | 1 | - | 4 | 6 | 1 | 6 | 5 | 6 | 5 | 2 |
| Water Industry | - | - | - | - | - | - | 1 | 6 | 1 | 1 | - |
| Water Resources | - | - | - | 6 | 1 | - | - | - | - | - | - |
| Water Supply | 1 | 3 | 4 | - | 3 | 1 | 3 | 6 | - | - | - |
| Wildlife | - | - | 1 | - | - | 1 | 1 | - | 2 | 2 | 2 |
| Young Offenders Institutions | - | - | - | 1 | - | - | - | 2 | 1 | 1 | - |
| Zoos | - | - | - | - | 1 | - | - | - | - | - | - |

Local Scottish Statutory Instruments by Subject Heading

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|------|------|------|------|------|------|------|------|------|------|------|
| Agriculture, Fisheries & Forestry | 1 | - | - | - | - | - | - | 2 | - | - | - |
| Education | - | - | - | - | - | - | 2 | - | - | - | - |
| Railways, Tramways and Trolley Vehicles | - | - | - | - | 1 | - | - | - | - | - | - |

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|------|------|------|------|------|------|------|------|------|------|------|
| Rivers and Inland Waterways | 2 | 1 | 1 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | - |
| Roads, Bridges, Road Traffic and Rights of Way | 78 | 173 | 95 | 181 | 212 | 143 | 190 | 185 | 126 | 99 | 115 |
| Shipping, Harbours, Docks, Ports etc | 7 | 3 | 3 | 6 | 5 | 4 | 7 | 2 | 6 | 7 | 1 |
| Town and Country Planning, Open Spaces, Access to Countryside | - | - | 1 | - | - | - | - | - | - | - | - |
| Water Supply | 2 | 3 | 1 | - | 2 | 4 | 8 | 5 | 1 | 1 | - |



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