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FUTURE MANAGEMENT OF CROWN COPYRIGHT

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Foreword by the Minister for the Cabinet Office

Providing people with access to government-produced materials is a key part of the democratic process. The Government has launched a number of linked initiatives to harness new technology in delivering a closer relationship between citizens and their Government. The increasing use of the Internet and electronic media to both access and exchange information is a fact of life as we approach the 21st century. Our aim is to protect the integrity and authority of official materials, whilst acknowledging the role played in the information chain by Government tradeable information and departmental commercial activity.

The Government has seized the opportunities offered by information and communication technology to provide access to as wide an audience as possible for official materials. Breaking down information barriers is vital to enable us all to play an active role in society. It is a two-way transaction of mutual benefit. The proposals contained in this White Paper provide a blueprint for the future management of Crown copyright facilitating access to, and re-use of, official information. We aim to offer streamlined and transparent processes with the ability to adapt to the changing information demands that technology creates. We have pledged to keep this management regime under review and will do so.

The Green Paper, Crown Copyright in the Information Age, stimulated a thorough and informed debate, as we had hoped; this White Paper builds upon that process laying the foundations for a flexible and responsive management system in the light of the evolving EU approach on access to public sector information. Our aim is to encourage the wider information market that new technology offers to us all. To achieve this demands co-ordination within government and the development of best practice built upon clear guidelines. Implementation of the proposals set out in this White Paper marks real progress to this end and I commend these proposals to you.

JACK CUNNINGHAM

CHAPTER 1

Introduction

1.1 Our Review of Crown copyright [1] has been produced against a backdrop of radical changes in the ways Government delivers services to the citizen and the opportunities presented by information technology as a tool in communicating that information. Freedom of information, [2] linked government, the challenges and opportunities presented by the growth in the global electronic information industry, speed of delivery, accuracy, an emerging EU approach to public sector information, devolution and Treasury guidance on encouraging departments [3] to look at the scope for commercial services using their information [4] are all factors which have contributed to, and informed, the Review over the last year.

1.2 A distinction needs to be drawn between the disclosure of information under proposed future freedom of information legislation and the subsequent use and re-use of that information which is a matter of copyright management. The subject matter of this White Paper is the management of Crown copyright which will exist in much but not all material which might be disclosed under freedom of information legislation.

1.3 Having examined the full spectrum of options open to the Government and taken into account responses to the Green Paper, Crown Copyright in the Information Age, the conclusion we reached is to pursue a course of evolution, not revolution, in our handling of Crown copyright. The move from paper to electronic publication of public sector information is uneven in its application. A vast array of government-produced information is accessible via <http://www.open.gov.uk> and a rapidly growing percentage of the population has access to the Internet. Our approach has been to build upon the demand for improving and encouraging access to the broad range of public sector information. We have set out to devise a blueprint for the future management of Crown copyright which caters not only for the needs of business and professional and specialist interest groups, but also for the citizen.

1 For the definition of Crown copyright see Crown Copyright in the Information Age, paragraph 2.8, Cm. 3819, January 1998.

2 Your Right to Know, the Government's proposals for a Freedom of Information Act, Cm. 3818, December 1997.

3 The term department is used throughout this paper to include agencies and other Crown bodies.

4 See 9.4.

CHAPTER 2

Consultation and liaison

2.1 At the outset of the Green Paper, Crown Copyright in the Information Age, [5] we stated that the challenge for Government was to create a modern, transparent regime for its own information that corresponds to the needs of the Information Age. Government is the largest information provider in the UK. Opening up access and encouraging public participation in government requires official information to be readily available to all. Against the background of electronic delivery, new technology can improve access and enable the citizen to play a key role in how government works.

2.2 The Government is committed to maintaining the integrity and status of works produced within government and encouraging the widest possible use and improved access to official materials. Official information is packaged in many different forms and across all media; the aim being to disseminate the core information which regulates and guides all our lives. However, we also acknowledge the tension that exists in balancing the costs to the taxpayer of producing and publishing official information under an increasingly liberal access regime, with the benefits which can result across the economy.

2.3 In January 1998, the Government consulted and invited views on a range of options for the future management of Crown copyright. The consultation was closed formally on 20 May 1998 by which time 70 responses had been received. [6] Respondents were listed on Her Majesty's Stationery Office (HMSO) Web site [7] and a full set of the responses was available for all who requested it. Details of the respondents are in Annex A.

2.4 Seven potential options were set out in the Green Paper:

A Retain Crown copyright but waive it in certain defined categories where control serves no purpose

B Waive Crown copyright except for specified categories where active protection is enforced

C Retain Crown copyright under more relaxed management, extending fast track licensing procedures and removing the value-added requirement in certain categories cutting out unwanted administration

D Abolish Crown copyright, placing all material originated by government in the public domain

E Abolish Crown copyright in certain defined categories where copyright protection serves no purpose

F Replace Crown copyright with individual departmental copyright extending the exercise of delegations of authority and the ability to set charges

G Centralise the administration of Crown copyright to apply a common set of standards and scales covering all government material providing a one stop shop

2.5 The preferred options by those who expressed a view are summarised in the table below where SQ represents the status quo.

	As first choice	Acceptable, but not necessarily first choice	Unacceptable
Option A	8	17	-
Option B	1	8	-
Option C	4	19	-
Option D	12	14	11
Option E	2	7	6
Option F	1	4	9
Option G	3	17	-
Option SQ	2	2	-
TOTAL:	33	88	26

2.6 A level of support for Option D emerged clearly from the consultation process as set out in the above table. However, support for abolition of Crown copyright was strongly counterbalanced by those directly opposed to abolition. Closer analysis of the responses reveals a general consensus in favour of a combination of Options A and C supported by Option G. Such a combination would retain Crown copyright allowing waiver for certain categories of official information within a more relaxed management regime. There was an overwhelming call for central, independent administration and regulation to ensure consistency and fairness of application across Government. Abolitionist support came from commercial information providers keen to see all information disseminated at cost with minimal, or no, controls allowing market discipline to ensure the accuracy of the material.

2.7 A number of specific questions were also posed in the Green Paper. The responses have informed the specific proposals which the Government sets out here. The strategy is designed to make things simpler for those seeking to use and access information, through light-touch management, without compromising the integrity and official status of the information. Copyright protection for public sector information must be enabling not prescriptive or defensive.

Notes

5 Cm. 3819, January 1998.

6 HC Hansard, Col. 375.

7 <http://www.hmso.gov.uk/pquest/response.htm>

CHAPTER 3

Framework for the future

3.1 The watchwords of the Review were:

- coherence
- transparency
- access
- simplification
- liberalisation

3.2 The future management of Crown copyright will emphasise improved and streamlined access to ensure that government information is used and developed to best advantage. The guiding principles of the new regime are:

3.2.1 coherent application for the re-use and licensing of government materials and information (see 4.4 and 4.5)

3.2.2 transparent licensing and charging terms (see 4.2 and 7.3)

3.2.3 consistency of approach across central government, extending the principles as appropriate, to all public sector information (see 3.3)

3.2.4 establishing routes and finding guides enabling users to locate material; this access to be initiated by the new Information Asset Register (see Chapter 8)

3.2.5 increasing use of waiver of copyright liberalising broad categories of information with the lightest of management (see Chapter 5)

3.2.6 a streamlined administrative process, where licensing control is required, making maximum use of new technology (see Chapter 7). The Review provides a framework for the use of electronic forms which is a key enabler for modernising the exchange of information between citizens and businesses and government. This approach is being developed actively within government

3.2.7 accountability will be strengthened by the Controller of HMSO with close supervision and regulation of the delegated exercise of her authority as Queen's Printer regulating standards across government (see 4.5 and 12.4)

3.2.8 clear co-ordination and control by HMSO providing a central one-stop shop approach to combat fragmentation and loss of coherence in exercising these principles (see Chapter 4).

3.3 Respondents were concerned with improving overall access to the broad range of public sector information. The public assumption is that all official government information is Crown

copyright; the differing copyright status of non-Crown bodies, Commissions, research councils and local government should not obscure the ability of Government to deliver access. It is proposed that the general principles which govern the operation of Crown copyright should be extended, where possible, to non-Crown governmental bodies and to local government. In this way confidence in a consistent and coherent linked approach to the use of public sector information can be encouraged. Work has started to push this best practice initiative forward across all levels of public sector information.

Notes

8 Paragraph 1.5, Cm. 3819, January 1998.

CHAPTER 4

Best practice and enforcement: the role of HMSO and the Queen's Printer

4.1 Some of the strongest comments which emerged in the responses related to the fragmentation of the Crown copyright licensing role. Respondents stated that increasingly devolved authority to individual departments had led to a lack of consistency and transparency in licensing matters and called for greater central co-ordination under the new regime. Over-centralisation can be resource intensive and while recognising this, some respondents advocated one central clearing house or a one-stop shop approach. It was felt, for example, that a user who wished to reproduce a range of government forms should be able to obtain a licence from one central point rather than having to negotiate with a number of different departments. Balancing the required degree of operational autonomy for originating departments within the wider context of Crown copyright management, is key to the existing role of the Controller of HMSO as independent regulator and administrator.

4.2 Under the new arrangements, HMSO will continue to undertake the primary, central licensing role on behalf of Government. [9] The licensing regime must be sufficiently flexible to allow departments, under the delegated authority of the Controller as Queen's Printer, to manage the Crown copyright protected material which they create and develop. Where material is of a specialised nature or where there are sound administrative reasons for departments to undertake licensing themselves, the Controller of HMSO will continue to delegate responsibility for licensing to the originating department. This will include, inter alia, licensing responsibility for mapping, meteorological, scientific and statistical data. There will, however, be a clear and explicit obligation placed on all departments, acting under a formal delegation of authority from the Controller, to formulate clear licensing terms and publish these terms and information about charging on their Web sites. HMSO is, in consultation with departments, reviewing delegations of authority to ensure that they meet operational needs.

4.3 HMSO will continue to provide detailed policy guidance on official publishing and licensing of Crown copyright protected material. Such guidance will form the framework under which Crown copyright will be administered and delegations of authority monitored. This guidance will state that Government departments should not:

- grant **exclusive** rights in Crown copyright protected material to any individual or organisation without the express permission of the Controller of HMSO. Exclusive licensing will only take place in exceptional circumstances;
- operate **embargo** arrangements which deny access by licence to material which has been officially released or published by the Crown;
- erect or create any **obstacles** which prevent the private sector and others from obtaining licences to reproduce Crown copyright protected material or using such material under a blanket licence or waiver as proposed in this Paper;
- **assign** or **transfer** Crown copyright. Any assignments of copyright will need to be personally sanctioned by the Controller of HMSO. Assignments of Crown copyright will only take place in exceptional circumstances.

Departments should:

- proactively encourage access to their data and promote its quality;
- encourage electronic provision of material and publication on Web sites;
- act promptly in making material available through licence or otherwise.

4.4 The Controller will supervise and regulate all Crown copyright management under her authority as Queen's Printer [10] and will be responsible for monitoring the licensing activities of departments operating under delegations of authority. In doing so, the Controller will work with originating departments to ensure that licensing practice is consistent with the general principles under the new regime.

4.5 Enforcing the principles of the new regime will require departments to meet their obligations under a formal delegation of authority; non-compliance could lead ultimately to revocation of the delegation or the imposition of additional conditions (see 12.4). However, the departmental co-ordination and liaison which has proved invaluable throughout the public consultation will continue under the Controller's supervisory and regulatory authority in order to meet the concerns of respondents for transparency and coherence.

4.6 The operation of the new policies will be kept under review to ensure that objectives are being met.

Notes

9 For explanation of the role and responsibilities of the Controller of HMSO, see Annex C.

10 The office of Queen's Printer for Scotland was created by the Scotland Act 1998, s.92.

CHAPTER 5

Waiver of copyright

5.1 Many respondents recognised the need to preserve the integrity and official status of government material. It was generally perceived that Crown copyright operates as a brand or kitemark of quality indicating the status and authority of much of the material produced by Government. However, Crown copyright can be asserted and then waived to ensure light touch management, particularly for material of a legislative or consultative nature, where it is in Government's interests to encourage unrestricted use. Where these materials are being reproduced commercially, the value-added requirement (see 7.8) remains to protect the public from confusion over the availability of works which purport to be replica works and which have the potential to mislead. Subject to the copyright safeguard being in place to prevent misuse and to preserve the integrity of Crown material, formal and specific licensing will not be necessary for the following categories of material.

5.2 **Primary and secondary legislation** This covers Acts of Parliament, Measures of the General Synod of the Church of England, Statutory Instruments from England and Wales and Statutory Rules of Northern Ireland. The Statute Law Database, as a value-added service, will not fall within this category. It will be covered by the arrangements for tradeable information (see 9.2).

5.3 **Explanatory Notes to legislation** The purpose of Explanatory Notes is to make an Act of Parliament accessible to readers who are not legally qualified and who have no specialised knowledge of the matters dealt with. They are intended to allow the reader to grasp what the Act sets out to achieve.

5.4 **Government press notices** This covers all press notices issued by Government departments, including those documents which are first published in the form of a press release.

5.5 **Government forms** It is in the Government's interest to make forms, both statutory and non-statutory, available as widely as possible. It is therefore our intention to feature an increasing range of government forms on departmental Web sites in many cases enabling users to complete forms on screen.

Forms' publishers will be permitted to reproduce and publish such government forms in all formats free of charge. There will, however, be an obligation on those publishers to ensure that the forms which they publish are accurately reproduced and are current. For some forms it will be necessary for publishers to continue to obtain prior approval from the originating department, for example Land Registry forms.

Forms excluded from this category include those which are published as posters or signs, such as the Health and Safety Executive What You Should Know poster and those where the legislation states that to comply with the law, information must be submitted on a form issued or published by a specific department.

5.6 **Government consultative documents** This includes consultative documents which are published as charged publications, for example Government Green Papers where it is in the

Government's interest to ensure widespread awareness and availability with the minimum of restriction.

5.7 Government documents featured on official departmental Web sites Users will be permitted to reproduce such material without formal licensing or charge except where expressly indicated on the Web site.

5.8 Headline statistics These include high level statistics which are often published in the form of an ONS First Release or a departmental press release featured on departmental Web sites. Underlying statistical data may be subject to specific licensing arrangements where, for example, they constitute tradeable information (see Chapter 9).

5.9 Published papers of a scientific, technical or medical nature This covers published papers produced by scientists, technicians and other specialists within Government provided that the material in question has been officially cleared for release by the originating department. A Guidance Note has already been issued on this subject. [11]

5.10 Text of ministerial speeches and articles This covers public speeches made by ministers acting in their ministerial capacity. For the avoidance of doubt, this would not extend to speeches made by ministers in their role as constituency MPs.

5.11 Unpublished public records Crown copyright will be waived in public records under the Public Records Act 1958, the Public Records (Scotland) Act 1937, the Public Records Act (Northern Ireland) 1923 and the Government of Wales Act 1998, covering those records which were available to the public and which were unpublished at the point when the documents were deposited with the record office in question. This means that:

5.11.1 Crown copyright will continue to subsist in public records, but will not be enforced except as an ultimate protection against abuse. Users will be free to copy, index, transcribe and publish without requiring specific formal permission. There will be no requirement for any payment to be made for such reproduction or for acknowledgements to be featured. The appropriate record office's custody of the original document must nevertheless, still be acknowledged, and the archival document reference given.

5.11.2 The waiver will affect all Crown copyright protected material in public records under the legislation above which is available to the public and which is unpublished, or contains material that was unpublished, when the records were deposited with the record office in question. This includes public records held in the Public Record Office, National Archives of Scotland, the Public Record Office of Northern Ireland, places of deposit of public records and, in the future, any record office established for Welsh public records by the National Assembly for Wales.

5.11.3 Material within the public records that is not subject to Crown copyright protection is unaffected, and users will continue to be responsible for determining copyright ownership and securing permission to publish. General guidance on the copyright status of particular documents is available from the Copyright Officer at the Public Record Office, although the Public Record Office cannot undertake to identify the current owner of any private copyright that might still subsist.

5.11.4 Copies of any public record may continue to be obtained from the appropriate record offices without infringement of copyright, but purchasers of such copies are responsible for any infringement arising from their use of any non-Crown copyright material within those copies. While no Crown copyright royalty or reproduction fees will in future be levied for the use of

such Crown copyright protected material, the custodians of the records may levy supply fees where appropriate.

5.11.5 Public records that are made available only after completion of an undertaking of confidentiality will continue to have their access and use restricted on that basis.

5.11.6 The above policy arrangements regarding public records override any departmental delegations of authority (see 4.1).

5.12 Typographical arrangement This covers the style, composition, layout and general appearance of the page of a published work. The copyright in typographical arrangement in primary and secondary legislation, as well as in Explanatory Notes, will be waived.

Guidance has already been issued on this subject [12] encouraging departments to feature a clear statement of where the copyright ownership of the typographical arrangement rests and this will be supplemented to cover the appearance and layout of Government Web sites.

Where a private sector publisher has published material on behalf of a government department, ownership may rest with the publisher unless specific provision has been made to assign the copyright in the typographical arrangement to the Crown (see 7.7).

5.13 The arrangements for the reproduction of material subject to waiver will be set out in guidance issued by HMSO and also featured on the HMSO Web site. Departments will be encouraged to state clearly where copyright is waived on their publications together with any conditions for the reproduction of the material. The categories of material where copyright is waived will be kept under review.

Notes

11 Reproduction of Crown Copyright Scientific, Technical and Medical Articles, 26 February 1998.

12 HMSO Guidance Note: Copyright in Typographical Arrangement, 24 October 1997 (revised 14 September 1998).

CHAPTER 6

Security, confidential and personal information

6.1 Respondents accepted that there were certain categories of Crown copyright protected material where it is appropriate for Government to apply restrictions on their reproduction. This related primarily to documents of a personal or confidential nature which could be copied for fraudulent purposes or could also raise security considerations (see also 5.11.5). This covers:

- documents which could jeopardise UK national security interests;
- documents which contain personal information about named individuals, including birth, death and marriage certificates, completed forms and census data which have not become public records (see 5.11);
- blank security documents which could be open to fraudulent use, including driving licences and passports.

6.2 In acknowledging the need to restrict the copying of such documents, some respondents queried whether Crown copyright was the most appropriate mechanism. In our view the new regime needs to maintain these safeguards both to protect the essential integrity of such documents and to reinforce public confidence in the official status of the documents. Often the interests of the owner of a copyright work can be damaged by activities that fall outside copyright infringement; this applies equally within Government where the integrity of documents requires protection. An action for "passing off", with the element of fraudulent misrepresentation, is one of a number of remedies which complement actions for infringement of copyright. Passing off can occur where, although a reference is made to a copyright protected work, no substantial reproduction of material has taken place; or the reference may be to a name or other material which gives the protected material a distinctive character or authority.

6.3 In order to avoid possible misrepresentation, departmental logos, crests and letterheads may not be reproduced without the prior specific consent of the department concerned. An exception would be those cases where the images form an integral part of an official publication which has been appropriately licensed.

6.4 In short, the liberalisation of Crown copyright will not be extended to documents of a personal or confidential nature which affect an individual's status, where security issues arise, or where there is scope for fraudulent misrepresentation.

CHAPTER 7

Streamlined administration

7.1 Respondents have welcomed the introduction of fast track and blanket licences for categories of material. Such procedures avoid repeated one-off applications to reproduce Crown copyright protected material enabling applications to be administered more quickly and efficiently.

7.2 The scope and use of such standard licences will be extended ensuring that applications will be transacted speedily.

7.3 Licensing terms will be featured centrally on HMSO's Web site and on departmental Web sites. Standard terms across government for the reproduction of Crown copyright protected material, other than tradeable information (see Chapter 9), will be established. Government will reserve the right to charge in those cases where the material is being used for commercial republication and details of charges will also be listed. The aim is to provide a single point of access with links back to departments' own sites meeting justified criticism that it is difficult to locate such information across a decentralised system (see also Chapter 8).

7.4 Harnessing all the advantages of new technology will also be a key driver in speeding up the administrative process. HMSO is exploring the scope for establishing click licences, which can be transacted quickly by utilising various on-screen commands. This will facilitate licensing applications being transacted over the Internet.

7.5 Official publishing and non-exclusivity A substantial proportion of official material is commercially published by private sector publishers on behalf of Government departments. [13] A number of respondents emphasised that it was essential that such publishing arrangements should be on a strictly non-exclusive basis. This ensures that there are no barriers to the Crown being able to authorise others, inside and outside government, to reproduce official material and increases the public's access to government information in a variety of formats. Exceptional circumstances may justify a degree of exclusivity (see 9.10).

7.6 Respondents recognised that without the protection afforded by Crown copyright, official publishing, much of which is undertaken by private sector publishers, could be rendered non-viable requiring additional funding to subsidise such publishing. This could lead to a reduction in the range of material currently published by or on behalf of Government.

7.7 Other respondents suggested that departments, when appointing a commercial publisher to publish the official version of government material, should secure for the Crown any copyrights in the typographical arrangement of published editions to enable it to be reproduced, by photocopying and other means, without separate permissions being required. It should be noted that unrestricted photocopying has implications not only for Government but also for private sector companies using Crown copyright protected material for value-added products. The terms of the procurement and tendering processes need to be consistent across all official publishing. HMSO will issue guidance to all departments on standard publishing terms on non-exclusive licensing and typographical arrangement which can be incorporated into all publishing agreements negotiated by Government departments. [14] In advising on publishing agreements, HMSO will work closely with the parties to ensure that their, and Government's interests, are met.

7.8 Value-added requirement Some respondents, particularly commercial publishers, were critical of current policy which requires re-publishers of official material to add value to original Crown copyright material before reproducing the material. This value-added requirement includes:

- compilation with other related material
- provision of accompanying analysis, commentary, annotation, indexing or cross-referencing
- provision of text-retrieval software

The value-added requirement does not extend to copying undertaken by libraries, for academic use, or for research or private study (see Chapter 11).

7.9 We favour retaining the value-added pre-condition where:

- it sustains the financial viability of official published works
- it underpins commercial arrangements between departments and the private sector which are the result of open competitive tender.

In addition, there will be an obligation on publishers to ensure that the material they publish is accurately reproduced and current (see 5.1). In some areas it will be necessary for publishers to continue to obtain prior approval from the originating department.

7.10 The value-added pre-condition in the licensing of commercial reproduction of Crown copyright protected material will be retained. Its operation will be kept under review (see 12.4).

Notes

13 See 9.7 where the types of arrangements are discussed.

14 See also 5.12 for details of existing guidance.

CHAPTER 8

The Information Asset Register

8.1 Ownership and departmental responsibility lines are opaque to those outside Government. The frustration at the difficulty in locating information was one of the most striking responses from the consultation. Official bibliographies and Departmental Annual Reports focus on material that has been published, when there is an equal, if not more pressing, demand to identify details of unpublished data holdings. The widely praised growth in Government Web sites has compounded this demand. The lack of any official listing creates and feeds the popular perception that there is untapped potential for the exploitation of government information.

8.2 The Government accepts the principle that departments should produce regularly updated listings of material which they hold. Devising the means to navigate through vast quantities of government material demands a new initiative.

8.3 Our aim is to provide a gateway and central information point to guide and direct a route through the maze of official government information and materials. The perceived barrier in locating and accessing information will be addressed by highlighting the information links within Government and creating a seamless connection via the central access point which we call the Government Information Asset Register (IAR). The IAR will be co-ordinated by HMSO. It will be held electronically on both the HMSO and on departmental Web sites.

8.4 IARs are not unique in Government. The Canadian and US Governments, for example, have launched **Government Information Locator Services** [GILS]. [15] GILS is a way to identify, locate and describe publicly available federal information resources, including electronic information resources. GILS is a decentralised collection of information locators using network technology and international standards to direct users to relevant information. The US Government Printing Office aims to provide a single point of entry to access, or link to, all US Federal GILS databases. In Canada, Info Source is a series of publications and databases containing information about the Government of Canada, its organisation and information holdings. It supports the government's policy to explain and promote open and accessible information regarding its activities. [16] It is widely used by members of the public.

8.5 The IAR will fulfil the same aims in the UK. Our intention is to provide an effective retrieval tool to complement the existing routes via departmental and other cross-government Web sites (e.g. StatBase for official statistics), providing broad categories of information with links through to these other sites. To this end a working group was set up in November 1998 (see 8.6.3) representing departmental librarians and information officers to advise on the content and specification of entries. A Newsletter briefing departments on the Group's work was launched in February 1999 encouraging full participation in this key new initiative. Liaison and consultation with the wider library community has also informed our thinking.

8.6 The IAR displays the following characteristics:

8.6.1 Indexing by generic subject matter and category not formal terms. Example: individuals may express the concept of employment by career, job, occupation, work.

8.6.2 An emphasis on non-technical vocabulary and plain English reflecting individual needs. Example: dole as well as unemployment benefit.

8.6.3 Departments are encouraged to maintain their IAR on their own Web sites (many already collate their information sources for internal use) but there will be links to and from the HMSO Web site.¹⁷ HMSO will, working with liaison groups (see 8.5), establish agreed indexing practice and consistent selection criteria across all contributing IAR Web sites to build an evolving central service.

8.6.4 The IAR will act as a noticeboard highlighting frequently requested categories of information enabling departments to refer to other publications ensuring wide accessibility.

8.6.5 Departments will be able to list or refer to broad categories of information; much information is of public value even in the absence of an archive or bibliographic record. Where information can be described bibliographically, an International Standard Book Number (ISBN) as a unique identifier will be included. Lack of an ISBN, where it exists, effectively isolates a document preventing a department deriving revenue from its information assets and the public from locating and obtaining the publication. The IAR will not seek to duplicate existing bibliographic records of published materials though there will be links to official bibliographic databases whether maintained on departmental or private sector sites.

8.6.6 It will provide the opportunity for departments to list the formats in which information can be supplied giving contact names and encouraging users to investigate the most efficient methods for accessing official material.

8.6.7 It must evolve constantly as a collaborative effort across Government and not become resource-intensive or over-centralised. The need for agreed standards and regular communication between departments to ensure that the IAR is modified to meet changing needs is essential.

8.7 The following provides information of the proposed core elements which may be included for a dataset/database within the Information Asset Register. Not all official documents will have such records but this is offered as a template allowing individual records to be built up as resources allow.

Title	Name by which the dataset/database is known.
Identifier/ Database Acronym	Short name, other name, acronym or internal reference by which the dataset/database may be commonly known.
Description	Details of the information contained in the dataset/database. The field may include background and uses of the information.
Source	The work from which this resource is derived, if applicable.
Language	Language(s) of the intellectual content of the resource.
Creator	The organisation primarily responsible for creating the intellectual content of the resource. This may refer to a division or branch of the department.
Format	Means by which the data may be made available, such as CD-ROM, video disk or magnetic tape.
Date	Specifies the date on which the dataset/database was made available in its present form.
Updating frequency	Number of times or periods that the information in the dataset/database is updated. It may be continuous, daily, monthly, annually etc.
Subject	Keywords (e.g. law and order; health and safety; environment) describing topics covered by the dataset/ database.

Coverage	The geographic coverage of the dataset/database such as Country, Region, County or Town/City.
Contact/Distributor	Identifies the name or position of the person in charge or having knowledge of the dataset/database. It may also include the name of a private sector organisation which is tasked with distribution or marketing the content of the database. A link to an Internet Web site may be appropriate here.
Rights	This element is intended to be a link to a copyright notice or a rights management statement providing information about the terms under which the dataset/database may be reproduced and/or made available.

8.8 The following is a fictitious example of how an entry for a database might appear within the Information Asset Register:

Title	Regional Financial Allocations
Identifier/ Database Acronym	RegFin 6/98
Description	Provides information about the allocation of European Structural Funds by Region within the United Kingdom
Source	The allocations made by UK Ministers from the Structural Funds allocated by the European Commission
Language	English
Creator	Ministry of Regional Affairs
Format	Dataset currently held in ASCII format on floppy disk. Earlier editions in print only.
Date	1 May 1998
Updating frequency	Annually
Subject	Regional Funds, European Funds, Financial allocations
Coverage	United Kingdom Mark Smith Funds Allocation Division Ministry of Regional Affairs Regions House
Contact/Distributor	Whitehall Street London SW1 Telephone: 0171 XXX XXXX Fax: 0171 XXX XXXX e-mail: marksmith@xxxxxx.gov.uk
Rights	[link to departmental Web site where general reproduction and charging terms are set out]

8.9 Work on development of the IAR started at the end of 1998. The Web site is being launched to coincide with publication of this White Paper and can be accessed at:

<http://www.inforoute.hmso.gov.uk>

It currently contains some sample entries and links to the existing bibliographic databases. The site also provides for e-mail feedback. To reflect the evolving nature of this source of government information details of individual departmental Information Asset Registers will be added as these come on stream with the aim that most departmental entries will complete during 2000.

Notes

15 In the US, OMB Bulletin No. 95-01 dated 7 December 1994 established GILS which can be found at

www.access.gpo.gov/su_docs/gils/gils.html

16 Info Source can be accessed at

www.cio-dpi.gc.ca/ip/infosource/info-srce-menu_e.html

17 www.hmso.gov.uk and on www.open.gov.uk, the Central Government Information Service Functional Index.

CHAPTER 9

Tradeable information and charging

9.1 The categories of material listed in Chapter 5 may be reproduced freely both for personal use and for commercial resale, except where they fall within the definition of tradeable information or where they are the basis of products which support departments' work and ability to function commercially. Respondents felt that Crown copyright control was used as a means of protecting Government's own commercial publishing interests. There was recognition that public sector information assets have potential, not only in supporting the business of government, but also in supporting the economy as a whole. Tradeable information covers those Crown copyright protected works which are produced within government often as a by-product of core government activities. The fact that the material has been created by government is often incidental.

9.2 Where value has been added, or information, developed and created within government, is enhanced beyond core obligations or statutory duties to produce that raw information, then such information is potentially tradeable. The highly competitive information market will regulate its value. The associated costs to government of maintaining the activity needs to be balanced against the wider policy objectives served by the dissemination of the material concerned. However, any financial return to government reduces the burden on the future collection and maintenance of that material and benefits all taxpayers.

9.3 Respondents recognised that the creation and operation of a market in government-produced information can co-exist with encouraging access to information and reproducing that information for non-commercial purposes. Many respondents went further, recognising the unique nature of some government information and the high costs of gathering and maintaining it. The mapping activities of Ordnance Survey and Ordnance Survey of Northern Ireland were cited as prime examples where, cost recovery is fundamental to the maintenance and development of high quality, national mapping; the UK Hydrographic Office, producers of the nation's navigational charts and related publications is another. At the same time, respondents felt strongly that the Government should not exploit its potential monopoly position for commercial advantage. Some respondents operating in the private sector felt it was inappropriate for Government to compete with the private sector. Respondents recognised that the Tradeable Information Guidelines, co-ordinated by the Department of Trade and Industry, contained useful elements but had been overtaken by later initiatives and weakened by lack of central regulation and ability to ensure that the guidelines were adhered to. The fact that material falls within the scope of tradeable information does not mean that it will always be subject to a charge or always published by the public sector. Licensing terms often allow reproduction at nil charge, for example, in schools, public libraries and citizens' advice bureaux.

9.4 The value of a commercial market in government tradeable information is acknowledged within the Treasury-led Wider Markets Initiative. [18] This deals with the Government's commitment to encourage a more entrepreneurial outlook in making the most effective use of public assets. The central responsibility for licensing tradeable information continues to rest with HMSO working closely with the department originating the material. The licensing terms are treated on a case by case basis depending on the nature and market value of the material in question. Taking into account the Wider Markets Initiative and following full consultation, HMSO, DTI and HM Treasury will work together to produce new guidance notes on tradeable

information to implement the principles governing Crown copyright outlined in Chapters 3 and 4.

9.5 There was strong support in the consultation for the concept of differential charging drawing a distinction between the public's use of information and commercial re-use. Some respondents acknowledged that it was appropriate to charge in those cases where material was being reproduced for commercial exploitation in order that the taxpayer derives some financial benefit from the arrangements. Where material was being reproduced for research or private study, charging was not seen as appropriate beyond the cost of reproduction and delivery (see 11.1).

9.6 Respondents were critical of departments which, they felt, did not draw such a distinction in their charging policies. Commercial respondents, however, did not favour such a blanket distinction arguing the difficulties of distinguishing between commercial and non-commercial use. We will ensure that charging levels and procedures reflect our wider aims for the national benefit and competitiveness, and form part of our guidelines for tradeable information.

9.7 **Government publishing** With the exception of Acts of Parliament and Statutory Instruments, all government departments have complete freedom to decide how works which they originate are published. This will continue under the new Crown copyright regime. We asked for suggestions and models for co-operation. Complying with competition provisions, government publishing generally falls into one of the following models:

9.8 **Model A** Departments publish commercially material under their own imprint and sell via book shops and distributors. Examples of departments involved in such publishing are the Health and Safety Executive, Ordnance Survey, Ordnance Survey of Northern Ireland, the UK Hydrographic Office and the Public Record Office. Under this model, formal licensing is not required and all income generated, after bookshop and distribution fees, is retained by the department.

9.9 **Model B** Departments choose to publish official or departmentally endorsed versions of works in various forms via private sector publishers. These are **First Publication Rights**. [19] All departments have a blanket delegation of authority from the Controller of HMSO to set up first publication publishing contracts with a publisher of their choice. Any royalty or other income generated from sales goes back to the originating department.

9.10 **Model C** Departments enter into joint venture publishing agreements with private or public sector partners to develop publications and products, often in electronic media where investment costs and risks can be high. Subject to such products involving an element of departmental endorsement and bearing some official status, departments have authority to negotiate such deals with partners within the scope of **First Publication Rights**. All income generated from such deals is retained by the departments concerned. Often such negotiations involve equity shares and the pooling of wider intellectual property rights, for example, in the field of software development, where the value of the evolving product relies on the foundation of Crown copyright protection as part only of the overall intellectual property position. Increasingly, such deals may involve an element of exclusivity of market in order to attract partners and justify the shared risk and reward (see 9.4 and 7.5).

9.11 **Model D** Departments supply information to customers as part of an electronic service. Examples are the provision of a press notices service by the Central Office of Information and the supply of statistical data by the Office for National Statistics. Any income derived from such

services is retained by the department providing the information or data and those providing the service.

9.12 **Model E** Departments may provide a service whereby data is transferred directly in electronic form. A publisher or information provider will often prefer to obtain material in this way rather than scan or re-key text thus ensuring accuracy and avoiding duplication of resources. The department or publisher holding the data retains any fees charged. These arrangements are separate from any linked licensing arrangement (see Chapter 10).

9.13 The ability to relicense Crown material follows from these Models. The primary relicensing role falls to HMSO except where a department has a specific delegation of authority from the Controller to undertake the licensing on the Controller's behalf and to set its own pricing. This includes a range of secondary rights including photocopying, publication in various media and translations into other languages.

9.14 The management of Crown copyright must serve to reassure and underpin confidence in our key message of access, acknowledging that there is a role for Government to trade in information.

Notes

18 Selling Government Services into Wider Markets, Enterprise and Growth Unit, HM Treasury, July 1998,

see <http://www.hm-treasury.gov.uk>

19 The publication in any format of Crown copyright protected material which has not previously been published (Cabinet Office Notice, DEO(PM)(96)3).

CHAPTER 10

Data supply

10.1 It was clear from respondents that those who specialise in adding value to government information wish to obtain data in electronic form. Increasingly, departments hold data in electronic form often in preference to maintaining paper-based information. Where Crown copyright protected data is held in electronic formats, departments will be encouraged to make such data available to authorised users and licensees on a transparent licensing and charging basis. This option will be of particular interest to publishers and the information industry as they will not incur the cost of re-keying and scanning the data. Users will also have the advantage of knowing that their products will match the accuracy of the official versions (see 8.6.6 and 9.12). It will also speed up the dissemination of official information.

10.2 Data may be held by the originating departments, by the official publisher of the material or may not exist as one complete data holding. In future, when departments contract for the publication of Crown copyright protected works, they will be encouraged to make provision for the publisher to supply data in electronic form to authorised users and licensees if requested to do so. It is in Government's interest to facilitate the accurate and straightforward reproduction of such data.

10.3 Departments and their publishers or agents will be permitted to charge for electronic supply of data. These charges will be set at levels which reflect the costs of formatting the data and the administrative costs of supplying data to a user. These costs will be in addition to any licensing fees charged for the use of the material (see 9.12). It will be a matter of negotiation with individual departments and their official publishers whether they are prepared to convert data into a format for specific use. Such bespoke data preparation will invariably involve additional charges.

10.4 Government material is made available in a variety of formats and via a number of sources. The aim will be for government data holdings, both in published and unpublished form, to be readily accessible through a wide range of standard electronic formats. The work on the Information Asset Register (see 8.5 and 8.6) and other initiatives within Government (see 3.2.6) will complement this initiative.

CHAPTER 11

The role of libraries

11.1 The key role of libraries in the dissemination of government information was stressed by a number of respondents; their provision of information underpins commercial and economic endeavour. In our formal response to the report produced by the Library and Information Commission [20] we identified four ways in which public libraries deliver a range of important services to the community:

- they underpin education, providing essential support for school children, students and lifelong learners;
- they enhance public access to the world's storehouse of knowledge and information;
- they promote social inclusion by helping to bridge the gap between those who can afford access to information and those who cannot; and
- they have a role to play in the modernisation and delivery of public services.

11.2 Respondents argued that there should be a relaxation in the use of Crown copyright protected material, both in print and digital formats, for research and study. HMSO is exploring, with representatives of the library community, the removal of existing obstacles to the reproduction of official information for these purposes. The end product will be a clear statement showing how Government and libraries will work together to ease access to official information. We envisage that similar arrangements will be set up with other non-commercial licensees, charities and voluntary organisations, on a low cost or no cost basis, in addition to those with a specific public information remit such as citizens' advice bureaux.

11.3 The Government fully supports the concept of central copyright licensing schemes operated by the Copyright Licensing Agency (CLA) and similar organisations. These schemes allow categories of licence holders, for example libraries, schools and industry to photocopy material for research or private study. HMSO is involved actively in discussions with the CLA to extend the scope of Crown copyright protected material which can be copied under the terms of such licensing schemes.

11.4 Building upon existing lines of co-operation and liaison, this Government recognises the major role public libraries will play in delivering access to public sector information. This expertise will be harnessed to help us deliver the proposals set out in this Paper.

Notes

20 New Library: The People's Network, The Government's Response, Cm. 3887.

CHAPTER 12

What happens next?

12.1 Simultaneously with publication of this Paper, HMSO launches the IAR Web site (see 8.9) with e-mail feedback facility covering a growing range of departmental material.

12.2 Preparatory work on guidance to give effect to the proposals set out in this Paper was initiated during 1998. Following the publication of this Paper, HMSO in collaboration with departments, will produce a series of guidelines, effectively a code of practice for users and potential users, which will set out the new policy arrangements for Crown copyright. This guidance will be published in print, on the HMSO Web site and be accessible via open.gov.uk. It includes:

- a code of practice designed to help and guide departments on the principles that underpin the management of Crown copyright together with a complaints procedure
- new guidance on the reproduction of legislative material and Explanatory Notes to replace the existing Dear Publisher and Dear Librarian letters
- guidance notes on particular categories of Crown copyright material subject to waiver as set out in Chapter 5
- a guidance note on tradeable information
- guidance notes on official status documents
- the Green Paper made proposals in respect of court judgments and tribunal reports. The Court Service and the Judiciary work in partnership to ensure the best arrangements for making judgments available to the public at minimum cost. In consultation with the Court Service, HMSO will issue guidance on the reproduction of judgments and tribunal reports
- central guidance on the arrangements for copying material featured on departmental Web sites
- model clauses for departments to draw upon in drafting and negotiating licensing agreements
- guidelines on charging policy taking into account HM Treasury's policy guidance and prevailing rates in the publishing and information industry sectors
- guidance on data supply issues
- checklists to highlight the most frequently asked questions.

12.3 During the Review and consultation process, advice was issued on a range of issues as matters requiring clarification and interim guidance emerged from discussions. Further guidance will be issued on the subject of typographical arrangement which will be expanded to cover the appearance and layout of Government Web sites. Other existing guidance will be reviewed in the light of this paper and updated and reissued as necessary.

12.4 Existing departmental delegations of authority from the Controller as Queen's Printer need to be reviewed to ensure that they give effect to the operational requirements of departments mirroring their changing needs in managing their information. This rolling process is already underway ensuring that opportunities for new or varied delegations are available according to changing departmental circumstances and responsibilities; and that the proposals within this White Paper are put into practice.

12.5 A key element of HMSO's remit is to provide advice on official publishing matters across government. Guidance is featured in full on HMSO's Web site from where it can be downloaded or linked to from within and outside Government. HMSO also operates an advice helpline. To complement these existing channels of advice, HMSO is developing its range of workshops and seminars. By these means, experience across government is pooled and shared thereby contributing to the consistency of the operation of the management of Crown copyright especially in spreading the principles of good practice across the wider public sector.

12.6 Where problems occur on the implementation of Crown copyright policy in line with the principles in this White Paper, the Controller, under delegations of authority granted by her, will continue to mediate in any disputes following a clearly set out complaints procedure.

12.7 HMSO is charged with reviewing the impact of the new regime and will be providing regular progress reports to Ministers and bulletins on its Web site for users and potential users of the services.

ANNEX A

List of respondents to Green Paper

Response ID	Names	Capacity/Organisation (where appropriate)	Date of response
1	Nick Jones	Editor, New Media Finance	21/1/98
2	Mike Binks	Private Individual	21/1/98
4	Bernard Selwyn	Private Individual	22/1/98
5	Fay Green	Private Individual	26/1/98
6	Gordon Robbie	Former Head of Copyright, HMSO	29/1/98
7	Steven Thompson	Barrister	29/1/98
8	Celia Hampton	Editor, Financial Times Business Law Europe	29/1/98
9	Peter N Weiss	Executive Office of the President, US Government	3/2/98
10	Christopher Roper	Managing Director, Landmark Information Group	18/2/98
11	David Smith	County and Diocesan Archivist, Gloucestershire County Council	18/2/98
13	Alan Schwartz	Executive Chairman, Anstat Pty Ltd. , Australia	25/2/98
14	Kate Ashbrook	General Secretary, The Open Spaces Society	6/3/98
15	David Gordon	Private Individual	10/3/98
17	Jane Carmichael	Imperial War Museum	13/3/98
18	Mary Russell	Solicitor, The Newspaper Society	16/3/98
19	Dr Jean Alexander	Intellectual Property Rights Manager, British Geological Survey	18/3/98
21	Raymond Wall	Private Individual, but has links with Library Association	20/3/98
22	Bridget Winstanley	The Data Archive, University of Essex	20/3/98
23	Melanie Goody	Chair, Coalition for Public Information	8/4/98
24	Professor	Director, The Intellectual Property Institute	25/3/98
25	John N Adams Dr Richard Oliver	Department of Geography, University of Essex	24/3/98
26	Richard Jones	Chair, British & Irish Legal Education Technology Association	Undated
27	Rupert Pennant-Rea	Chairman, The Stationery Office Ltd.	27/3/98
28	John Dawson	Group Public Affairs Director, The Automobile Association	30/3/98
29	John Trevelyan	Deputy Director, The Rambler's Association	31/3/98
30	John Horne	Secretary, Bar Services, IT Committee, The General Council of the Bar	26/3/98
31	Ruth Baker	General Manager, Society for Computers and Law	30/3/98
32	Stephen Roberts	Solicitor	31/3/98

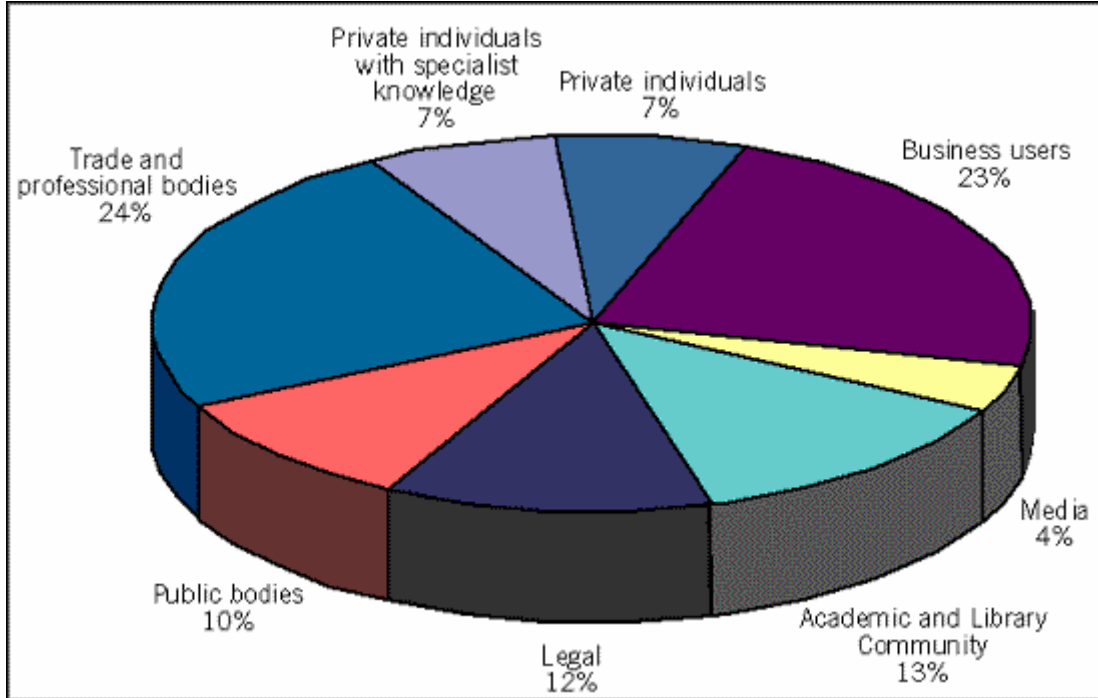
33	RC and VE Barnard	Former employees of HMSO	30/3/98
34	Ray Ruffels	Chairman, Business Information Providers Association	31/3/98
35	Simon Millson	Government Affairs Manager, BAT Industries	26/3/98
36	Barbara Hunt	Price Waterhouse	30/3/98
37	Professor Michael Blakemore	Executive Director, Resource Centre for Access to Data on Europe	30/3/98
38	Tony Sellen	Business Geographics	30/3/98
39	Jackie Walster	Head, Company and Commercial Law, CBI	30/3/98
40	Alan Muir Wood	Chairman of Ordnance Survey Scientific Committee of the Royal Society, but views submitted on a personal basis	27/3/98
41	Ronnie Williams	Chief Executive, The Publishers Association	26/3/98
42	Iain G Armstrong	The Clerk of Faculty, Faculty of Advocates	31/3/98 (in draft. Conf. since received)
43	Anna Hodson	Routledge Ltd.	27/3/98
44	Bernard Naylor	University Librarian, University of Southampton	31/3/98
45	Richard Honey	Research Officer, Royal Institution of Chartered Surveyors	31/3/98
46	K A Palmer	Managing Director, Geographers A-Z Map Company Ltd.	27/3/98
47	Karen Bowman	Head of Procurement Consultancy, Information Systems Support Group (part of Common Services Agency for the NHS in Scotland)	27/3/98
48	Henry Manisty, Anne Joseph and Andrew Hughes	Joint response from Reuters, Reed Elsevier and FT Electronic Publishing	30/3/98
49	Robin Williamson	Managing Director, Context Ltd.	30/3/98
50	David Mann	Campaign Officer, Royal National Institute for the Blind	30/3/98
51	Susan Hall	Partner, Clifford Chance	31/3/98
52	Shaun Leslie	Director, Association for Geographic Information	30/3/98
53	Dick Greener	Director of Rights Management, Thomson Professional Information UK	31/3/98
54	Ian Winkworth	Director, Information Services, University of Northumbria	26/3/98
55	Julian Prideaux	Deputy Director-General, The National Trust	30/3/98
56	Ailsa McLaggan	Deputy Secretary, The Intellectual Property Committee of the Law Society in Scotland	31/3/98

57	Irene Elsom	National Co-ordinator, National Joint Utilities Group	30/3/98
58	David Worlock	Chairman, Electronic Publishing Services Ltd.	27/3/98
59	Andrew Tatham	Secretary of the Geographical Society, but comments submitted on a personal basis	1/4/98
60	Joanne Plastow	Director of Corporate Development, Fosse Health (NHS) Trust	31/3/98
61	Graham Cornish	Copyright Officer, The British Library	27/3/98
63	Margaret Haines	Chief Executive, Library and Information Commission	1/4/98
63 (supp)	Sir Charles Chadwyck-Healey	Sir Charles is a member of the Library and Information Commission, but does not agree with some of the proposals made by the Commission (see response 63). This statement clarifies the areas of disagreement	7/4/98
64	David MacMillan	Director, Construction Services Division, Barbour Index	3/4/98
65	No name supplied	Friends of the Earth	March 1998
66	Lynne Orsborn	Director of Information, Nabarro Nathanson , although views submitted are on a personal basis	2/4/98
67	Sandy Norman	Secretary of the Joint Consultative Committee of the Library Association	8/4/98
68	Professor Robert Curnow	President of the Royal Statistical Society	12/4/98
69	Pam Alexander	Chief Executive, English Heritage	7/4/98
70	Jens Bammel	Head of Legal and Public Affairs (draft response), Periodical Publishers Association	

Five responses were received in which the authors requested that their submissions should be treated on a confidential basis and not published. These responses have, therefore, been excluded from this compilation.

ANNEX B

Breakdown of respondents by category



	User Type	Quantity	Percentage Total
A	Private individuals , not covered in any of the following categories. <i>It covers responses 2, 4, 5, 15, 59</i>	5	7%
B	Business users , including publishers. <i>It covers responses 10, 13, 20, 27, 28, 34, 35, 36, 38, 39, 43, 46, 48, 49, 53, 64</i>	16	23%
C	Media . <i>It covers responses 1, 8, 18</i>	3	4%
D	Academic and library community . <i>It covers responses 22, 24, 25, 37, 44, 54, 61, 63, 67</i>	9	13%
E	Legal . <i>It covers responses 7, 16, 26, 32, 42, 51, 62, 66</i>	8	12%
F	Public bodies , including Parliament, Local Government, the Health Service and other publicly-funded organisations. <i>It covers responses 11, 12, 17, 19, 47, 60, 69</i>	7	10%
G	Trade and professional bodies , lobby groups and charities. <i>It covers responses 14, 23, 29, 30, 31, 40, 41, 45, 50, 52, 55, 56, 57, 58, 65, 68, 70</i>	17	24%
H	Private individual with specialist knowledge or relevant experience in the copyright field . <i>It covers responses 3, 6, 9, 21, 33</i>	5	7%

ANNEX C

The role and responsibilities of the Controller of Her Majesty's Stationery Office

The responsibility for control and administration of Crown copyright rests with the Controller of Her Majesty's Stationery Office (HMSO) who is appointed by the Queen by Letters Patent to hold and exercise on behalf of Her Majesty such copyrights as if they were the Controller's own property. The Controller delegates day-to-day control and administration of Crown copyright to the Copyright Unit of HMSO. The Copyright Unit also administers Parliamentary copyright by specific arrangement with senior House officials.

The Controller is also appointed by Letters Patent as Queen's Printer of Acts of Parliament. Under the Documentary Evidence Acts 1868 and 1882, only copies of Acts of Parliament, Orders, Regulations, Rules, Warrants, Gazettes or other documents which are printed by or on behalf of the Queen's Printer, or under the superintendence or authority of Her Majesty's Stationery Office, may be cited in evidence in any court or tribunal without the need for further proof.

Other statutes also refer to the responsibility of the Queen's Printer to authorise and superintend the printing of various legal documents. It is important that there is no confusion as to the authenticity of these various statutory and other legal documents. Copyright control is a means of ensuring that official versions of such documents can be readily identified as having legal status and authority.

The responsibility for the administration of Crown copyright has in the past been linked with that of the Government Publisher. In the run up to the privatisation of the trading functions of HMSO, it was recognised that responsibility for the administration of Crown copyright should remain within Government. On completion of the sale of the trading functions to the National Publishing Group, trading as The Stationery Office Ltd., on 1 October 1996, the Copyright Unit, which had operated as an independent unit within HMSO, became part of a Crown body which continues to be called Her Majesty's Stationery Office and is part of the Cabinet Office. Although HMSO retains no printing and publishing capacity of its own, the Controller lets contracts to produce the official versions of such statutory documents and exercises supervisory and regulatory authority over these contracts.