

Questionnaire on the organisation and operation of Official Gazettes in the EU

(25) Answers by 'Her Majesty's Stationery Office', United Kingdom

I. Organisational data

UK		<u>1. Identification and contact person(s)</u>
1.1	Organisation:	
		Her Majesty's Stationery Office
		Her Majesty's Stationery Office (HMSO) is a Unit within the Cabinet Office
1.3	Address :	St Clements House 2-16 Colegate Norwich NR3 1BQ United Kingdom
1.5	Internet :	http://www.hmso.gov.uk
UK		<u>2. Data on the organisation and its overall tasks</u>

2.1	Form and nature:	- part of a ministry	
		HMSO is a Unit within the Cabinet Office	
2.2	Legal basis for publishing:	- other (please give details)	
		The Head of HMSO is appointed by Royal Letters Patent as the Queen's Printer, the Government Printer for Northern Ireland and the Queen's Printer for Scotland. Under various Statutes the Queen's Printer is responsible for overseeing the printing and publication of the Official versions of all legislation, the Official Gazettes and various other Statutory documents. It is only these "Queen's Printer" versions of legislation which are accepted by Courts without question.	
2.3	Year of the found.:	1786	
		Further information about the history of HMSO can be found on our website at: http://www.hmso.gov.uk/about/history.htm	
2.4	Legal basis for co-operation:	- private-law contract following call for tender	
		Since the privatisation of HMSO's trading functions in 1996 HMSO has sub-contracted the production and printing of the Official Gazette (The London Gazette) and all legislation, initially as part of the privatisation process to the successor company, The Stationery Office Limited. That company has retained these contracts following re-tendering exercises in 2000 and 2001. HMSO retains overall responsibility for the way in which TSO carries out its functions for which a detailed specification of the services to be delivered forms part of the contract.	
2.5	Main tasks of the organisation		
2.5.1	Publ. of laws/regulations:	- laws and regulations - treaties and internal agreements - individual measures - legal notices - company data - legal notices - other	mandatory mandatory mandatory mandatory mandatory
2.5.2	Operation of databases		
2.5.3	Others (e.g. forms ...)		
		HMSO is responsible for ensuring the publication of all laws and regulations, which are published as individual documents separate from the Official Gazette. A wide range of Company and other legal notices are required to be published in the Official Gazette as are certain notices regarding Court hearings regarding Corporate and Personal Insolvency. Treaties and International Agreements are presented to Parliament "by	

		Command" of Her Majesty and are published within the Command Paper series for which HMSO is also responsible. Parliamentary documents are published separately by TSO under the control of Parliament itself. Court decisions are currently published in a number of ways under contract to a private sector company though many of these are also now published by the Courts themselves on the internet. A database of UK consolidated law is currently being constructed by the UK Department for Constitutional Affairs (the equivalent of a Ministry of Justice) though this is expected to be made available via a new Legislation Online service to be developed as part of the HMSOnline website
2.6	What language(s) is/are used	English (and Welsh for Statutory Instruments made by the National Assembly for Wales)
		English
		English is used for all documents although the Welsh language is used for the publication of Statutory Instruments made by the National Assembly for Wales. For these documents the Welsh language has the same legal status as English
2.7	Activities of public or private companies	
2.7.1	Subcontracts in isolated cases for	- printing - online publishing
2.7.2	Contracts for instit. or regular work	- printing - online publishing
2.8	Other off. gazettes	The Head of HMSO (as Government Printer for Northern Ireland) is also responsible for the production of the Belfast Gazette and (as Queen's Printer for Scotland) is responsible for the production of the Edinburgh Gazette.
2.9	Annual budget (global) of the organisation	£2.6 million Sterling
		This budget covers all of HMSO's activities
2.10	Do you have in-house	
		All of HMSO's printing and other production facilities were privatised in 1996
2.11	How much of the following work is	

	subcontracted	
	pre-press	100
	printing	100
	dissemination	100
2.12	How is the head of the organ. appointed	By a Public Appointment process following advertisement and interview
2.13	Number of staff of the organ.	29
2.14	Which services are offered by the organ.	- information on documents
		HMSO can provide copies of old Acts and Local instruments from its archives. Other services are required to be delivered by our sub-contractors under the terms of their contracts.

II. Details concerning the publication of legislation and of calls for tender

(public procurement)

A. Publication of legislation

UK		<u>3. Publication procedures</u>
3.1	Official Gazette:	
3.1.1	Full title of the official gazette:	
		The London Gazette
3.1.2	Contents:	The Gazettes are the primary source of a wide range of official notices. These include: State (including Royal Household), Parliamentary and Ecclesiastical notices; Implementation of Statutory Instruments;

		Corporate and Personal insolvency notices, including petitions for Winding-up of companies and notices relating to meetings of creditors etc.; Transport and planning notices; Other public notices; and Trustee Act notices. The London Gazette is published Monday - Friday but regular supplements are published covering: The Queen's Birthday and New Year's Honours Lists; Other honours and awards; Details of Premium Bond prize draws; Armed Forces Promotions and Re-gradings; and Companies information.
3.1.3	Address (URL):	The London, Belfast and Edinburgh Gazettes can be accessed via: http://www.gazettes-online.co.uk/
3.2	Organisation of the exchange:	- executive authority / electronic - executive authority / on paper - legislative authority / electronic - legislative authority / on paper
3.3	Is electronic transmission part an integrated and seamless workflow:	yes
		Drafting systems are used for the production of Bills before Parliament which once they have been passed gain Royal Assent and are then transmitted electronically for printing, publication and loading onto the internet. In terms of Statutory Instruments a single electronic template is used for drafting, ministerial approval, registration and subsequent printing.
3.4	Techniques based on XML or SGML:	yes
		SGML is currently the format for the delivery of the end product from the various drafting systems in use. A single XML schema is currently being prepared which will be the format to be used in all future legislative drafting systems.
	If yes, does a grammar exist	in the form of DTD
		SGML DTDs exist for all Acts and Statutory Instruments
3.5	Binding deadlines for publishing	no

	legislation:	
		There is a requirement that all new legislation (Acts and Statutory Instruments) is published as soon as possible after it has been enacted or made. Our contractors have a timetable which they must meet.
UK		<u>4. Details of the publication procedures for legislation</u>
4.1	The legal basis for publication of legislation:	
		The Head of HMSO is appointed by Royal Letters Patent as the Queen's Printer of Acts of Parliament and under various statutes relating to Documentary Evidence it is only these versions which have legal status.
4.2	Year of establishment of the official gazette:	1665
		The London Gazette (originally called The Oxford Gazette) is the world's oldest continuously published newspaper and is still published "with Authority", as it has been since it was established by Charles II whilst the Court (effectively the government of the time) was removed to Oxford during the Great Plague of 1665. Samuel Pepys even recorded the event in his diary and said that: 'This day the first of the 'Oxford Gazettes' came out, which is very pretty, full of news, and no folly in it-wrote by Williamson.' First edition of The Oxford Gazette. When the Court returned to London then the name was changed to its current title. First edition of The London Gazette. Since the beginning The London Gazette has provided a mix of State intelligence, government notices and trade/business news. The earliest editions were full of the movements of ships and reports from the trade routes published alongside official notices about royal appointments and state visits. The start of the Great Fire of London was recorded on 2 September 1666. As one of the few widely available publications, the Gazette was even used to distribute descriptions of highwaymen and stolen property. Circulation reached an early peak in 1683 with publication of the latest reports from the Austro-Turkish war that was having a devastating effect on the trade routes, with merchants eager to make alternative transit arrangements for their goods.

		The London Gazette contains all official dispatches when Britain is at war. For example The London Gazette extraordinary published 22 June 1815 announced victory at the Battle of Waterloo on 18 June. The declaration of War against Germany in 1939 was also recorded in The London Gazette.	
4.3	How is publication of legislation financed:	- solely from sales revenue	- paper
		- from the State budget	- online (database/web)
		The Stationery Office Limited is required to recover its costs (and make its profit) from the sales revenue for all legislation, whether published as individual Acts and Statutory Instruments or as Annual Bound Volume collections of Acts and Statutory Instruments	
4.4	On what medium(a) is legislation legally binding:	- paper - online (database/web)	
		Versions of legislation which are produced under the authority of the Queen's Printer are accepted by the Courts. This includes the versions published on the HMSO website.	
4.5	Problems, if legislation is (in future) legally binding in electr. form:	- other	
		If there is any argument in Court as to the validity of the electronic edition then the paper version has primacy. For some existing Statutory Instruments displayed on the internet certain images have not been capable of reproduction. In these cases only the printed edition is valid.	
4.6	On what media and from when onwards is legislation offered to end-users:	- on paper from - via online (database/web) from	
		Paper versions of most items of legislation which remain in force can be produced by our sub-contractor either from their on-demand printing arrangements or from copies held by the British Library.	

		The following legislation is currently available online: UK Acts: 1988 -2004 UK Statutory Instruments (SIs): 1987 - 2004 Draft UK Statutory Instruments (DSIs): 1997 - 2004 Measures of the General Synod of the Church of England: 1988 - 2004 Acts of the Northern Ireland Assembly : 2000 - 2002 Northern Ireland Statutory Rules (SRs) : 1991 - 2004 Draft Northern Ireland Statutory Rules (DSRs): 2000 - 2004 Updated Statutes of Northern Ireland: 1921 -2002 Acts of the Scottish Parliament: 1999 - 2004 Scottish Statutory Instruments (SSIs): 1999 - 2004 Draft Scottish Statutory Instruments (DSSIs): 2001 - 2004 Statutory Instruments made by the National Assembly of Wales: 1999 - 2004 A Statute Law Database containing the texts of all Primary legislation is currently under construction by the Department for Constitutional Affairs and will cover the period 1235 to date.	
4.7	Availability of the online edition of legislation:		
4.7.1	In which format and from when onwards is legislation offered to end-users:	- HTML from	
		All legislation detailed at 4.6 above is currently published on HMSOnline in html format.	
4.7.2	Can the online edition be downloaded?:	yes	
		No.	
4.8	On what financial terms is legislation offered to end-users:	- free of charge	- online (database/web
		- at a profit	- paper

		It is assumed that the sub-contractor achieves a profit on its sale of legislation.	
4.9	Electr. formats, legislation is offered to the private sector for further processing and commercial use:	- PDF - HTML - XML	
		The data is available at a charge	
4.10	Is legislation available to all private sector companies under the same conditions:	yes	
		It is a requirement that all companies are able to obtain legislation at the same time and on the same terms.	
4.11	What price is charged to the private sector for the electr. version of leg. for further processing and comm. use:		
		- at a profit	- PDF - HTML - XML
4.12	Copyright status of legislation in your country:	- copyright protection without compulsory licensing for use	
		Whilst Crown copyright is asserted in all legislation its re-use is subject to waiver, the basis of which is explained in a Guidance Note issued by HMSO. The Guidance Note can be accessed at: http://www.hmsso.gov.uk/copyright/guidance/gn_06.htm	
4.13	Copyright status of the official gazette lay-out/format in	- copyright protection for the lay-out format without compulsory licensing for use	

	your country:	
		The Crown asserts ownership of the copyright in the layout and format of the Official Gazettes though copyright in the individual notices published within it may remain with the authors who may be a Government (Crown) body, Parliament, a local authority, a private sector company or an individual.
4.14	The owner of the content of legislation, if published by a private company:	- the competent State body

B. Calls for tender (public procurement)

UK		<u>5. Details of the publication procedures for calls for tender</u>
5.0	Competent organisation(s):	Calls for tender are not published as part of the Official Gazettes. The legal requirement in the UK is for these to be published within the Official Journal of the European Union. A private sector company produces a publication, Government Opportunities - details of which can be found on their website: http://www.govopps.co.uk/
5.1	Organisation of the exchange of information on what medium(a) is legislation legally binding:	
5.2	Binding deadlines for publishing this information:	no
5.3	The legal basis for publication of public tenders:	
5.4	How is publication of calls for tender financed:	
5.5	On what medium(a) is the information on public tenders deemed authentic:	

5.6	On what media is the information on publ. tenders offered to end-users:	
5.7	On what financial terms is the information on public tenders offered to end-users:	
5.8	Electr. formats of the public tenders, which are offered to the private sector for further processing and commercial use:	
5.9	What price is charged to the private sector for the electr. version of the public tenders for further processing and comm. use:	
5.10	Copyright status of this information in your country:	
5.11	Copyright status of the official gazette lay-out/format for this information in your country:	
5.12	The owner of the content of calls for tender, if published by a private company:	

III. Future developments and strategies

UK		6. Anticipated changes and other plans or discussed issues
6.1	Changes in your country in short (1-2 years) or medium term (3-5 years):	Sales of the paper versions of legislation have been dropping since electronic versions have been made available free on the internet. The private-sector contractor currently recovers its costs and makes a profit from its sales revenues though as these are reducing it may be that the State may be required to meet some of the costs in the future. Efforts are being made to reduce the contractor's costs by the provision of legislative texts electronically and in standard formats thus eliminating their origination and other pre-press costs. There are no current plans to deliver legislation in other media though versions may also be delivered online in Word or PDF formats. HTML versions will gradually be replaced by the use of XML. Versions of legislation published on the HMSOnline website will remain free of charge whilst other electronic versions supplied to commercial users will continue to be provided at a charge. Improved delivery, searching, e-mail alerting and other services are expected to be delivered as part of the development of a new Official Legislation Online portal which will be delivered over coming years and will include the delivery of the new Statute Law Database which is currently under development.
6.2	Other plans or discussed issues:	The Legislation Online programme will deliver a range of new services to users providing improved searching and with links to other services, including Explanatory materials (some of which are already available on HMSOnline), European Directives, Court Judgments etc.