

# Appendix 3: Background to the Office of Public Sector Information

## Introduction

The Office of Public Sector Information (OPSI) brings together a portfolio of information policy and management responsibilities that embrace official, legal and statutory roles across publishing, UK legislation, licensing, Crown copyright and database policy and regulation of the re-use of public sector information (PSI). OPSI is the regulator of information trading activities by public sector information holders (PSIHs). The Information Fair Trader Scheme (IFTS), based on the principles of openness, transparency, fairness, compliance and challenge, provides assurance to re-users of PSI that they will be treated reasonably and fairly. This is underpinned by the legal framework set out in the Re-use of Public Sector Information Regulations 2005. A complaints and mediation service underpins the role of the regulator. With the implementation of the Regulations in July 2005, the existing government remit operated by Her Majesty's Stationery Office (HMSO) was extended to the wider public sector. The merger with The National Archives on 31 October 2006 created an integrated centre of information policy expertise to lead across government and the wider public sector.

## Statutory and Legal Titles

The Director of the Public Sector Information Directorate holds the positions of Director of the Office of Public Sector Information and Controller of Her Majesty's Stationery Office. She is appointed by Royal Letters Patent as the Queen's Printer of Acts of Parliament and Government Printer for Northern Ireland. Under the terms of the Scotland Act 1998, she also holds the position of Queen's Printer for Scotland for which she has a direct reporting line to the Cabinet Secretary for Finance and Sustainable

Growth in the Scottish Executive. In that capacity, she heads up The Office of The Queen's Printer for Scotland (OQPS).

## Role and responsibilities

OPSI was established as the dedicated body and principal focal point for the operation of public sector information re-use through the UK implementation of the EU Directive on Public Sector Information on 1 July 2005. In operational terms, OPSI was created from, and now includes, Her Majesty's Stationery Office. OPSI operates across the UK delivering a unified policy lead.

The merger of OPSI with the National Archives enables the combined organisation to provide strong and coherent leadership for the development of information policy across government and the wider public sector.

OPSI and HMSO are the regulators of public sector information holders for their information-trading activities. The Information Fair Trader Scheme provides reassurance to re-users of public sector information that they will be treated fairly and that there are standards for dealing with PSI. OPSI also investigates complaints against public sector information holders made under the PSI Regulations.

OPSI provides the Click-Use Licensing system for obtaining permission to re-use Crown copyright, Parliamentary and public sector material through an online licensing process and is responsible for the Government Information Asset Register (IAR) that lists information assets held by the UK Government with a focus on unpublished material. OPSI also provides a secretariat to the Advisory

Panel on Public Sector Information (APPSI), which advises Ministers and the Director of OPSI on how best to encourage the re-use of public sector information. APPSI also has a statutory role in the complaints process under the Regulations.

## Her Majesty's Stationery Office

Operating from within OPSI, Her Majesty's Stationery Office (HMSO) is a separate legal entity and its core activities include:

- responsibility for the publication of:
  - all United Kingdom legislation;
  - the official newspapers of record, *the London, Belfast and Edinburgh Gazettes*
  - all Command and Departmental House of Commons Papers;
- the management of Crown copyright; and
- providing advice and guidance to government departments on legislation and official publishing.

The OPSI website meets the aim to make information easy to find, use, share and trade through the provision of expert advice and guidance, setting standards in official publishing and licensing through a unique range of online services direct to the public at [www.opsi.gov.uk](http://www.opsi.gov.uk). It is one of the most visited websites in government with over 1 million unique users per month. The website is the key platform for delivering UK legislation online; the provision of advice and guidance; the Government's Information Asset Register; the Information Fair Trader Scheme (IFTS); and the Click-Use system covering the re-use of a range of public sector information, including Crown and Parliamentary copyright.

OPSI also manages a number of service level agreements with the Westminster and Scottish Parliaments, ensuring a consistent UK approach to the re-use of official materials.

## Statutory Obligations of The Office Of Public Sector Information, Her Majesty's Stationery Office and The Queen's Printer/Government Printer

Obligation	Source
<ul style="list-style-type: none"> <li>The Queen's Printer holds and exercises all rights and privileges in connection with Crown copyright and Crown database rights</li> </ul>	<i>Letters Patent</i>
<ul style="list-style-type: none"> <li>Office of Public Sector Information investigates complaints in relation to the re-use of public sector information</li> </ul>	<i>Re-use of Public Sector Information Regulations 2005</i>
<ul style="list-style-type: none"> <li>The Queen's Printer prints all Acts of Parliament (including Measures of the National Assembly of Wales)</li> </ul>	<i>Letters Patent</i>
<ul style="list-style-type: none"> <li>All Statutory Instruments registered and numbered by the Queen's Printer</li> <li>All Statutory Instruments shall as soon as possible be printed and sold by or under the authority of the Queen's Printer</li> <li>HMSO to produce lists showing the date upon which every statutory instrument printed and sold was first issued by HMSO</li> </ul> <p>HMSO is also responsible for advising the Lord Chancellor<sup>1</sup> in respect of his responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>The making of regulations under the Statutory Instruments Act</li> </ul>	<i>Statutory Instruments Act 1946 as amended by the Statutory Instruments (Production and Sale) Act 1996</i>
<ul style="list-style-type: none"> <li>Production of an Annual Edition of Statutory Instruments with an Annual Numerical and Issue List, a classified list and tables showing the effects of legislation on previous instruments (on behalf of the Lord Chancellor)<sup>2</sup></li> <li>Annual Edition to be printed and published by the Queen's Printer and published by HMSO</li> </ul>	<i>Statutory Instruments Regulations 1948</i>
<ul style="list-style-type: none"> <li>The Government Printer for Northern Ireland, the officer appointed to print Acts of the NI Assembly, for publication of Statutory Rules by Her Majesty's Stationery Office</li> </ul>	<i>Statutory Rules (N.I.) Order 1979</i>

<sup>1</sup> The functions transferred from the Minister for the Civil Service on 31 October 2006 under a Transfer of Functions Order

<sup>2</sup> The responsibility transferred from the Minister for the Civil Service on 31 October 2006 under a Transfer of Functions Order

Statutory Obligation	Source
<ul style="list-style-type: none"> <li>• Copies of legislation, the Official Gazettes (i.e. the London, Belfast and Edinburgh Gazettes) and other documents (e.g. copies of Treaties, Command Papers) admitted into evidence if printed by or under the authority of the Queen's Printer or Government Printer</li> </ul>	<i>Documentary Evidence Acts 1868 and 1882</i>
<ul style="list-style-type: none"> <li>• Respond to requests for information</li> <li>• Provide advice and guidance to those who have made or might make a request for information</li> <li>• Maintain a Publication Scheme</li> </ul>	<i>Freedom of Information Act 2000 and Environmental Information Regulations 2004</i>
<ul style="list-style-type: none"> <li>• Respond to requests for personal data</li> <li>• Comply with Data Protection Principles</li> </ul>	<i>Data Protection Act 1998</i>
<ul style="list-style-type: none"> <li>• Respond to enquiries and assist the Parliamentary Commissioner for Administration in relation to complaints against HMSO</li> </ul>	<i>Parliamentary Commissioner Act 1967</i>

It should be noted that there are many hundreds of other references in legislation to HMSO and/or the Queen's Printer in relation to the printing and publication of official documents.