

SCHEDULE

PART 2

Special provisions

Third party publications

15.—(1) The person responsible may grant pre-release access for the purpose of a publication where, in the opinion of the person responsible, the official statistic is relevant to the subject-matter of the publication and the inclusion of the official statistic in the publication will significantly improve the accuracy or usefulness of information contained in the publication.

(2) Such pre-release access may only be granted if the publication is intended to be published at the same time as or shortly after the official statistic to which pre-release access is being granted under this paragraph is to be published.

(3) The person responsible may only grant such access to—

- (a) a Minister of the Crown;
- (b) the head of a government department;
- (c) a member of the Scottish Executive;
- (d) a junior Scottish Minister;
- (e) a member of the Welsh Assembly Government;
- (f) a Northern Ireland Minister, including the First Minister and Deputy First Minister in Northern Ireland;
- (g) a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the Northern Ireland Act 1998;
- (h) the National Statistician;
- (i) an officer, servant or agent of a person or body which produces official statistics;
- (j) a person who, in the opinion of the person responsible, is otherwise accountable to the public for the formulation or development of government policy or for the delivery of public services to which the statistic has direct relevance;
- (k) a person who needs pre-release access in order to advise a person referred to in any of paragraphs (a) to (j).

(4) The number of persons to whom pre-release access is granted under this paragraph must be kept to the minimum necessary for achieving the purpose referred to at sub-paragraph (1).

(5) Such access must be kept to the minimum time prior to publication necessary for the inclusion of the statistic in the publication.

(6) The person responsible must not grant pre-release access under this paragraph unless in the opinion of the person responsible the public benefit likely to result from granting such access outweighs the detriment to public trust in official statistics likely to result from granting such access.

(7) The person responsible may, when deciding whether to grant pre-release access to a person listed in sub-paragraph (3), take into account any failure by that person, in relation to a previous grant of pre-release access, to comply with paragraphs 6 and 7.

(8) Paragraphs 3 to 5 of Part 1 do not apply to the granting of pre-release access under this paragraph.

(9) For the purposes of this paragraph, paragraphs 6, 7, 8 and 11 apply to a person listed at sub-paragraph (3) as they apply to an eligible person.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(10) For the purposes of this paragraph, “government policy” includes the policy of the Scottish Administration, the policy of the Executive Committee of the Northern Ireland Assembly and the policy of the Welsh Assembly Government.