
STATUTORY INSTRUMENTS

2015 No. 1415

The Re-use of Public Sector Information Regulations 2015

Prohibition of exclusive arrangements

14.—(1) Subject to paragraphs (2) and (6), a public sector body may not enter into an exclusive arrangement with any person.

(2) A public sector body may, where necessary for the provision of a service in the public interest, enter into an exclusive arrangement.

(3) The validity of the reason for granting an exclusive arrangement under paragraph (2) must be reviewed at least once every three years.

(4) Any exclusive arrangement permitted under paragraph (2) and entered into on or after 31st December 2003 must be published by the public sector body.

(5) Paragraphs (2) to (4) do not apply to the digitisation of cultural resources.

(6) A public sector body may enter into an exclusive arrangement in relation to the digitisation of cultural resources.

(7) The period of exclusivity of an arrangement under paragraph (6) should not normally exceed 10 years.

(8) Where the period of exclusivity referred to in paragraph (7) exceeds 10 years, the duration of the period of exclusivity must be reviewed during the 11th year and, if applicable, every 7 years thereafter.

(9) Any exclusive arrangement permitted under paragraph (6) must be published by the public sector body.

(10) As part of any exclusive arrangement permitted under paragraph (6), the public sector body concerned must be provided free of charge with a copy of the digitised cultural resources.

(11) The copy must be available for re-use at the end of the period of exclusivity.

(12) Any exclusive arrangement existing on 17th July 2013 and to which neither paragraph (2) nor paragraph (6) applies must be terminated at the earlier of—

- (a) the date on which it comes to an end in accordance with its terms; or
- (b) 18th July 2043.

(13) In this regulation, “exclusive arrangement” means a contract or other arrangement granting an exclusive right to re-use a document.