

SCHEDULE

Rules and principles relating to pre-release access

Individuals to whom, and circumstances in which, pre-release may be granted

1.—(1) Subject to the provisions of this Order, the person responsible⁽¹⁾ may grant pre-release access in respect of statistics only to the extent that they consider it is necessary to grant access to a particular identifiable individual in order to—

- (a) enable an individual mentioned in sub-paragraph (3) to comment publicly on the statistics based on a correct understanding of them;
- (b) enable an individual mentioned in sub-paragraph (3) to consider the implications of the statistics for the policies and programmes of the Welsh Ministers so as to ensure that any public comments made by an individual mentioned in sub-paragraph (3) about those policies and programmes at or after the time of publication of the statistics reflect a correct understanding of them;
- (c) ensure that other statistics available to an individual mentioned in sub-paragraph (3), about the same subject-matter as the statistics to which pre-release access may be granted are not relied on by such an individual to the detriment of—
 - (i) the exercise of any functions of the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government, or
 - (ii) any public comment an individual mentioned in sub-paragraph (3) makes relating to those other statistics,without their being informed of the statistics to which pre-release access may be granted;
- (d) ensure, where a publication or other material is being prepared by or on behalf of any public body, public office or holder of such an office for publication at the same time or shortly after the statistics to which pre-release access may be granted, that any statistics contained in that publication or material are correct or that the publication or material is otherwise properly informed by the statistics to which pre-release access may be granted;
- (e) enable one of the following to make public comments in connection with the publication of the statistics based on a correct understanding of them—
 - (i) a Minister of the Crown;
 - (ii) the head of a United Kingdom government department;
 - (iii) a member of the Scottish Executive;
 - (iv) a junior Scottish Minister;
 - (v) a Northern Ireland Minister, including the First Minister and Deputy First Minister in Northern Ireland;
 - (vi) a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the Northern Ireland Act 1998⁽²⁾;
 - (vii) an individual who advises any of those mentioned in sub-paragraphs (i) to (vi).
- (f) enable a public body, public office or holder of such an office, to whose functions the statistics are relevant, to comment publicly on the statistics based on a correct understanding of them;

(1) “the person responsible” is defined in section 67 of the Act.

(2) 1998 c. 47.

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

- (g) enable a body which represents a public body, public office or holder of such an office to whose functions the statistics are relevant, to comment publicly on the statistics based on a correct understanding of them;
 - (h) achieve any other purpose if the person responsible considers that the public interest is significantly better served by granting pre-release access (rather than not granting it) for that purpose having regard to any harm which the pre-release access would be likely to cause to—
 - (i) public trust in the integrity of official statistics generally; or
 - (ii) public trust in the integrity of particular official statistics.
- (2) The person responsible may grant pre-release access only where they are satisfied that there are arrangements in place to inform an individual to whom they grant pre-release access of the following information—
- (a) the ground in sub-paragraph (1) under which access is granted; and
 - (b) the requirements of paragraph 5.
- (3) The individuals mentioned in this sub-paragraph are—
- (a) a Welsh Minister appointed under section 48 of the Government of Wales Act 2006⁽³⁾;
 - (b) the First Minister for Wales;
 - (c) the Counsel General to the Welsh Assembly Government;
 - (d) a Deputy Welsh Minister appointed under section 50 of the Government of Wales Act 2006;
 - (e) an individual who advises any of those mentioned in sub-paragraphs (a) to (d).

(3) 2006 c. 32.