STATUTORY RULES OF NORTHERN IRELAND

2009 No. 71

OFFICIAL STATISTICS

The Pre-release Access to Official Statistics Order (Northern Ireland) 2009

Made - - - - *2nd March 2009*
Affirmed by resolution of the Assembly - - - - *31st March 2009*

Coming into operation in accordance with Article 1

The Department of Finance and Personnel for Northern Ireland makes this Order in exercise of the powers conferred by section 11(2), (4), (5) and (6) of the Statistics and Registration Service Act 2007(**1**).

In accordance with section 11(7) of that Act the Department of Finance and Personnel for Northern Ireland has consulted the Statistics Board(**2**), the Minister for the Cabinet Office, the Scottish Ministers and the Welsh Ministers.

Citation and commencement

1.—(1) This Order may be cited as the Pre-release Access to Official Statistics Order (Northern Ireland) 2009 and shall come into operation on the day after it is affirmed by resolution of the Assembly.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to this Order as it applies to an Act of the Northern Ireland Assembly.

Pre-release access — wholly Northern Ireland devolved official statistics

3. The Schedule sets out the rules and principles relating to the granting of pre-release access to official statistics that are wholly Northern Ireland devolved statistics.

(**1**) 2007 c. 18
(**2**) The Statistics Board is also known as the UK Statistics Authority
(**3**) 1954 c. 33 (N.I.)

Sealed with the Official Seal of the Department of Finance and Personnel on 2nd March 2009.

T. N. Caven
A Senior Officer of the
Department of Finance and Personnel

SCHEDULE Article 3

PART 1

GENERALLY APPLICABLE RULES AND PRINCIPLES

1. Pre-release access to official statistics may only be granted in accordance with the rules and principles set out in this Schedule.

2. Only the person responsible may grant pre-release access.

3.—(1) The person responsible—

(a) may only grant pre-release access where to deny such access would, in the opinion of the person responsible, significantly impede—

(i) the provision of responses to questions or the making of statements about an official statistic at or shortly after the time of publication of that statistic; or

(ii) the taking of action before, at the time of or shortly after publication of that statistic;

(b) may only grant pre-release access to an eligible person;

(c) may only grant pre-release access if in the opinion of the person responsible the public benefit likely to result from such access outweighs the detriment to public trust in official statistics likely to result from such access;

(d) is required to restrict pre-release access to the minimum number of persons consistent with the need for pre-release identified within paragraph (a);

(e) may, when deciding whether to grant pre-release access to an eligible person, take into account any failure by that person, in relation to a previous grant of pre-release access, to comply with paragraph 6, paragraph 7 or any conditions imposed by the person responsible;

(f) may grant pre-release access subject to conditions.

(2) For the purposes of this paragraph "eligible person" means—

(a) a Northern Ireland Minister, including the First Minister and Deputy First Minister in Northern Ireland;

(b) a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the Northern Ireland Act 1998(**4**);

(c) a Minister of the Crown;

(d) the head of a government department;

(e) a member of the Scottish Executive;

(f) a junior Scottish Minister;

(g) a member of the Welsh Assembly Government;

(h) 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; or

(i) a person who needs pre-release access in order to advise a person referred to in any of paragraphs (a) to (h).

(**4**) 1998 c. 47