

Reproduction of the Record of proceedings, The National Assembly for Wales

© Crown copyright 2005

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence or email psi@nationalarchives.gsi.gov.uk.

Where we have identified any third-party copyright information, you will need to obtain permission from the copyright holders concerned.

This publication is available for download at <u>nationalarchives.gov.uk</u>.

Contents

Introduction	2
The Official Record of the Proceedings	3
Obligations of users of material from the Record	5
General conditions	5

Introduction

The Proceedings of the Assembly can be reproduced under waiver conditions. This means that subject to the obligations and conditions set out in this guidance the Proceedings may be reproduced freely without requiring prior permission from either HMSO or the National Assembly for Wales.

Purpose

The National Assembly for Wales (the Assembly) has Crown status and, therefore, the
Official Record of the proceedings (the Record) qualifies for Crown copyright protection.
The term 'material' in this guidance means the text of the proceedings.

Background

2. Her Majesty the Queen is the first owner of Crown copyright, as defined at <u>section 163 of the Copyright</u>, <u>Designs and Patents Act 1988</u>. The Queen has appointed the Controller of HMSO to the office of Queen's Printer of Acts of Parliament to hold and exercise Crown copyright, Crown database rights and other copyrights owned by Her Majesty as fully as if such copyrights were the Controller's own.

The Official Record of the Proceedings

3. The Record of Proceedings is the Official Report of the National Assembly for Wales. It is a full report, in the first person, of all speakers alike, a full report being defined as one

'which, though not strictly verbatim, is substantially the verbatim report, with repetitions and redundancies omitted and with obvious mistakes corrected, but which on the other hand leaves out nothing that adds to the meaning of the speech or illustrates the argument.'

Erskine May, Parliamentary Practice (Twenty-second edition, Butterworths, London, 1997, p 222)

- 4. The Assembly maintains two electronic versions of the Record which can be accessed on the Cynulliad Cenedlaethol Cymru/National Assembly for Wales website. The first is a 24 hour version of the plenary sessions which is made available on the Assembly's website within 24 hours. There is also a five day fully bilingual version which is generally considered to be the official version. The archive version replaces the five day version six months after the relevant Assembly session.
- 5. The Record of Proceedings also includes 'Questions not Reached', 'Written Questions', 'Committee Evidence' and 'Written Announcements', all of which appear in the Record of Proceedings area on the website.
- 6. The Assembly actively encourages access to both versions of the Record. The availability of the Record is a key aspect of the Assembly's policy to be open and accessible.

What is meant by Waiver and Waiver Conditions

7. Waiver means that the Crown is not seeking to exercise its legal right to license formally, restrict usage or charge for the reproduction of material from the Record. However, Crown copyright will be asserted in the form of Waiver Conditions to protect the Record against use in a misleading manner. For further details, see the Obligations and Conditions set out in paragraphs 9 to 18.

What is permitted under the Waiver Conditions?

- 8. Provided that the Obligations and Conditions set out in this guidance are complied with, there are no restrictions on how material from the Record may be reproduced. By way of illustration, users may undertake the following activities in relation to the Record, whether in substantive or in extract form:
 - a. reproducing and publishing material in any medium
 - b. making multiple copies for distribution and sale
 - c. reproducing material for the purpose of news reporting
 - d. reproducing material on free and subscription websites which are accessible via the internet
 - e. establishing hypertext links to the Record maintained by the Assembly. For more information about the Record see paragraphs 3 to 6
 - f. downloading material from the Record to screen and printer
 - g. reproducing material on intranet sites
 - h. making single or multiple copies, by photocopying or any other means, for the purposes of research and private study
 - i. the making of single or multiple copies by libraries (by photocopying or any other means) for the supply of copies to readers subject to the overriding need for prescribed libraries to recoup their costs as set out in <u>SI 1989 No 12121</u>
 - j. making copies for circulation throughout an organisation whether in the public or private sector
 - k. reproducing material as part of seminar or training packs
 - I. reproducing material within student theses and dissertations
 - m. translating into languages other than English or Welsh

The above is by no means exhaustive, but serves to illustrate the range of ways in which material from the Record may be reproduced.

Obligations of users of material from the Record

- 9. The waiver of Crown copyright in relation to material from the Record is conditional on the following terms being complied with:
 - a. reproduction must be made from the Record
 - b. the material must be reproduced accurately. Selected sentences from Members' speeches are acceptable provided that it is made clear that, if such is the case, they are only part of a speech
 - c. care should be taken to ensure that the material reproduced is from the most recent version of the Record
 - d. where the language in the left hand column of the Record is Welsh, this indicates that the Assembly member spoke in Welsh. In such circumstances the Welsh language text must be reproduced, as that is the official version, with the English translation being optional
 - e. where the material is to be translated into a language other than Welsh or English and then made available to the public, it should be translated faithfully by a competent translator
 - f. the Record must be acknowledged appropriately as indicated at paragraphs 10 and 11. For translations into languages other than Welsh and English, the copyright acknowledgment should be given in Welsh, English and the language into which the material is being translated
 - g. a complimentary copy or subscription (with supporting end-user licence, where appropriate) of each commercially published product which features the material is sent to the Assembly: The Editor, Record of Proceedings, The National Assembly for Wales, Cardiff Bay, Cardiff CF99 1NA

The Assembly and HMSO also reserve the right to be supplied with a complimentary copy of any other products and publications which reproduce the Record.

General conditions

10. Where the reproduced version of the Record is being published, circulated or issued to others - including internet and intranet use - the following Crown copyright notices should be featured, in both Welsh and English: The Record of the Proceedings of the National Assembly for Wales are Crown copyright. Material from the Record is reproduced under the terms of Crown copyright policy guidance issued by HMSO and the National Assembly for Wales.

Mae Cofnod y Trafodion, Cynulliad Cenedlaethol Cymru, yn ddeunydd hawlfraint y Goron. Atgynhyrchir deunydd o'r Cofnod o dan delerau canllaw polisi hawlfraint y Goron a gyhoeddir gan HMSO a'r Cynulliad Cenedlaethol.

- 11. The source and version of the material should also be indicated, where practical, by giving the appropriate archival document reference and the name of the repository where the Record is held. This information is shown on the Record.
- 12. All reproduction rights granted under the terms of this guidance are non-exclusive and may be exercised throughout the world.
- 13. The Proceedings must not be used in connection with advertising or product endorsement or in any context which could be viewed as undignified association.
- 14. The Proceedings must not be used in any circumstances which are knowingly or potentially libellous or slanderous of individuals, companies, organisations or political parties.
- 15. The Royal Arms and logo of the Assembly that are featured in the Record may only be reproduced in context. Reproduced versions must not purport to be published by authority of the Assembly or in a form or style which might suggest that the reproduced version has official status
- 16. The Proceedings must not be reproduced for overtly political purposes.
- 17. You may find the summary of permitted uses and the corresponding obligations set out in the Annex to this guidance helpful. The summary does not replace the Obligations and Conditions set out in this guide.