

Statutory Instrument Practice

Circular No.2 (09)

Date of Issue: 23 September 2009

SI PRODUCTION – SECURITY POLICIES

Purpose

1. This Circular sets out steps which are being taken to improve the security of Statutory Instruments which are sent for validation and production by TSO. The changes arise out of a review undertaken as a result of the recommendations arising from the Data Handling Review and the need to replace the existing GSI Supplier Network used by TSO. The Circular also sets out actions which departments need to take to ensure the security of their instruments.

Background

2. The existing TSO GSI Supplier Network is to be replaced by installation of a new GSE Network on which will be installed both the validation portal and the SI Support and SI Production mailboxes. All of these will be able to accept documents which are protectively marked up to “Restricted” level. “Confidential” documents should not be sent to either the validation portal or to the SI Support mailboxes.

3. For those departments who do produce instruments which are marked as “Confidential” then a version of the validation portal can be provided for implementation on their own Networks.

4. “Confidential” instruments can continue to be sent to the SI Registrar x.gsi mailbox where they will be checked, registered and then returned to the department. Such instruments will not be sent to TSO for printing and publication until the department has advised when the instrument has been laid before Parliament or is otherwise no longer “Confidential”, at which time it will be sent to TSO for expedited production.

Transmission of instruments by email

5. To ensure that no “Confidential” instrument is sent to TSO, all departments should ensure that details of the Protective Marking of all instruments is added to the covering email sent to SI Support regarding validation or to the SI Registrar at the time of registration. For all “Confidential” instruments departments should also provide information to the SI Registrar as to when the instrument is to be laid or will otherwise cease to be Confidential so that the instrument can be forwarded to TSO for printing and publication. Departments should also take the following actions:

a. Details of the Protective Marking for instruments should be added as the first words of the Subject Line of the email:

e.g. [Covering RESTRICTED].

b. That Originating Departments should also include relevant eGMS data elements as part of the text of the combined letter to the SI Registrar / certificate of classification:

eGMS.rights.protectiveMarking - The minimum level of security required to have access to the resource, even if this is Not Protectively Marked, for which its UNCLASSIFIED nature should be explicitly stated

eGMS.rights.Descriptor - Refines the meaning of a protective marking (e.g. Budget, Policy) even if there is no such descriptor, which should be explicitly stated as NO DESCRIPTOR

eGMS.rights.protectiveMarkingExpiryDate – The optional attribute for any items that attract either a Protective Marking or Descriptor, and is the Date and Time at which the existing Protective Marking becomes invalid and the document becomes UNCLASSIFIED / NO DESCRIPTOR

An example of an amended form of Combined letter/certificate (containing the new information as a new paragraph 3) is attached as an Annex to this Circular.

6. Where it is necessary for copies of “Confidential” instruments to be available at the time of laying then departments can deliver these, appropriately packaged, by hand to TSO. Production will then be undertaken under secure conditions.

New TSO email addresses for SI Support

7. With immediate effect all departments on gsi or x.gsi networks should use the following email address for all documents sent to TSO’s SI Support team.

sisupport@tso.gse.gov.uk

all other departments and organisations (which by implication cannot send Protectively marked documents via open email systems) should continue to use:

sisupport@tso.co.uk

8. Instruments which are sent by the SI Registrar to TSO for printing and publication will in future be sent to: sid@tso.gse.gov.uk.

9. The location of the Validation portal will also change (on a date to be advised once some further development work has been completed) to:

<http://sivalidation.tso.gse.gov.uk>

In the meantime though the existing web address (<http://sivalidation.opsi.gov.uk/>) remains active and will remain so for those departments and others who prepare SIs

but who are not on the GSI Network. This validation portal should therefore only be used for instruments which are Not Protectively Marked.

Enquiries

10. Any enquiries regarding this circular should be addressed to the Statutory Instruments Registrar (SIRegistrar@opsi.x.gsi.gov.uk).

FP 11 Combined letter to SI Registrar/ certificate of classification for an SI which is exempted from immediate printing under Regulation 8 of the Statutory Instruments Regulations 1947

The Statutory Instruments Registrar
Her Majesty's Stationery Office
35 Great Smith Street

Date

Dear Sir

1. The [title of responsible authority] has made a statutory instrument,
or
An Order in Council has been made* ,

of which a copy is attached, entitled [title of instrument]. You are requested to number it in accordance with regulation 3 of the Statutory Instruments Regulations 1947, and to insert the number in the copy of the instrument and at paragraph 4.1 of the letter to TSO.
2. The [title of responsible authority] hereby certifies under regulation 4 of the Statutory Instruments Regulations 1947 that the [title of instrument] is a local/general* instrument, and under regulation 8 of the said Regulations, that the printing and sale of copies of the instrument in accordance with the requirements of section 2(1) of the Statutory Instruments Act 1946 would, if effected before the coming into operation of the instrument, be contrary to the public interest.
3. The Protective Marking of the instrument is [UNCLASSIFIED/RESTRICTED/CONFIDENTIAL][NO DESCRIPTOR/BUDGET/POLICY etc] The Protective Marking for the instrument will expire on [Date and time] when information regarding the instrument may be released.
4. Copies of the instrument are to be available in the Vote Office and the Printed Papers Office and available for sale at [insert time] on [insert date].
5. The Statutory Instrument has /has not* been drafted using the SI Template.
6. You are requested to complete Part 1 of the Receipt Sheet.

Yours faithfully

for [title of responsible authority]
or
Clerk of the Privy Council*

* Delete word(s) not required