

27 May 2014

The Speaker's Commission on Digital Democracy
House of Commons
United Kingdom

[By email: digitaldemocracy@parliament.uk](mailto:digitaldemocracy@parliament.uk)

Making laws in a digital age

Thank you for the opportunity to participate in your inquiry. This letter responds to your request for examples from other parliaments/democratic institutions in the UK or elsewhere of using technology to enhance legislation and the legislative process, which the Commission should consider.

I thought it may be helpful to discuss the New Zealand example. The New Zealand Parliamentary Counsel Office (PCO) is committed to improving public access to legislation by ensuring that legislation is drafted as clearly and simply as possible and also by the timely and high-quality publication of legislation. Since 2008 the PCO has used technology to provide an integrated XML-based drafting and publishing system (known in-house as the LENZ system – Legislative Enactments New Zealand) that underlies the New Zealand Legislation website (at www.legislation.govt.nz). This website gives free public access to Bills (including Revision Tracked versions which contain proposed amendments after the select committee stage), Supplementary Order Papers (which contain proposed amendments to Bills at the committee of the whole House stage), Acts and Legislative Instruments made under them. The website also provides links to Other Instruments that are not drafted by the PCO and that are published on the responsible agency's website or in the New Zealand *Gazette*.

The PCO uses a word processing tool (PTC Arbortext Editor) which allows legislative documents to be created, collaborated on, edited, published and maintained as XML-based information. The XML database is the source of the information on the website, which is published on the website in both HTML and PDF formats. It is also the source for hard copy printed legislation.

The PCO publishes all Bills, Acts, Legislative Instruments and reprints on the New Zealand Legislation website. This is a database owned and maintained by the PCO on behalf of the Crown and made available since January 2008. Official online versions of legislation have been available on the website since 6 January 2014 and are easy to find. In the courts, they are taken

to correctly set out the text, unless the contrary is shown. All PDF versions that display the New Zealand Coat of Arms on their front page are official and a print-out of an official PDF is also official. People can also place orders for printed legislation with a commercial printer directly via the website.

In addition, the website provides electronic access to Bills at all key stages during their progress through the House and there is direct linking from the New Zealand Parliament website (see: <http://www.parliament.nz/en-nz/pb/legislation/bills>). The publication of the introduction version of Bills, which includes ^{an} explanatory note about its provisions, can help inform people's submissions to select committees before enactment. The explanatory note also includes links to the Regulatory Impact Statement required to be published by the responsible government department at the time the Bill is introduced, as well as a departmental disclosure statement to assist with scrutiny of the Bill by Parliament and the public.

Versions of legislation on the website are also available in HTML format. There are more than 2,000,000 individual HTML documents on the website. Each piece of legislation in the HTML format is broken into easily rendered parts for accessibility so that the 2,000,000 documents include copies of every version of every piece of legislation from 1 January 2008. This means for example, that each Act can be read section by section in the HTML format and can be seen in each of its versions (before and after amendment).

The website provides people with access to up-to-date legislation. Every time an Act or Legislative Instrument is amended, the PCO reprints it in a compiled form within 15 working days of the amendment coming into force. This becomes the current version of the Act or Legislative Instrument but the older version is retained. This means that earlier point-in-time versions remain accessible on the website. Previously, people had to wait for the hard copy publication of legislation and then piece together the principal Act with its various amending enactments to find the current version of the legislation.

The PCO provides atom feeds (also known as web feeds) for legislation, which enables users to subscribe to ready-made and customised feeds that alert them when Bills or new legislation are published. Users are also able to tag sections and compile their own document with different sections from many pieces of legislation.

Last year the PCO provided a submission to the Government Administration Committee on its Parliamentary *Inquiry into the accessibility of services to Parliament to disabled citizens*. PCO provided information to the Committee about the accessibility of legislation drafted and published in New Zealand. You may be interested in viewing this submission, which is available at

http://www.parliament.nz/en-/pb/sc/documents/evidence?custom=00dbsch_inq_12236_1

The submission contains information about the online use of alternative text (alt-text) in legislation, which is a text alternative used to describe the content of a graphic, and table summaries, which summarise a table's significance. Some, but not all images on the New Zealand Legislation website already carry alt-text.

The new legislation revision requirements under the Legislation Act 2012 will provide a future opportunity for alt-text to be captured in legislation. Alt-text does not form part of an official

version of a reprinted enactment, so will not be considered by the courts when interpreting the legislation.

Some tables, in older enactments, that were graphic-based have text-based tables and formulae and thus no longer require alt-text. This year the PCO intends to introduce machine-readable “table summaries” into business-as-usual processes for new legislation (once information technology changes are completed).

To assist those people with visual disabilities, the website colours have been chosen with particular light on dark contrasts. The PCO style sheet on the New Zealand Legislation website allows users to view and print legislation in large font/text.

As part of its Access to Legislation Strategy 2014 -2019, the PCO is committed to identifying further specific areas of focus to enhance accessibility, with regards to the information it provides through its websites. To assist with this process of enhancing access to and use of the website, the PCO has convened a diverse external user group and is seeking its feedback on what people need and want.

A future option may, for example, include broadening the content on the website by providing access through the website to additional legal resources such as case law, which is available on the Ministry of Justice website. Other options may be to incorporate the “as enacted” Acts collection or the 1908 Consolidation, which are currently hosted in PDF format on NZLII (http://www.nzlii.org/nz/legis/hist_act/), or to provide access to an “as made” Legislative Instruments or to local legislation. A careful consideration of the costs and benefits of each option and of its consistency with government strategies and plans would be required.

The PCO is also exploring other digital publishing improvements, for example, the feasibility of a mobile device-friendly version of the website.

All Parliamentary Counsel have access to “tablets” for use so that during the amendable stages of a Bill they can both obtain access to the Legislation website and work on drafts if required. Members of Parliament can also access the website this way.

If you would like to discuss our comments or obtain further information about specific matters, please do not hesitate to contact me.

Yours sincerely

David Noble
Chief Parliamentary Counsel