



Rektor

Lund University's regulations for the release of official documents in electronic form

The present regulations are to be applied when releasing official documents in electronic form throughout Lund University, except in the case of the release of information from Ladok, to which separate rules apply¹. The issue of a degree certificate is not a release of an official document.

Background and general information

The principle of public access to official documents, which is regulated in the Swedish Constitution (Chapter 2 Freedom of the Press Act), means that a public authority is obliged to release an official document on its own premises, or in the form of a print-out or copy, if requested to do so. There is no obligation to make an official document available in electronic form. Thus a person can never demand the release of a document in such a form. If there is no legal impediment to the release of a document in electronic form, insofar as the document does not contain any personal information and is not subject to confidentiality, it may be released.

Considering the above, it is up to each individual civil servant to decide whether the documents requested are to be released on paper or in electronic form. A fee is always to apply to the release of paper copies, pursuant to the Fee Ordinance, see below under Fees for release of official documents. A fee is also to be applied when the document is released in electronic form. See below for details of how to calculate the fee.

Releasing a document in electronic form

Release of a document in electronic form refers to all kinds of release of information through a medium for automatised processing or via electronic communication. The following are examples of this:

- Release via email
- Release on a USB memory unit and
- When a recipient is granted electronic access to a document in a cloud service (consider, however, that this entails special requirements for information security and processing of personal information).

Sending documents via fax is not a release in electronic form.

¹ See Chapter 2 Section 6 of the Ordinance (1993:1153) on the reporting of study results etc. at universities and university colleges.

Processing personal information

- Documents that do not contain personal information

Documents that do not contain personal information may be released electronically.

- Documents containing personal information

Documents that contain personal information are not to be released electronically. If the document only contains a few such details, such as an employee's contact information or the name of a decision-maker on minutes from a meeting or on an official decision, electronic release is permitted.

Confidentiality review

A document must always undergo a confidentiality review before it is released. This applies regardless of whether the release is on paper or in electronic form and requires the releasing officer to determine whether the document contains information that is confidential pursuant to the Public Access to Information and Secrecy Act (2009:400). Pursuant to the Act, the employee responsible for preserving a document according to the rules of procedure or a special decision is primarily to determine whether the document is to be released; this employee could be an individual teaching staff member, researcher, officer, registrar or archivist. The civil servant who holds the document is thus normally the person to take this type of decision. If necessary, the Legal Division can assist in assessing confidentiality.

Fees for release of official documents

When releasing paper copies of official documents, a fee is to be applied pursuant to the Fee Ordinance. Nine pages are free of charge. The fee for the tenth page is SEK 50. For each additional page, the fee is SEK 2. If the mailed item weighs more than 20 grams, the postage is to be charged as well as any fee for cash on delivery.

The right of public authorities to apply fees to documents that are released electronically is based on Section 4 paragraph 8 of the Fee Ordinance. Pursuant to Section 5 paragraph three of the Ordinance, the public authorities themselves are entitled to decide on the amount of such fees, up to full coverage of costs.

LU's Finance Pages contain information on how to receive payment of fees.

Regulations

On the basis of Section 5 paragraph three of the Fee Ordinance (1992:191) Lund University announces the following regulations.

What the University can charge for when documents are released in electronic form

Lund University regulates that a fee is to be applied if the work required to release the documents exceeds 10 minutes.

When calculating the work required to release a document electronically, only the measures related to distributing the document are to be taken into account, for example:

- scanning
- taking a screen dump
- changing the format
- copying or saving a file
- saving to a USB memory unit
- printing out documents that are to be scanned
- invoicing

Time spent locating a document is *not* to be taken into account. Similarly, any work that derives from obligations pursuant to the Freedom of the Press Act is *not* to be included in the calculation, for example:

- producing a compilation of electronic information within the framework of routine measures
- reviewing confidentiality
- redacting the parts of a document that are covered by secrecy.

A fee is not to be charged in the following cases:

- release of a document to another public authority
- release of a document to a parliamentary committee if the release is supported by a provision on the obligation to provide information (see Chapter 10 Section 8 of the Swedish Riksdag Act)
- release as a result of some other provision about the obligation to provide information in an act or ordinance.

How to calculate fees when documents are released in electronic form

If the work required to release the documents electronically exceeds 10 minutes, a fee of SEK 60 is to be applied for each subsequent ten-minute period started. This means that the cost will amount to SEK 60 for 11 to 20 minutes' work and the cost of an hour's work will be SEK 300.

In order to avoid unreasonable outcomes, the present regulations must be applied in a nuanced manner. If there are particular reasons, a higher or lower fee than that prescribed by these regulations may be applied. What constitutes particular reasons is to be determined on a case by case basis by the civil servant responsible for the release of the document.

For example, a lower fee can be applied for a document the first time it is released, if many requests are predicted for the same document. This can be applied in cases where the work required to produce the document for the first release is clearly more extensive than that required for subsequent releases.

Similarly, a higher fee can be applied in cases where someone places recurrent small requests instead of making a single large order, if the aim is clearly to avoid paying a fee by doing so. However, the fee cannot be higher than the total sum needed to cover the cost of all the orders.

Decision

The University decides to approve the present regulations.

These regulations enter into force on 18 January 2018.

The decision on this matter was taken by the undersigned vice-chancellor in the presence of the deputy university director Cecilia Billgren after a hearing with the Lund University students' unions and a presentation by legal counsel Sanna Håkansson.

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