

INTERNATIONAL COURT OF JUSTICE

**APPLICATION FOR REVISION OF THE JUDGMENT OF 23 MAY 2008
IN THE CASE CONCERNING SOVEREIGNTY OVER
PEDRA BRANCA/PULAU BATU PUTEH, MIDDLE ROCKS AND
SOUTH LEDGE (MALAYSIA/SINGAPORE) (MALAYSIA v. SINGAPORE)**

**ADDITIONAL WRITTEN OBSERVATIONS
AND DOCUMENTATION OF
MALAYSIA**

**ANNEXURES
(Volume 3: Annexures F – M)**

11 December 2017

Annexure F

United Kingdom Freedom of Information Act 2000.

- Original (As enacted)
- Latest (Revised)



Freedom of Information Act 2000

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Freedom of Information Act 2000

2000 CHAPTER 36

An Act to make provision for the disclosure of information held by public authorities or by persons providing services for them and to amend the Data Protection Act 1998 and the Public Records Act 1958; and for connected purposes. [30th November 2000]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

Right to information

- 1.—(1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.
- (2) Subsection (1) has effect subject to the following provisions of this section and to the provisions of sections 2, 9, 12 and 14.
- (3) Where a public authority—
- (a) reasonably requires further information in order to identify and locate the information requested, and
 - (b) has informed the applicant of that requirement,
- the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.

General right of access to information held by public authorities.

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(4) The information—

- (a) in respect of which the applicant is to be informed under subsection (1)(a), or
- (b) which is to be communicated under subsection (1)(b),

is the information in question held at the time when the request is received, except that account may be taken of any amendment or deletion made between that time and the time when the information is to be communicated under subsection (1)(b), being an amendment or deletion that would have been made regardless of the receipt of the request.

(5) A public authority is to be taken to have complied with subsection (1)(a) in relation to any information if it has communicated the information to the applicant in accordance with subsection (1)(b).

(6) In this Act, the duty of a public authority to comply with subsection (1)(a) is referred to as “the duty to confirm or deny”.

Effect of the exemptions in Part II.

2.—(1) Where any provision of Part II states that the duty to confirm or deny does not arise in relation to any information, the effect of the provision is that where either—

- (a) the provision confers absolute exemption, or
- (b) in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the public authority holds the information,

section 1(1)(a) does not apply.

(2) In respect of any information which is exempt information by virtue of any provision of Part II, section 1(1)(b) does not apply if or to the extent that—

- (a) the information is exempt information by virtue of a provision conferring absolute exemption, or
- (b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(3) For the purposes of this section, the following provisions of Part II (and no others) are to be regarded as conferring absolute exemption—

- (a) section 21,
- (b) section 23,
- (c) section 32,
- (d) section 34,
- (e) section 36 so far as relating to information held by the House of Commons or the House of Lords,
- (f) in section 40—
 - (i) subsection (1), and
 - (ii) subsection (2) so far as relating to cases where the first condition referred to in that subsection is satisfied by virtue of subsection (3)(a)(i) or (b) of that section,
- (g) section 41, and
- (h) section 44.

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Public authorities.

- 3.—(1) In this Act “public authority” means—
- (a) subject to section 4(4), any body which, any other person who, or the holder of any office which—
 - (i) is listed in Schedule 1, or
 - (ii) is designated by order under section 5, or
 - (b) a publicly-owned company as defined by section 6.
- (2) For the purposes of this Act, information is held by a public authority if—
- (a) it is held by the authority, otherwise than on behalf of another person, or
 - (b) it is held by another person on behalf of the authority.
- 4.—(1) The Secretary of State may by order amend Schedule 1 by adding to that Schedule a reference to any body or the holder of any office which (in either case) is not for the time being listed in that Schedule but as respects which both the first and the second conditions below are satisfied. Amendment of
Schedule 1.
- (2) The first condition is that the body or office—
- (a) is established by virtue of Her Majesty’s prerogative or by an enactment or by subordinate legislation, or
 - (b) is established in any other way by a Minister of the Crown in his capacity as Minister, by a government department or by the National Assembly for Wales.
- (3) The second condition is—
- (a) in the case of a body, that the body is wholly or partly constituted by appointment made by the Crown, by a Minister of the Crown, by a government department or by the National Assembly for Wales, or
 - (b) in the case of an office, that appointments to the office are made by the Crown, by a Minister of the Crown, by a government department or by the National Assembly for Wales.
- (4) If either the first or the second condition above ceases to be satisfied as respects any body or office which is listed in Part VI or VII of Schedule 1, that body or the holder of that office shall cease to be a public authority by virtue of the entry in question.
- (5) The Secretary of State may by order amend Schedule 1 by removing from Part VI or VII of that Schedule an entry relating to any body or office—
- (a) which has ceased to exist, or
 - (b) as respects which either the first or the second condition above has ceased to be satisfied.
- (6) An order under subsection (1) may relate to a specified person or office or to persons or offices falling within a specified description.
- (7) Before making an order under subsection (1), the Secretary of State shall—
- (a) if the order adds to Part II, III, IV or VI of Schedule 1 a reference to—
 - (i) a body whose functions are exercisable only or mainly in or as regards Wales, or

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(ii) the holder of an office whose functions are exercisable only or mainly in or as regards Wales, consult the National Assembly for Wales, and

(b) if the order relates to a body which, or the holder of any office who, if the order were made, would be a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.

(8) This section has effect subject to section 80.

(9) In this section “Minister of the Crown” includes a Northern Ireland Minister.

Further power to designate public authorities.

5.—(1) The Secretary of State may by order designate as a public authority for the purposes of this Act any person who is neither listed in Schedule 1 nor capable of being added to that Schedule by an order under section 4(1), but who—

- (a) appears to the Secretary of State to exercise functions of a public nature, or
- (b) is providing under a contract made with a public authority any service whose provision is a function of that authority.

(2) An order under this section may designate a specified person or office or persons or offices falling within a specified description.

(3) Before making an order under this section, the Secretary of State shall consult every person to whom the order relates, or persons appearing to him to represent such persons.

(4) This section has effect subject to section 80.

Publicly-owned companies.

6.—(1) A company is a “publicly-owned company” for the purposes of section 3(1)(b) if—

- (a) it is wholly owned by the Crown, or
- (b) it is wholly owned by any public authority listed in Schedule 1 other than—
 - (i) a government department, or
 - (ii) any authority which is listed only in relation to particular information.

(2) For the purposes of this section—

- (a) a company is wholly owned by the Crown if it has no members except—
 - (i) Ministers of the Crown, government departments or companies wholly owned by the Crown, or
 - (ii) persons acting on behalf of Ministers of the Crown, government departments or companies wholly owned by the Crown, and
- (b) a company is wholly owned by a public authority other than a government department if it has no members except—
 - (i) that public authority or companies wholly owned by that public authority, or
 - (ii) persons acting on behalf of that public authority or of companies wholly owned by that public authority.

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(3) In this section—

“company” includes any body corporate;

“Minister of the Crown” includes a Northern Ireland Minister.

7.—(1) Where a public authority is listed in Schedule 1 only in relation to information of a specified description, nothing in Parts I to V of this Act applies to any other information held by the authority.

Public authorities to which Act has limited application.

(2) An order under section 4(1) may, in adding an entry to Schedule 1, list the public authority only in relation to information of a specified description.

(3) The Secretary of State may by order amend Schedule 1—

(a) by limiting to information of a specified description the entry relating to any public authority, or

(b) by removing or amending any limitation to information of a specified description which is for the time being contained in any entry.

(4) Before making an order under subsection (3), the Secretary of State shall—

(a) if the order relates to the National Assembly for Wales or a Welsh public authority, consult the National Assembly for Wales,

(b) if the order relates to the Northern Ireland Assembly, consult the Presiding Officer of that Assembly, and

(c) if the order relates to a Northern Ireland department or a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.

(5) An order under section 5(1)(a) must specify the functions of the public authority designated by the order with respect to which the designation is to have effect; and nothing in Parts I to V of this Act applies to information which is held by the authority but does not relate to the exercise of those functions.

(6) An order under section 5(1)(b) must specify the services provided under contract with respect to which the designation is to have effect; and nothing in Parts I to V of this Act applies to information which is held by the public authority designated by the order but does not relate to the provision of those services.

(7) Nothing in Parts I to V of this Act applies in relation to any information held by a publicly-owned company which is excluded information in relation to that company.

(8) In subsection (7) “excluded information”, in relation to a publicly-owned company, means information which is of a description specified in relation to that company in an order made by the Secretary of State for the purposes of this subsection.

(9) In this section “publicly-owned company” has the meaning given by section 6.

8.—(1) In this Act any reference to a “request for information” is a reference to such a request which—

Request for information.

(a) is in writing,

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(b) states the name of the applicant and an address for correspondence, and

(c) describes the information requested.

(2) For the purposes of subsection (1)(a), a request is to be treated as made in writing where the text of the request—

(a) is transmitted by electronic means,

(b) is received in legible form, and

(c) is capable of being used for subsequent reference.

Fees.

9.—(1) A public authority to whom a request for information is made may, within the period for complying with section 1(1), give the applicant a notice in writing (in this Act referred to as a “fees notice”) stating that a fee of an amount specified in the notice is to be charged by the authority for complying with section 1(1).

(2) Where a fees notice has been given to the applicant, the public authority is not obliged to comply with section 1(1) unless the fee is paid within the period of three months beginning with the day on which the fees notice is given to the applicant.

(3) Subject to subsection (5), any fee under this section must be determined by the public authority in accordance with regulations made by the Secretary of State.

(4) Regulations under subsection (3) may, in particular, provide—

(a) that no fee is to be payable in prescribed cases,

(b) that any fee is not to exceed such maximum as may be specified in, or determined in accordance with, the regulations, and

(c) that any fee is to be calculated in such manner as may be prescribed by the regulations.

(5) Subsection (3) does not apply where provision is made by or under any enactment as to the fee that may be charged by the public authority for the disclosure of the information.

Time for compliance with request.

10.—(1) Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.

(2) Where the authority has given a fees notice to the applicant and the fee is paid in accordance with section 9(2), the working days in the period beginning with the day on which the fees notice is given to the applicant and ending with the day on which the fee is received by the authority are to be disregarded in calculating for the purposes of subsection (1) the twentieth working day following the date of receipt.

(3) If, and to the extent that—

(a) section 1(1)(a) would not apply if the condition in section 2(1)(b) were satisfied, or

(b) section 1(1)(b) would not apply if the condition in section 2(2)(b) were satisfied,

the public authority need not comply with section 1(1)(a) or (b) until such time as is reasonable in the circumstances; but this subsection does not affect the time by which any notice under section 17(1) must be given.

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(4) The Secretary of State may by regulations provide that subsections (1) and (2) are to have effect as if any reference to the twentieth working day following the date of receipt were a reference to such other day, not later than the sixtieth working day following the date of receipt, as may be specified in, or determined in accordance with, the regulations.

(5) Regulations under subsection (4) may—

- (a) prescribe different days in relation to different cases, and
- (b) confer a discretion on the Commissioner.

(6) In this section—

“the date of receipt” means—

- (a) the day on which the public authority receives the request for information, or
- (b) if later, the day on which it receives the information referred to in section 1(3);

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.

1971 c. 80.

11.—(1) Where, on making his request for information, the applicant expresses a preference for communication by any one or more of the following means, namely—

Means by which communication to be made.

- (a) the provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant,
- (b) the provision to the applicant of a reasonable opportunity to inspect a record containing the information, and
- (c) the provision to the applicant of a digest or summary of the information in permanent form or in another form acceptable to the applicant,

the public authority shall so far as reasonably practicable give effect to that preference.

(2) In determining for the purposes of this section whether it is reasonably practicable to communicate information by particular means, the public authority may have regard to all the circumstances, including the cost of doing so.

(3) Where the public authority determines that it is not reasonably practicable to comply with any preference expressed by the applicant in making his request, the authority shall notify the applicant of the reasons for its determination.

(4) Subject to subsection (1), a public authority may comply with a request by communicating information by any means which are reasonable in the circumstances.

12.—(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Exemption where cost of compliance exceeds appropriate limit.

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(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—

- (a) by one person, or
- (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Fees for disclosure where cost of compliance exceeds appropriate limit.

13.—(1) A public authority may charge for the communication of any information whose communication—

- (a) is not required by section 1(1) because the cost of complying with the request for information exceeds the amount which is the appropriate limit for the purposes of section 12(1) and (2), and
- (b) is not otherwise required by law,

such fee as may be determined by the public authority in accordance with regulations made by the Secretary of State.

(2) Regulations under this section may, in particular, provide—

- (a) that any fee is not to exceed such maximum as may be specified in, or determined in accordance with, the regulations, and
- (b) that any fee is to be calculated in such manner as may be prescribed by the regulations.

(3) Subsection (1) does not apply where provision is made by or under any enactment as to the fee that may be charged by the public authority for the disclosure of the information.

Vexatious or repeated requests.

14.—(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.

(2) Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

Special provisions relating to public records transferred to Public Record Office, etc.

15.—(1) Where—

- (a) the appropriate records authority receives a request for information which relates to information which is, or if it existed would be, contained in a transferred public record, and

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(b) either of the conditions in subsection (2) is satisfied in relation to any of that information,

that authority shall, within the period for complying with section 1(1), send a copy of the request to the responsible authority.

(2) The conditions referred to in subsection (1)(b) are—

(a) that the duty to confirm or deny is expressed to be excluded only by a provision of Part II not specified in subsection (3) of section 2, and

(b) that the information is exempt information only by virtue of a provision of Part II not specified in that subsection.

(3) On receiving the copy, the responsible authority shall, within such time as is reasonable in all the circumstances, inform the appropriate records authority of the determination required by virtue of subsection (3) or (4) of section 66.

(4) In this Act “transferred public record” means a public record which has been transferred—

(a) to the Public Record Office,

(b) to another place of deposit appointed by the Lord Chancellor under the Public Records Act 1958, or

1958 c. 51.

(c) to the Public Record Office of Northern Ireland.

(5) In this Act—

“appropriate records authority”, in relation to a transferred public record, means—

(a) in a case falling within subsection (4)(a), the Public Record Office,

(b) in a case falling within subsection (4)(b), the Lord Chancellor, and

(c) in a case falling within subsection (4)(c), the Public Record Office of Northern Ireland;

“responsible authority”, in relation to a transferred public record, means—

(a) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the Lord Chancellor to be primarily concerned,

(b) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from any other person, the person who appears to the Lord Chancellor to be primarily concerned,

(c) in the case of a record transferred to the Public Record Office of Northern Ireland from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the appropriate Northern Ireland Minister to be primarily concerned,

(d) in the case of a record transferred to the Public Record Office of Northern Ireland from a Northern Ireland department, the Northern Ireland Minister who appears to the appropriate Northern Ireland Minister to be primarily concerned, or

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(e) in the case of a record transferred to the Public Record Office of Northern Ireland from any other person, the person who appears to the appropriate Northern Ireland Minister to be primarily concerned.

Duty to provide advice and assistance.

16.—(1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.

(2) Any public authority which, in relation to the provision of advice or assistance in any case, conforms with the code of practice under section 45 is to be taken to comply with the duty imposed by subsection (1) in relation to that case.

Refusal of request

Refusal of request.

17.—(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that any provision of Part II relating to the duty to confirm or deny is relevant to the request or on a claim that information is exempt information must, within the time for complying with section 1(1), give the applicant a notice which—

- (a) states that fact,
- (b) specifies the exemption in question, and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

(2) Where—

- (a) in relation to any request for information, a public authority is, as respects any information, relying on a claim—
 - (i) that any provision of Part II which relates to the duty to confirm or deny and is not specified in section 2(3) is relevant to the request, or
 - (ii) that the information is exempt information only by virtue of a provision not specified in section 2(3), and
- (b) at the time when the notice under subsection (1) is given to the applicant, the public authority (or, in a case falling within section 66(3) or (4), the responsible authority) has not yet reached a decision as to the application of subsection (1)(b) or (2)(b) of section 2,

the notice under subsection (1) must indicate that no decision as to the application of that provision has yet been reached and must contain an estimate of the date by which the authority expects that such a decision will have been reached.

(3) A public authority which, in relation to any request for information, is to any extent relying on a claim that subsection (1)(b) or (2)(b) of section 2 applies must, either in the notice under subsection (1) or in a separate notice given within such time as is reasonable in the circumstances, state the reasons for claiming—

- (a) that, in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the authority holds the information, or

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- (b) that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(4) A public authority is not obliged to make a statement under subsection (1)(c) or (3) if, or to the extent that, the statement would involve the disclosure of information which would itself be exempt information.

(5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.

(6) Subsection (5) does not apply where—

- (a) the public authority is relying on a claim that section 14 applies,
- (b) the authority has given the applicant a notice, in relation to a previous request for information, stating that it is relying on such a claim, and
- (c) it would in all the circumstances be unreasonable to expect the authority to serve a further notice under subsection (5) in relation to the current request.

(7) A notice under subsection (1), (3) or (5) must—

- (a) contain particulars of any procedure provided by the public authority for dealing with complaints about the handling of requests for information or state that the authority does not provide such a procedure, and
- (b) contain particulars of the right conferred by section 50.

The Information Commissioner and the Information Tribunal

18.—(1) The Data Protection Commissioner shall be known instead as the Information Commissioner. The Information Commissioner and the Information Tribunal.

(2) The Data Protection Tribunal shall be known instead as the Information Tribunal. 1998 c. 29.

(3) In this Act—

- (a) the Information Commissioner is referred to as “the Commissioner”, and
- (b) the Information Tribunal is referred to as “the Tribunal”.

(4) Schedule 2 (which makes provision consequential on subsections (1) and (2) and amendments of the Data Protection Act 1998 relating to the extension by this Act of the functions of the Commissioner and the Tribunal) has effect.

(5) If the person who held office as Data Protection Commissioner immediately before the day on which this Act is passed remains in office as Information Commissioner at the end of the period of two years beginning with that day, he shall vacate his office at the end of that period.

(6) Subsection (5) does not prevent the re-appointment of a person whose appointment is terminated by that subsection.

(7) In the application of paragraph 2(4)(b) and (5) of Schedule 5 to the Data Protection Act 1998 (Commissioner not to serve for more than fifteen years and not to be appointed, except in special circumstances, for

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a third or subsequent term) to anything done after the passing of this Act, there shall be left out of account any term of office served by virtue of an appointment made before the passing of this Act.

Publication schemes

Publication schemes.

19.—(1) It shall be the duty of every public authority—

- (a) to adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Commissioner (in this Act referred to as a “publication scheme”),
- (b) to publish information in accordance with its publication scheme, and
- (c) from time to time to review its publication scheme.

(2) A publication scheme must—

- (a) specify classes of information which the public authority publishes or intends to publish,
- (b) specify the manner in which information of each class is, or is intended to be, published, and
- (c) specify whether the material is, or is intended to be, available to the public free of charge or on payment.

(3) In adopting or reviewing a publication scheme, a public authority shall have regard to the public interest—

- (a) in allowing public access to information held by the authority, and
- (b) in the publication of reasons for decisions made by the authority.

(4) A public authority shall publish its publication scheme in such manner as it thinks fit.

(5) The Commissioner may, when approving a scheme, provide that his approval is to expire at the end of a specified period.

(6) Where the Commissioner has approved the publication scheme of any public authority, he may at any time give notice to the public authority revoking his approval of the scheme as from the end of the period of six months beginning with the day on which the notice is given.

(7) Where the Commissioner—

- (a) refuses to approve a proposed publication scheme, or
- (b) revokes his approval of a publication scheme,

he must give the public authority a statement of his reasons for doing so.

Model publication schemes.

20.—(1) The Commissioner may from time to time approve, in relation to public authorities falling within particular classes, model publication schemes prepared by him or by other persons.

(2) Where a public authority falling within the class to which an approved model scheme relates adopts such a scheme without modification, no further approval of the Commissioner is required so long as the model scheme remains approved; and where such an authority adopts such a scheme with modifications, the approval of the Commissioner is required only in relation to the modifications.

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(3) The Commissioner may, when approving a model publication scheme, provide that his approval is to expire at the end of a specified period.

(4) Where the Commissioner has approved a model publication scheme, he may at any time publish, in such manner as he thinks fit, a notice revoking his approval of the scheme as from the end of the period of six months beginning with the day on which the notice is published.

(5) Where the Commissioner refuses to approve a proposed model publication scheme on the application of any person, he must give the person who applied for approval of the scheme a statement of the reasons for his refusal.

(6) Where the Commissioner refuses to approve any modifications under subsection (2), he must give the public authority a statement of the reasons for his refusal.

(7) Where the Commissioner revokes his approval of a model publication scheme, he must include in the notice under subsection (4) a statement of his reasons for doing so.

PART II

EXEMPT INFORMATION

21.—(1) Information which is reasonably accessible to the applicant otherwise than under section I is exempt information.

Information accessible to applicant by other means.

(2) For the purposes of subsection (1)—

- (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

22.—(1) Information is exempt information if—

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

Information intended for future publication.

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(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Information supplied by, or relating to, bodies dealing with security matters.

23.—(1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

(2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.

(3) The bodies referred to in subsections (1) and (2) are—

- (a) the Security Service,
- (b) the Secret Intelligence Service,
- (c) the Government Communications Headquarters,
- (d) the special forces,
- 2000 c. 23. (e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,
- 1985 c. 56. (f) the Tribunal established under section 7 of the Interception of Communications Act 1985,
- 1989 c. 5. (g) the Tribunal established under section 5 of the Security Service Act 1989,
- 1994 c. 13. (h) the Tribunal established under section 9 of the Intelligence Services Act 1994,
- (i) the Security Vetting Appeals Panel,
- (j) the Security Commission,
- (k) the National Criminal Intelligence Service, and
- (l) the Service Authority for the National Criminal Intelligence Service.

(4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.

(5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

National security.

24.—(1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.

(2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.

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(3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.

(4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

25.—(1) A document purporting to be a certificate under section 23(2) or 24(3) shall be received in evidence and deemed to be such a certificate unless the contrary is proved.

Certificates under ss. 23 and 24: supplementary provisions.

(2) A document which purports to be certified by or on behalf of a Minister of the Crown as a true copy of a certificate issued by that Minister under section 23(2) or 24(3) shall in any legal proceedings be evidence (or, in Scotland, sufficient evidence) of that certificate.

(3) The power conferred by section 23(2) or 24(3) on a Minister of the Crown shall not be exercisable except by a Minister who is a member of the Cabinet or by the Attorney General, the Advocate General for Scotland or the Attorney General for Northern Ireland.

26.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

Defence.

- (a) the defence of the British Islands or of any colony, or
- (b) the capability, effectiveness or security of any relevant forces.

(2) In subsection (1)(b) “relevant forces” means—

- (a) the armed forces of the Crown, and
- (b) any forces co-operating with those forces,

or any part of any of those forces.

(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

27.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

International relations.

- (a) relations between the United Kingdom and any other State,
- (b) relations between the United Kingdom and any international organisation or international court,
- (c) the interests of the United Kingdom abroad, or
- (d) the promotion or protection by the United Kingdom of its interests abroad.

(2) Information is also exempt information if it is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.

(3) For the purposes of this section, any information obtained from a State, organisation or court is confidential at any time while the terms on which it was obtained require it to be held in confidence or while the circumstances in which it was obtained make it reasonable for the State, organisation or court to expect that it will be so held.

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(4) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a)—

- (a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1), or
- (b) would involve the disclosure of any information (whether or not already recorded) which is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.

(5) In this section—

“international court” means any international court which is not an international organisation and which is established—

- (a) by a resolution of an international organisation of which the United Kingdom is a member, or
- (b) by an international agreement to which the United Kingdom is a party;

“international organisation” means any international organisation whose members include any two or more States, or any organ of such an organisation;

“State” includes the government of any State and any organ of its government, and references to a State other than the United Kingdom include references to any territory outside the United Kingdom.

Relations within the United Kingdom.

28.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice relations between any administration in the United Kingdom and any other such administration.

(2) In subsection (1) “administration in the United Kingdom” means—

- (a) the government of the United Kingdom,
- (b) the Scottish Administration,
- (c) the Executive Committee of the Northern Ireland Assembly, or
- (d) the National Assembly for Wales.

(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

The economy.

29.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the economic interests of the United Kingdom or of any part of the United Kingdom, or
- (b) the financial interests of any administration in the United Kingdom, as defined by section 28(2).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

Investigations and proceedings conducted by public authorities.

30.—(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—

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- (a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—
- (i) whether a person should be charged with an offence, or
 - (ii) whether a person charged with an offence is guilty of it,
- (b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or
- (c) any criminal proceedings which the authority has power to conduct.
- (2) Information held by a public authority is exempt information if—
- (a) it was obtained or recorded by the authority for the purposes of its functions relating to—
 - (i) investigations falling within subsection (1)(a) or (b),
 - (ii) criminal proceedings which the authority has power to conduct,
 - (iii) investigations (other than investigations falling within subsection (1)(a) or (b)) which are conducted by the authority for any of the purposes specified in section 31(2) and either by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under any enactment, or
 - (iv) civil proceedings which are brought by or on behalf of the authority and arise out of such investigations, and
 - (b) it relates to the obtaining of information from confidential sources.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1) or (2).
- (4) In relation to the institution or conduct of criminal proceedings or the power to conduct them, references in subsection (1)(b) or (c) and subsection (2)(a) to the public authority include references—
- (a) to any officer of the authority,
 - (b) in the case of a government department other than a Northern Ireland department, to the Minister of the Crown in charge of the department, and
 - (c) in the case of a Northern Ireland department, to the Northern Ireland Minister in charge of the department.
- (5) In this section—
- “criminal proceedings” includes—
- (a) proceedings before a court-martial constituted under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 or a disciplinary court constituted under section 52G of the Act of 1957, 1955 c. 18.
1955 c. 19.
1957 c. 53.
 - (b) proceedings on dealing summarily with a charge under the Army Act 1955 or the Air Force Act 1955 or on summary trial under the Naval Discipline Act 1957,

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1955 c. 18.
1955 c. 19.
1957 c. 53.

(c) proceedings before a court established by section 83ZA of the Army Act 1955, section 83ZA of the Air Force Act 1955 or section 52FF of the Naval Discipline Act 1957 (summary appeal courts),

(d) proceedings before the Courts-Martial Appeal Court, and

(e) proceedings before a Standing Civilian Court;

“offence” includes any offence under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957.

(6) In the application of this section to Scotland—

(a) in subsection (1)(b), for the words from “a decision” to the end there is substituted “a decision by the authority to make a report to the procurator fiscal for the purpose of enabling him to determine whether criminal proceedings should be instituted”,

(b) in subsections (1)(c) and (2)(a)(ii) for “which the authority has power to conduct” there is substituted “which have been instituted in consequence of a report made by the authority to the procurator fiscal”, and

(c) for any reference to a person being charged with an offence there is substituted a reference to the person being prosecuted for the offence.

Law enforcement.

31.—(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

(a) the prevention or detection of crime,

(b) the apprehension or prosecution of offenders,

(c) the administration of justice,

(d) the assessment or collection of any tax or duty or of any imposition of a similar nature,

(e) the operation of the immigration controls,

(f) the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained,

(g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2),

(h) any civil proceedings which are brought by or on behalf of a public authority and arise out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty’s prerogative or by virtue of powers conferred by or under an enactment, or

1976 c. 14.

(i) any inquiry held under the Fatal Accidents and Sudden Deaths Inquiries (Scotland) Act 1976 to the extent that the inquiry arises out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty’s prerogative or by virtue of powers conferred by or under an enactment.

(2) The purposes referred to in subsection (1)(g) to (i) are—

(a) the purpose of ascertaining whether any person has failed to comply with the law,

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- (b) the purpose of ascertaining whether any person is responsible for any conduct which is improper,
- (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,
- (d) the purpose of ascertaining a person's fitness or competence in relation to the management of bodies corporate or in relation to any profession or other activity which he is, or seeks to become, authorised to carry on,
- (e) the purpose of ascertaining the cause of an accident,
- (f) the purpose of protecting charities against misconduct or mismanagement (whether by trustees or other persons) in their administration,
- (g) the purpose of protecting the property of charities from loss or misapplication,
- (h) the purpose of recovering the property of charities,
- (i) the purpose of securing the health, safety and welfare of persons at work, and
- (j) the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.

(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

32.—(1) Information held by a public authority is exempt information if it is held only by virtue of being contained in— Court records, etc.

- (a) any document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter,
- (b) any document served upon, or by, a public authority for the purposes of proceedings in a particular cause or matter, or
- (c) any document created by—
 - (i) a court, or
 - (ii) a member of the administrative staff of a court,
 for the purposes of proceedings in a particular cause or matter.

(2) Information held by a public authority is exempt information if it is held only by virtue of being contained in—

- (a) any document placed in the custody of a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration, or
- (b) any document created by a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration.

(3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of this section.

(4) In this section—

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- (a) “court” includes any tribunal or body exercising the judicial power of the State,
- (b) “proceedings in a particular cause or matter” includes any inquest or post-mortem examination,
- (c) “inquiry” means any inquiry or hearing held under any provision contained in, or made under, an enactment, and
- (d) except in relation to Scotland, “arbitration” means any arbitration to which Part I of the Arbitration Act 1996 applies.
- 1996 c. 23.
- Audit functions. **33.**—(1) This section applies to any public authority which has functions in relation to—
- (a) the audit of the accounts of other public authorities, or
- (b) the examination of the economy, efficiency and effectiveness with which other public authorities use their resources in discharging their functions.
- (2) Information held by a public authority to which this section applies is exempt information if its disclosure would, or would be likely to, prejudice the exercise of any of the authority’s functions in relation to any of the matters referred to in subsection (1).
- (3) The duty to confirm or deny does not arise in relation to a public authority to which this section applies if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the exercise of any of the authority’s functions in relation to any of the matters referred to in subsection (1).
- Parliamentary privilege. **34.**—(1) Information is exempt information if exemption from section 1(1)(b) is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.
- (2) The duty to confirm or deny does not apply if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.
- (3) A certificate signed by the appropriate authority certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of avoiding an infringement of the privileges of either House of Parliament shall be conclusive evidence of that fact.
- (4) In subsection (3) “the appropriate authority” means—
- (a) in relation to the House of Commons, the Speaker of that House, and
- (b) in relation to the House of Lords, the Clerk of the Parliaments.
- Formulation of government policy, etc. **35.**—(1) Information held by a government department or by the National Assembly for Wales is exempt information if it relates to—
- (a) the formulation or development of government policy,
- (b) Ministerial communications,
- (c) the provision of advice by any of the Law Officers or any request for the provision of such advice, or
- (d) the operation of any Ministerial private office.

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(2) Once a decision as to government policy has been taken, any statistical information used to provide an informed background to the taking of the decision is not to be regarded—

- (a) for the purposes of subsection (1)(a), as relating to the formulation or development of government policy, or
- (b) for the purposes of subsection (1)(b), as relating to Ministerial communications.

(3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

(4) In making any determination required by section 2(1)(b) or (2)(b) in relation to information which is exempt information by virtue of subsection (1)(a), regard shall be had to the particular public interest in the disclosure of factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.

(5) In this section—

“government policy” includes the policy of the Executive Committee of the Northern Ireland Assembly and the policy of the National Assembly for Wales;

“the Law Officers” means the Attorney General, the Solicitor General, the Advocate General for Scotland, the Lord Advocate, the Solicitor General for Scotland and the Attorney General for Northern Ireland;

“Ministerial communications” means any communications—

- (a) between Ministers of the Crown,
- (b) between Northern Ireland Ministers, including Northern Ireland junior Ministers, or
- (c) between Assembly Secretaries, including the Assembly First Secretary,

and includes, in particular, proceedings of the Cabinet or of any committee of the Cabinet, proceedings of the Executive Committee of the Northern Ireland Assembly, and proceedings of the executive committee of the National Assembly for Wales;

“Ministerial private office” means any part of a government department which provides personal administrative support to a Minister of the Crown, to a Northern Ireland Minister or a Northern Ireland junior Minister or any part of the administration of the National Assembly for Wales providing personal administrative support to the Assembly First Secretary or an Assembly Secretary;

“Northern Ireland junior Minister” means a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the Northern Ireland Act 1998.

1998 c. 47.

36.—(1) This section applies to—

- (a) information which is held by a government department or by the National Assembly for Wales and is not exempt information by virtue of section 35, and
- (b) information which is held by any other public authority.

Prejudice to effective conduct of public affairs.

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(2) Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—

- (a) would, or would be likely to, prejudice—
 - (i) the maintenance of the convention of the collective responsibility of Ministers of the Crown, or
 - (ii) the work of the Executive Committee of the Northern Ireland Assembly, or
 - (iii) the work of the executive committee of the National Assembly for Wales,
- (b) would, or would be likely to, inhibit—
 - (i) the free and frank provision of advice, or
 - (ii) the free and frank exchange of views for the purposes of deliberation, or
- (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

(3) The duty to confirm or deny does not arise in relation to information to which this section applies (or would apply if held by the public authority) if, or to the extent that, in the reasonable opinion of a qualified person, compliance with section 1(1)(a) would, or would be likely to, have any of the effects mentioned in subsection (2).

(4) In relation to statistical information, subsections (2) and (3) shall have effect with the omission of the words “in the reasonable opinion of a qualified person”.

(5) In subsections (2) and (3) “qualified person”—

- (a) in relation to information held by a government department in the charge of a Minister of the Crown, means any Minister of the Crown,
- (b) in relation to information held by a Northern Ireland department, means the Northern Ireland Minister in charge of the department,
- (c) in relation to information held by any other government department, means the commissioners or other person in charge of that department,
- (d) in relation to information held by the House of Commons, means the Speaker of that House,
- (e) in relation to information held by the House of Lords, means the Clerk of the Parliaments,
- (f) in relation to information held by the Northern Ireland Assembly, means the Presiding Officer,
- (g) in relation to information held by the National Assembly for Wales, means the Assembly First Secretary,
- (h) in relation to information held by any Welsh public authority other than the Auditor General for Wales, means—
 - (i) the public authority, or
 - (ii) any officer or employee of the authority authorised by the Assembly First Secretary,
- (i) in relation to information held by the National Audit Office, means the Comptroller and Auditor General,

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- (j) in relation to information held by the Northern Ireland Audit Office, means the Comptroller and Auditor General for Northern Ireland,
- (k) in relation to information held by the Auditor General for Wales, means the Auditor General for Wales,
- (l) in relation to information held by any Northern Ireland public authority other than the Northern Ireland Audit Office, means—
- (i) the public authority, or
 - (ii) any officer or employee of the authority authorised by the First Minister and deputy First Minister in Northern Ireland acting jointly,
- (m) in relation to information held by the Greater London Authority, means the Mayor of London,
- (n) in relation to information held by a functional body within the meaning of the Greater London Authority Act 1999, means the chairman of that functional body, and 1999 c. 29.
- (o) in relation to information held by any public authority not falling within any of paragraphs (a) to (n), means—
- (i) a Minister of the Crown,
 - (ii) the public authority, if authorised for the purposes of this section by a Minister of the Crown, or
 - (iii) any officer or employee of the public authority who is authorised for the purposes of this section by a Minister of the Crown.
- (6) Any authorisation for the purposes of this section—
- (a) may relate to a specified person or to persons falling within a specified class,
 - (b) may be general or limited to particular classes of case, and
 - (c) may be granted subject to conditions.
- (7) A certificate signed by the qualified person referred to in subsection (5)(d) or (e) above certifying that in his reasonable opinion—
- (a) disclosure of information held by either House of Parliament, or
 - (b) compliance with section 1(1)(a) by either House,
- would, or would be likely to, have any of the effects mentioned in subsection (2) shall be conclusive evidence of that fact.

37.—(1) Information is exempt information if it relates to—

- (a) communications with Her Majesty, with other members of the Royal Family or with the Royal Household, or
- (b) the conferring by the Crown of any honour or dignity.

Communications with Her Majesty, etc. and honours.

(2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

38.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to—

- (a) endanger the physical or mental health of any individual, or

Health and safety.

PART II

(b) endanger the safety of any individual.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Environmental information.

39.—(1) Information is exempt information if the public authority holding it—

(a) is obliged by regulations under section 74 to make the information available to the public in accordance with the regulations, or

(b) would be so obliged but for any exemption contained in the regulations.

(2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

(3) Subsection (1)(a) does not limit the generality of section 21(1).

Personal information.

40.—(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which do not fall within subsection (1), and

(b) either the first or the second condition below is satisfied.

(3) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

(i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).

(5) The duty to confirm or deny—

(a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) does not arise in relation to other information if or to the extent that either—

1998 c. 29.

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(i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or

(ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section—

“the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

“data subject” has the same meaning as in section 1(1) of that Act;

“personal data” has the same meaning as in section 1(1) of that Act.

41.—(1) Information is exempt information if—

- (a) it was obtained by the public authority from any other person (including another public authority), and
- (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

Information provided in confidence.

(2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

42.—(1) Information in respect of which a claim to legal professional privilege or, in Scotland, to confidentiality of communications could be maintained in legal proceedings is exempt information.

Legal professional privilege.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) in respect of which such a claim could be maintained in legal proceedings.

43.—(1) Information is exempt information if it constitutes a trade secret.

Commercial interests.

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

PART II
Prohibitions on
disclosure.

44.—(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it—

- (a) is prohibited by or under any enactment,
- (b) is incompatible with any Community obligation, or
- (c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).

PART III

GENERAL FUNCTIONS OF SECRETARY OF STATE, LORD CHANCELLOR AND
INFORMATION COMMISSIONER

Issue of code of
practice by
Secretary of State.

45.—(1) The Secretary of State shall issue, and may from time to time revise, a code of practice providing guidance to public authorities as to the practice which it would, in his opinion, be desirable for them to follow in connection with the discharge of the authorities' functions under Part I.

(2) The code of practice must, in particular, include provision relating to—

- (a) the provision of advice and assistance by public authorities to persons who propose to make, or have made, requests for information to them,
- (b) the transfer of requests by one public authority to another public authority by which the information requested is or may be held,
- (c) consultation with persons to whom the information requested relates or persons whose interests are likely to be affected by the disclosure of information,
- (d) the inclusion in contracts entered into by public authorities of terms relating to the disclosure of information, and
- (e) the provision by public authorities of procedures for dealing with complaints about the handling by them of requests for information.

(3) The code may make different provision for different public authorities.

(4) Before issuing or revising any code under this section, the Secretary of State shall consult the Commissioner.

(5) The Secretary of State shall lay before each House of Parliament any code or revised code made under this section.

Issue of code of
practice by Lord
Chancellor.

46.—(1) The Lord Chancellor shall issue, and may from time to time revise, a code of practice providing guidance to relevant authorities as to the practice which it would, in his opinion, be desirable for them to follow in connection with the keeping, management and destruction of their records.

(2) For the purpose of facilitating the performance by the Public Record Office, the Public Record Office of Northern Ireland and other public authorities of their functions under this Act in relation to records

PART III

which are public records for the purposes of the Public Records Act 1958 or the Public Records Act (Northern Ireland) 1923, the code may also include guidance as to—

- (a) the practice to be adopted in relation to the transfer of records under section 3(4) of the Public Records Act 1958 or section 3 of the Public Records Act (Northern Ireland) 1923, and
- (b) the practice of reviewing records before they are transferred under those provisions.

(3) In exercising his functions under this section, the Lord Chancellor shall have regard to the public interest in allowing public access to information held by relevant authorities.

(4) The code may make different provision for different relevant authorities.

(5) Before issuing or revising any code under this section the Lord Chancellor shall consult—

- (a) the Secretary of State,
- (b) the Commissioner, and
- (c) in relation to Northern Ireland, the appropriate Northern Ireland Minister.

(6) The Lord Chancellor shall lay before each House of Parliament any code or revised code made under this section.

(7) In this section “relevant authority” means—

- (a) any public authority, and
- (b) any office or body which is not a public authority but whose administrative and departmental records are public records for the purposes of the Public Records Act 1958 or the Public Records Act (Northern Ireland) 1923.

47.—(1) It shall be the duty of the Commissioner to promote the following of good practice by public authorities and, in particular, so to perform his functions under this Act as to promote the observance by public authorities of—

- (a) the requirements of this Act, and
- (b) the provisions of the codes of practice under sections 45 and 46.

(2) The Commissioner shall arrange for the dissemination in such form and manner as he considers appropriate of such information as it may appear to him expedient to give to the public—

- (a) about the operation of this Act,
- (b) about good practice, and
- (c) about other matters within the scope of his functions under this Act,

and may give advice to any person as to any of those matters.

(3) The Commissioner may, with the consent of any public authority, assess whether that authority is following good practice.

(4) The Commissioner may charge such sums as he may with the consent of the Secretary of State determine for any services provided by the Commissioner under this section.

1958 c. 51.
1923 c. 20 (N.I.).

General functions
of Commissioner.

PART III

(5) The Commissioner shall from time to time as he considers appropriate—

1958 c. 51. (a) consult the Keeper of Public Records about the promotion by the Commissioner of the observance by public authorities of the provisions of the code of practice under section 46 in relation to records which are public records for the purposes of the Public Records Act 1958, and

1923 c. 20 (N.I.). (b) consult the Deputy Keeper of the Records of Northern Ireland about the promotion by the Commissioner of the observance by public authorities of those provisions in relation to records which are public records for the purposes of the Public Records Act (Northern Ireland) 1923.

(6) In this section “good practice”, in relation to a public authority, means such practice in the discharge of its functions under this Act as appears to the Commissioner to be desirable, and includes (but is not limited to) compliance with the requirements of this Act and the provisions of the codes of practice under sections 45 and 46.

Recommendations
as to good
practice.

48.—(1) If it appears to the Commissioner that the practice of a public authority in relation to the exercise of its functions under this Act does not conform with that proposed in the codes of practice under sections 45 and 46, he may give to the authority a recommendation (in this section referred to as a “practice recommendation”) specifying the steps which ought in his opinion to be taken for promoting such conformity.

(2) A practice recommendation must be given in writing and must refer to the particular provisions of the code of practice with which, in the Commissioner’s opinion, the public authority’s practice does not conform.

(3) Before giving to a public authority other than the Public Record Office a practice recommendation which relates to conformity with the code of practice under section 46 in respect of records which are public records for the purposes of the Public Records Act 1958, the Commissioner shall consult the Keeper of Public Records.

(4) Before giving to a public authority other than the Public Record Office of Northern Ireland a practice recommendation which relates to conformity with the code of practice under section 46 in respect of records which are public records for the purposes of the Public Records Act (Northern Ireland) 1923, the Commissioner shall consult the Deputy Keeper of the Records of Northern Ireland.

Reports to be laid
before Parliament.

49.—(1) The Commissioner shall lay annually before each House of Parliament a general report on the exercise of his functions under this Act.

(2) The Commissioner may from time to time lay before each House of Parliament such other reports with respect to those functions as he thinks fit.

PART IV
ENFORCEMENT

50.—(1) Any person (in this section referred to as “the complainant”) may apply to the Commissioner for a decision whether, in any specified respect, a request for information made by the complainant to a public authority has been dealt with in accordance with the requirements of Part I. Application for decision by Commissioner.

(2) On receiving an application under this section, the Commissioner shall make a decision unless it appears to him—

- (a) that the complainant has not exhausted any complaints procedure which is provided by the public authority in conformity with the code of practice under section 45,
- (b) that there has been undue delay in making the application,
- (c) that the application is frivolous or vexatious, or
- (d) that the application has been withdrawn or abandoned.

(3) Where the Commissioner has received an application under this section, he shall either—

- (a) notify the complainant that he has not made any decision under this section as a result of the application and of his grounds for not doing so, or
- (b) serve notice of his decision (in this Act referred to as a “decision notice”) on the complainant and the public authority.

(4) Where the Commissioner decides that a public authority—

- (a) has failed to communicate information, or to provide confirmation or denial, in a case where it is required to do so by section 1(1), or
- (b) has failed to comply with any of the requirements of sections 11 and 17,

the decision notice must specify the steps which must be taken by the authority for complying with that requirement and the period within which they must be taken.

(5) A decision notice must contain particulars of the right of appeal conferred by section 57.

(6) Where a decision notice requires steps to be taken by the public authority within a specified period, the time specified in the notice must not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, no step which is affected by the appeal need be taken pending the determination or withdrawal of the appeal.

(7) This section has effect subject to section 53.

51.—(1) If the Commissioner—

- (a) has received an application under section 50, or
- (b) reasonably requires any information—
 - (i) for the purpose of determining whether a public authority has complied or is complying with any of the requirements of Part I, or

Information notices.

PART IV

(ii) for the purpose of determining whether the practice of a public authority in relation to the exercise of its functions under this Act conforms with that proposed in the codes of practice under sections 45 and 46,

he may serve the authority with a notice (in this Act referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

(2) An information notice must contain—

(a) in a case falling within subsection (1)(a), a statement that the Commissioner has received an application under section 50, or

(b) in a case falling within subsection (1)(b), a statement—

(i) that the Commissioner regards the specified information as relevant for either of the purposes referred to in subsection (1)(b), and

(ii) of his reasons for regarding that information as relevant for that purpose.

(3) An information notice must also contain particulars of the right of appeal conferred by section 57.

(4) The time specified in an information notice must not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the information need not be furnished pending the determination or withdrawal of the appeal.

(5) An authority shall not be required by virtue of this section to furnish the Commissioner with any information in respect of—

(a) any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or

(b) any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.

(6) In subsection (5) references to the client of a professional legal adviser include references to any person representing such a client.

(7) The Commissioner may cancel an information notice by written notice to the authority on which it was served.

(8) In this section “information” includes unrecorded information.

Enforcement notices.

52.—(1) If the Commissioner is satisfied that a public authority has failed to comply with any of the requirements of Part I, the Commissioner may serve the authority with a notice (in this Act referred to as “an enforcement notice”) requiring the authority to take, within such time as may be specified in the notice, such steps as may be so specified for complying with those requirements.

(2) An enforcement notice must contain—

PART IV

- (a) a statement of the requirement or requirements of Part I with which the Commissioner is satisfied that the public authority has failed to comply and his reasons for reaching that conclusion, and
- (b) particulars of the right of appeal conferred by section 57.

(3) An enforcement notice must not require any of the provisions of the notice to be complied with before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the notice need not be complied with pending the determination or withdrawal of the appeal.

(4) The Commissioner may cancel an enforcement notice by written notice to the authority on which it was served.

(5) This section has effect subject to section 53.

53.—(1) This section applies to a decision notice or enforcement notice which—

- (a) is served on—
 - (i) a government department,
 - (ii) the National Assembly for Wales, or
 - (iii) any public authority designated for the purposes of this section by an order made by the Secretary of State, and
- (b) relates to a failure, in respect of one or more requests for information—
 - (i) to comply with section 1(1)(a) in respect of information which falls within any provision of Part II stating that the duty to confirm or deny does not arise, or
 - (ii) to comply with section 1(1)(b) in respect of exempt information.

Exception from duty to comply with decision notice or enforcement notice.

(2) A decision notice or enforcement notice to which this section applies shall cease to have effect if, not later than the twentieth working day following the effective date, the accountable person in relation to that authority gives the Commissioner a certificate signed by him stating that he has on reasonable grounds formed the opinion that, in respect of the request or requests concerned, there was no failure falling within subsection (1)(b).

(3) Where the accountable person gives a certificate to the Commissioner under subsection (2) he shall as soon as practicable thereafter lay a copy of the certificate before—

- (a) each House of Parliament,
- (b) the Northern Ireland Assembly, in any case where the certificate relates to a decision notice or enforcement notice which has been served on a Northern Ireland department or any Northern Ireland public authority, or
- (c) the National Assembly for Wales, in any case where the certificate relates to a decision notice or enforcement notice which has been served on the National Assembly for Wales or any Welsh public authority.

(4) In subsection (2) “the effective date”, in relation to a decision notice or enforcement notice, means—

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- (a) the day on which the notice was given to the public authority, or
- (b) where an appeal under section 57 is brought, the day on which that appeal (or any further appeal arising out of it) is determined or withdrawn.

(5) Before making an order under subsection (1)(a)(iii), the Secretary of State shall—

- (a) if the order relates to a Welsh public authority, consult the National Assembly for Wales,
- (b) if the order relates to the Northern Ireland Assembly, consult the Presiding Officer of that Assembly, and
- (c) if the order relates to a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.

(6) Where the accountable person gives a certificate to the Commissioner under subsection (2) in relation to a decision notice, the accountable person shall, on doing so or as soon as reasonably practicable after doing so, inform the person who is the complainant for the purposes of section 50 of the reasons for his opinion.

(7) The accountable person is not obliged to provide information under subsection (6) if, or to the extent that, compliance with that subsection would involve the disclosure of exempt information.

(8) In this section “the accountable person”—

- (a) in relation to a Northern Ireland department or any Northern Ireland public authority, means the First Minister and deputy First Minister in Northern Ireland acting jointly,
- (b) in relation to the National Assembly for Wales or any Welsh public authority, means the Assembly First Secretary, and
- (c) in relation to any other public authority, means—
 - (i) a Minister of the Crown who is a member of the Cabinet, or
 - (ii) the Attorney General, the Advocate General for Scotland or the Attorney General for Northern Ireland.

(9) In this section “working day” has the same meaning as in section 10.

Failure to comply with notice.

54.—(1) If a public authority has failed to comply with—

- (a) so much of a decision notice as requires steps to be taken,
- (b) an information notice, or
- (c) an enforcement notice,

the Commissioner may certify in writing to the court that the public authority has failed to comply with that notice.

(2) For the purposes of this section, a public authority which, in purported compliance with an information notice—

- (a) makes a statement which it knows to be false in a material respect, or
- (b) recklessly makes a statement which is false in a material respect,

is to be taken to have failed to comply with the notice.

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(3) Where a failure to comply is certified under subsection (1), the court may inquire into the matter and, after hearing any witness who may be produced against or on behalf of the public authority, and after hearing any statement that may be offered in defence, deal with the authority as if it had committed a contempt of court.

(4) In this section “the court” means the High Court or, in Scotland, the Court of Session.

55. Schedule 3 (powers of entry and inspection) has effect.

Powers of entry and inspection.

56.—(1) This Act does not confer any right of action in civil proceedings in respect of any failure to comply with any duty imposed by or under this Act.

No action against public authority.

(2) Subsection (1) does not affect the powers of the Commissioner under section 54.

PART V

APPEALS

57.—(1) Where a decision notice has been served, the complainant or the public authority may appeal to the Tribunal against the notice.

Appeal against notices served under Part IV.

(2) A public authority on which an information notice or an enforcement notice has been served by the Commissioner may appeal to the Tribunal against the notice.

(3) In relation to a decision notice or enforcement notice which relates—

- (a) to information to which section 66 applies, and
- (b) to a matter which by virtue of subsection (3) or (4) of that section falls to be determined by the responsible authority instead of the appropriate records authority,

subsections (1) and (2) shall have effect as if the reference to the public authority were a reference to the public authority or the responsible authority.

58.—(1) If on an appeal under section 57 the Tribunal considers—

Determination of appeals.

- (a) that the notice against which the appeal is brought is not in accordance with the law, or
- (b) to the extent that the notice involved an exercise of discretion by the Commissioner, that he ought to have exercised his discretion differently,

the Tribunal shall allow the appeal or substitute such other notice as could have been served by the Commissioner; and in any other case the Tribunal shall dismiss the appeal.

(2) On such an appeal, the Tribunal may review any finding of fact on which the notice in question was based.

59. Any party to an appeal to the Tribunal under section 57 may appeal from the decision of the Tribunal on a point of law to the appropriate court; and that court shall be—

Appeals from decision of Tribunal.

PART V

- (a) the High Court of Justice in England if the address of the public authority is in England or Wales,
- (b) the Court of Session if that address is in Scotland, and
- (c) the High Court of Justice in Northern Ireland if that address is in Northern Ireland.

Appeals against national security certificate.

60.—(1) Where a certificate under section 23(2) or 24(3) has been issued—

- (a) the Commissioner, or
- (b) any applicant whose request for information is affected by the issue of the certificate,

may appeal to the Tribunal against the certificate.

(2) If on an appeal under subsection (1) relating to a certificate under section 23(2), the Tribunal finds that the information referred to in the certificate was not exempt information by virtue of section 23(1), the Tribunal may allow the appeal and quash the certificate.

(3) If on an appeal under subsection (1) relating to a certificate under section 24(3), the Tribunal finds that, applying the principles applied by the court on an application for judicial review, the Minister did not have reasonable grounds for issuing the certificate, the Tribunal may allow the appeal and quash the certificate.

(4) Where in any proceedings under this Act it is claimed by a public authority that a certificate under section 24(3) which identifies the information to which it applies by means of a general description applies to particular information, any other party to the proceedings may appeal to the Tribunal on the ground that the certificate does not apply to the information in question and, subject to any determination under subsection (5), the certificate shall be conclusively presumed so to apply.

(5) On any appeal under subsection (4), the Tribunal may determine that the certificate does not so apply.

Appeal proceedings.
1998 c. 29.

61.—(1) Schedule 4 (which contains amendments of Schedule 6 to the Data Protection Act 1998 relating to appeal proceedings) has effect.

(2) Accordingly, the provisions of Schedule 6 to the Data Protection Act 1998 have effect (so far as applicable) in relation to appeals under this Part.

PART VI

HISTORICAL RECORDS AND RECORDS IN PUBLIC RECORD OFFICE OR
PUBLIC RECORD OFFICE OF NORTHERN IRELAND

Interpretation of Part VI.

62.—(1) For the purposes of this Part, a record becomes a “historical record” at the end of the period of thirty years beginning with the year following that in which it was created.

(2) Where records created at different dates are for administrative purposes kept together in one file or other assembly, all the records in that file or other assembly are to be treated for the purposes of this Part as having been created when the latest of those records was created.

(3) In this Part “year” means a calendar year.

PART VI

63.—(1) Information contained in a historical record cannot be exempt information by virtue of section 28, 30(1), 32, 33, 35, 36, 37(1)(a), 42 or 43.

(2) Compliance with section 1(1)(a) in relation to a historical record is not to be taken to be capable of having any of the effects referred to in section 28(3), 33(3), 36(3), 42(2) or 43(3).

(3) Information cannot be exempt information by virtue of section 37(1)(b) after the end of the period of sixty years beginning with the year following that in which the record containing the information was created.

(4) Information cannot be exempt information by virtue of section 31 after the end of the period of one hundred years beginning with the year following that in which the record containing the information was created.

(5) Compliance with section 1(1)(a) in relation to any record is not to be taken, at any time after the end of the period of one hundred years beginning with the year following that in which the record was created, to be capable of prejudicing any of the matters referred to in section 31(1).

Removal of exemptions: historical records generally.

64.—(1) Information contained in a historical record in the Public Record Office or the Public Record Office of Northern Ireland cannot be exempt information by virtue of section 21 or 22.

(2) In relation to any information falling within section 23(1) which is contained in a historical record in the Public Record Office or the Public Record Office of Northern Ireland, section 2(3) shall have effect with the omission of the reference to section 23.

Removal of exemptions: historical records in public record offices.

65.—(1) Before refusing a request for information relating to information which is contained in a historical record and is exempt information only by virtue of a provision not specified in section 2(3), a public authority shall—

- (a) if the historical record is a public record within the meaning of the Public Records Act 1958, consult the Lord Chancellor, or
- (b) if the historical record is a public record to which the Public Records Act (Northern Ireland) 1923 applies, consult the appropriate Northern Ireland Minister.

Decisions as to refusal of discretionary disclosure of historical records.

1958 c. 51.

1923 c. 20 (N.I.).

(2) This section does not apply to information to which section 66 applies.

66.—(1) This section applies to any information which is (or, if it existed, would be) contained in a transferred public record, other than information which the responsible authority has designated as open information for the purposes of this section.

Decisions relating to certain transferred public records.

(2) Before determining whether—

- (a) information to which this section applies falls within any provision of Part II relating to the duty to confirm or deny, or
 - (b) information to which this section applies is exempt information,
- the appropriate records authority shall consult the responsible authority.

(3) Where information to which this section applies falls within a provision of Part II relating to the duty to confirm or deny but does not fall within any of the provisions of that Part relating to that duty which

PART VI

are specified in subsection (3) of section 2, any question as to the application of subsection (1)(b) of that section is to be determined by the responsible authority instead of the appropriate records authority.

(4) Where any information to which this section applies is exempt information only by virtue of any provision of Part II not specified in subsection (3) of section 2, any question as to the application of subsection (2)(b) of that section is to be determined by the responsible authority instead of the appropriate records authority.

(5) Before making by virtue of subsection (3) or (4) any determination that subsection (1)(b) or (2)(b) of section 2 applies, the responsible authority shall consult—

1958 c. 51. (a) where the transferred public record is a public record within the meaning of the Public Records Act 1958, the Lord Chancellor, and

1923 c. 20 (N.I.). (b) where the transferred public record is a public record to which the Public Records Act (Northern Ireland) 1923 applies, the appropriate Northern Ireland Minister.

(6) Where the responsible authority in relation to information to which this section applies is not (apart from this subsection) a public authority, it shall be treated as being a public authority for the purposes of Parts III, IV and V of this Act so far as relating to—

(a) the duty imposed by section 15(3), and

(b) the imposition of any requirement to furnish information relating to compliance with Part I in connection with the information to which this section applies.

Amendments of public records legislation.

67. Schedule 5 (which amends the Public Records Act 1958 and the Public Records Act (Northern Ireland) 1923) has effect.

PART VII

AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments relating to personal information held by public authorities

Extension of meaning of “data”.
1998 c. 29.

68.—(1) Section 1 of the Data Protection Act 1998 (basic interpretative provisions) is amended in accordance with subsections (2) and (3).

(2) In subsection (1)—

(a) in the definition of “data”, the word “or” at the end of paragraph (c) is omitted and after paragraph (d) there is inserted “or

(e) is recorded information held by a public authority and does not fall within any of paragraphs (a) to (d);”, and

(b) after the definition of “processing” there is inserted—

““public authority” has the same meaning as in the Freedom of Information Act 2000;”.

(3) After subsection (4) there is inserted—

“(5) In paragraph (e) of the definition of “data” in subsection (1), the reference to information “held” by a public authority shall be construed in accordance with section 3(2) of the Freedom of Information Act 2000.

PART VII

(3) In section 67(5) of that Act (statutory instruments subject to negative resolution procedure), in paragraph (c), for “or 9(3)” there is substituted “, 9(3) or 9A(5)”.

Exemptions applicable to certain manual data held by public authorities. 1998 c. 29.

70.—(1) After section 33 of the Data Protection Act 1998 there is inserted—

“Manual data held by public authorities.

33A.—(1) Personal data falling within paragraph (e) of the definition of “data” in section 1(1) are exempt from—

- (a) the first, second, third, fifth, seventh and eighth data protection principles,
- (b) the sixth data protection principle except so far as it relates to the rights conferred on data subjects by sections 7 and 14,
- (c) sections 10 to 12,
- (d) section 13, except so far as it relates to damage caused by a contravention of section 7 or of the fourth data protection principle and to any distress which is also suffered by reason of that contravention,
- (e) Part III, and
- (f) section 55.

(2) Personal data which fall within paragraph (e) of the definition of “data” in section 1(1) and relate to appointments or removals, pay, discipline, superannuation or other personnel matters, in relation to—

- (a) service in any of the armed forces of the Crown,
- (b) service in any office or employment under the Crown or under any public authority, or
- (c) service in any office or employment, or under any contract for services, in respect of which power to take action, or to determine or approve the action taken, in such matters is vested in Her Majesty, any Minister of the Crown, the National Assembly for Wales, any Northern Ireland Minister (within the meaning of the Freedom of Information Act 2000) or any public authority,

are also exempt from the remaining data protection principles and the remaining provisions of Part II.”

(2) In section 55 of that Act (unlawful obtaining etc. of personal data) in subsection (8) after “section 28” there is inserted “or 33A”.

(3) In Part III of Schedule 8 to that Act (exemptions available after 23rd October 2001 but before 24th October 2007) after paragraph 14 there is inserted—

“14A.—(1) This paragraph applies to personal data which fall within paragraph (e) of the definition of “data” in section 1(1) and do not fall within paragraph 14(1)(a), but does not apply to eligible manual data to which the exemption in paragraph 16 applies.

PART VII

- (2) During the second transitional period, data to which this paragraph applies are exempt from—
- (a) the fourth data protection principle, and
 - (b) section 14(1) to (3)."
- (4) In Schedule 13 to that Act (modifications of Act having effect before 24th October 2007) in subsection (4)(b) of section 12A to that Act as set out in paragraph 1, after "paragraph 14" there is inserted "or 14A".

71. In section 16(1) of the Data Protection Act 1998 (the registrable particulars), before the word "and" at the end of paragraph (f) there is inserted—

"(ff) where the data controller is a public authority, a statement of that fact,".

Particulars registrable under Part III of Data Protection Act 1998.
1998 c. 29.

72. In section 34 of the Data Protection Act 1998 (information available to the public by or under enactment), after the word "enactment" there is inserted "other than an enactment contained in the Freedom of Information Act 2000".

Availability under Act disregarded for purpose of exemption.

Other amendments

73. Schedule 6 (which contains further amendments of the Data Protection Act 1998) has effect.

Further amendments of Data Protection Act 1998.

PART VIII

MISCELLANEOUS AND SUPPLEMENTAL

74.—(1) In this section "the Aarhus Convention" means the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters signed at Aarhus on 25th June 1998.

Power to make provision relating to environmental information.

(2) For the purposes of this section "the information provisions" of the Aarhus Convention are Article 4, together with Articles 3 and 9 so far as relating to that Article.

(3) The Secretary of State may by regulations make such provision as he considers appropriate—

- (a) for the purpose of implementing the information provisions of the Aarhus Convention or any amendment of those provisions made in accordance with Article 14 of the Convention, and
 - (b) for the purpose of dealing with matters arising out of or related to the implementation of those provisions or of any such amendment.
- (4) Regulations under subsection (3) may in particular—
- (a) enable charges to be made for making information available in accordance with the regulations,
 - (b) provide that any obligation imposed by the regulations in relation to the disclosure of information is to have effect notwithstanding any enactment or rule of law,
 - (c) make provision for the issue by the Secretary of State of a code of practice,

PART VIII

- (d) provide for sections 47 and 48 to apply in relation to such a code with such modifications as may be specified,
 - (e) provide for any of the provisions of Parts IV and V to apply, with such modifications as may be specified in the regulations, in relation to compliance with any requirement of the regulations, and
 - (f) contain such transitional or consequential provision (including provision modifying any enactment) as the Secretary of State considers appropriate.
- (5) This section has effect subject to section 80.

Power to amend or repeal enactments prohibiting disclosure of information.

75.—(1) If, with respect to any enactment which prohibits the disclosure of information held by a public authority, it appears to the Secretary of State that by virtue of section 44(1)(a) the enactment is capable of preventing the disclosure of information under section 1, he may by order repeal or amend the enactment for the purpose of removing or relaxing the prohibition.

(2) In subsection (1)—

“enactment” means—

- (a) any enactment contained in an Act passed before or in the same Session as this Act, or
- (b) any enactment contained in Northern Ireland legislation or subordinate legislation passed or made before the passing of this Act;

“information” includes unrecorded information.

- (3) An order under this section may do all or any of the following—
- (a) make such modifications of enactments as, in the opinion of the Secretary of State, are consequential upon, or incidental to, the amendment or repeal of the enactment containing the prohibition;
 - (b) contain such transitional provisions and savings as appear to the Secretary of State to be appropriate;
 - (c) make different provision for different cases.

Disclosure of information between Commissioner and ombudsmen. 1998 c. 29.

76.—(1) The Commissioner may disclose to a person specified in the first column of the Table below any information obtained by, or furnished to, the Commissioner under or for the purposes of this Act or the Data Protection Act 1998 if it appears to the Commissioner that the information relates to a matter which could be the subject of an investigation by that person under the enactment specified in relation to that person in the second column of that Table.

TABLE

<i>Ombudsman</i>	<i>Enactment</i>
The Parliamentary Commissioner for Administration.	The Parliamentary Commissioner Act 1967 (c. 13).
The Health Service Commissioner for England.	The Health Service Commissioners Act 1993 (c. 46).
The Health Service Commissioner for Wales.	The Health Service Commissioners Act 1993 (c. 46).
The Health Service Commissioner for Scotland.	The Health Service Commissioners Act 1993 (c. 46).
A Local Commissioner as defined by section 23(3) of the Local Government Act 1974.	Part III of the Local Government Act 1974 (c. 7).
The Commissioner for Local Administration in Scotland.	Part II of the Local Government (Scotland) Act 1975 (c. 30).
The Scottish Parliamentary Commissioner for Administration.	The Scotland Act 1998 (Transitory and Transitional Provisions)(Complaints of Maladministration) Order 1999 (S.I. 1999/1351).
The Welsh Administration Ombudsman.	Schedule 9 to the Government of Wales Act 1998 (c. 38).
The Northern Ireland Commissioner for Complaints.	The Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I. 7)).
The Assembly Ombudsman for Northern Ireland.	The Ombudsman (Northern Ireland) Order 1996 (S.I. 1996/1298 (N.I. 8)).

(2) Schedule 7 (which contains amendments relating to information disclosed to ombudsmen under subsection (1) and to the disclosure of information by ombudsmen to the Commissioner) has effect.

77.—(1) Where—

- (a) a request for information has been made to a public authority, and

Offence of altering etc. records with intent to prevent disclosure.

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1988 c. 29.

- (b) under section 1 of this Act or section 7 of the Data Protection Act 1998, the applicant would have been entitled (subject to payment of any fee) to communication of any information in accordance with that section,

any person to whom this subsection applies is guilty of an offence if he alters, defaces, blocks, erases, destroys or conceals any record held by the public authority, with the intention of preventing the disclosure by that authority of all, or any part, of the information to the communication of which the applicant would have been entitled.

(2) Subsection (1) applies to the public authority and to any person who is employed by, is an officer of, or is subject to the direction of, the public authority.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) No proceedings for an offence under this section shall be instituted—

- (a) in England or Wales, except by the Commissioner or by or with the consent of the Director of Public Prosecutions;
- (b) in Northern Ireland, except by the Commissioner or by or with the consent of the Director of Public Prosecutions for Northern Ireland.

Saving for existing powers.

78. Nothing in this Act is to be taken to limit the powers of a public authority to disclose information held by it.

Defamation.

79. Where any information communicated by a public authority to a person (“the applicant”) under section 1 was supplied to the public authority by a third person, the publication to the applicant of any defamatory matter contained in the information shall be privileged unless the publication is shown to have been made with malice.

Scotland.

80.—(1) No order may be made under section 4(1) or 5 in relation to any of the bodies specified in subsection (2); and the power conferred by section 74(3) does not include power to make provision in relation to information held by any of those bodies.

(2) The bodies referred to in subsection (1) are—

- (a) the Scottish Parliament,
- (b) any part of the Scottish Administration,
- (c) the Scottish Parliamentary Corporate Body, or
- (d) any Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998).

1998 c. 46.

Application to government departments, etc.

81.—(1) For the purposes of this Act each government department is to be treated as a person separate from any other government department.

(2) Subsection (1) does not enable—

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- (a) a government department which is not a Northern Ireland department to claim for the purposes of section 41(1)(b) that the disclosure of any information by it would constitute a breach of confidence actionable by any other government department (not being a Northern Ireland department), or
- (b) a Northern Ireland department to claim for those purposes that the disclosure of information by it would constitute a breach of confidence actionable by any other Northern Ireland department.

(3) A government department is not liable to prosecution under this Act, but section 77 and paragraph 12 of Schedule 3 apply to a person in the public service of the Crown as they apply to any other person.

(4) The provisions specified in subsection (3) also apply to a person acting on behalf of either House of Parliament or on behalf of the Northern Ireland Assembly as they apply to any other person.

82.—(1) Any power of the Secretary of State to make an order or regulations under this Act shall be exercisable by statutory instrument. Orders and regulations.

(2) A statutory instrument containing (whether alone or with other provisions)—

- (a) an order under section 5, 7(3) or (8), 53(1)(a)(iii) or 75, or
- (b) regulations under section 10(4) or 74(3),

shall not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(3) A statutory instrument which contains (whether alone or with other provisions)—

- (a) an order under section 4(1), or
- (b) regulations under any provision of this Act not specified in subsection (2)(b),

and which is not subject to the requirement in subsection (2) that a draft of the instrument be laid before and approved by a resolution of each House of Parliament, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) An order under section 4(5) shall be laid before Parliament after being made.

(5) If a draft of an order under section 5 or 7(8) would, apart from this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument, it shall proceed in that House as if it were not such an instrument.

83.—(1) In this Act “Welsh public authority” means—

- (a) any public authority which is listed in Part II, III, IV or VI of Schedule 1 and whose functions are exercisable only or mainly in or as regards Wales, other than an excluded authority, or
- (b) any public authority which is an Assembly subsidiary as defined by section 99(4) of the Government of Wales Act 1998.

Meaning of “Welsh public authority”.

1998 c. 38.

(2) In paragraph (a) of subsection (1) “excluded authority” means a public authority which is designated by the Secretary of State by order as an excluded authority for the purposes of that paragraph.

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(3) Before making an order under subsection (2), the Secretary of State shall consult the National Assembly for Wales.

Interpretation.

84. In this Act, unless the context otherwise requires—

“applicant”, in relation to a request for information, means the person who made the request;

“appropriate Northern Ireland Minister” means the Northern Ireland Minister in charge of the Department of Culture, Arts and Leisure in Northern Ireland;

“appropriate records authority”, in relation to a transferred public record, has the meaning given by section 15(5);

“body” includes an unincorporated association;

“the Commissioner” means the Information Commissioner;

“decision notice” has the meaning given by section 50;

“the duty to confirm or deny” has the meaning given by section 1(6);

“enactment” includes an enactment contained in Northern Ireland legislation;

“enforcement notice” has the meaning given by section 52;

1998 c. 38.

“executive committee”, in relation to the National Assembly for Wales, has the same meaning as in the Government of Wales Act 1998;

“exempt information” means information which is exempt information by virtue of any provision of Part II;

“fees notice” has the meaning given by section 9(1);

“government department” includes a Northern Ireland department, the Northern Ireland Court Service and any other body or authority exercising statutory functions on behalf of the Crown, but does not include—

(a) any of the bodies specified in section 80(2),

(b) the Security Service, the Secret Intelligence Service or the Government Communications Headquarters, or

(c) the National Assembly for Wales;

“information” (subject to sections 51(8) and 75(2)) means information recorded in any form;

“information notice” has the meaning given by section 51;

1975 c. 26.

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;

“Northern Ireland Minister” includes the First Minister and deputy First Minister in Northern Ireland;

“Northern Ireland public authority” means any public authority, other than the Northern Ireland Assembly or a Northern Ireland department, whose functions are exercisable only or mainly in or as regards Northern Ireland and relate only or mainly to transferred matters;

“prescribed” means prescribed by regulations made by the Secretary of State;

“public authority” has the meaning given by section 3(1);

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- “public record” means a public record within the meaning of the Public Records Act 1958 or a public record to which the Public Records Act (Northern Ireland) 1923 applies; 1958 c. 51.
1923 c. 20 (N.I.).
- “publication scheme” has the meaning given by section 19;
- “request for information” has the meaning given by section 8;
- “responsible authority”, in relation to a transferred public record, has the meaning given by section 15(5);
- “the special forces” means those units of the armed forces of the Crown the maintenance of whose capabilities is the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director;
- “subordinate legislation” has the meaning given by subsection (1) of section 21 of the Interpretation Act 1978, except that the definition of that term in that subsection shall have effect as if “Act” included Northern Ireland legislation; 1978 c. 30.
- “transferred matter”, in relation to Northern Ireland, has the meaning given by section 4(1) of the Northern Ireland Act 1998; 1998 c. 47.
- “transferred public record” has the meaning given by section 15(4);
- “the Tribunal” means the Information Tribunal;
- “Welsh public authority” has the meaning given by section 83.

- 85.** There shall be paid out of money provided by Parliament— Expenses.
- (a) any increase attributable to this Act in the expenses of the Secretary of State in respect of the Commissioner, the Tribunal or the members of the Tribunal,
- (b) any administrative expenses of the Secretary of State attributable to this Act,
- (c) any other expenses incurred in consequence of this Act by a Minister of the Crown or government department or by either House of Parliament, and
- (d) any increase attributable to this Act in the sums which under any other Act are payable out of money so provided.

- 86.** Schedule 8 (repeals) has effect. Repeals.

- 87.**—(1) The following provisions of this Act shall come into force on the day on which this Act is passed— Commencement.
- (a) sections 3 to 8 and Schedule 1,
- (b) section 19 so far as relating to the approval of publication schemes,
- (c) section 20 so far as relating to the approval and preparation by the Commissioner of model publication schemes,
- (d) section 47(2) to (6),
- (e) section 49,
- (f) section 74,
- (g) section 75,
- (h) sections 78 to 85 and this section,

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- (i) paragraphs 2 and 17 to 22 of Schedule 2 (and section 18(4) so far as relating to those paragraphs),
- (j) paragraph 4 of Schedule 5 (and section 67 so far as relating to that paragraph),
- (k) paragraph 8 of Schedule 6 (and section 73 so far as relating to that paragraph),
- (l) Part I of Schedule 8 (and section 86 so far as relating to that Part), and
- (m) so much of any other provision of this Act as confers power to make any order, regulations or code of practice.

(2) The following provisions of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed—

- (a) section 18(1),
- (b) section 76 and Schedule 7,
- (c) paragraphs 1(1), 3(1), 4, 6, 7, 8(2), 9(2), 10(a), 13(1) and (2), 14(a) and 15(1) and (2) of Schedule 2 (and section 18(4) so far as relating to those provisions), and
- (d) Part II of Schedule 8 (and section 86 so far as relating to that Part).

(3) Except as provided by subsections (1) and (2), this Act shall come into force at the end of the period of five years beginning with the day on which this Act is passed or on such day before the end of that period as the Secretary of State may by order appoint; and different days may be appointed for different purposes.

(4) An order under subsection (3) may contain such transitional provisions and savings (including provisions capable of having effect after the end of the period referred to in that subsection) as the Secretary of State considers appropriate.

(5) During the twelve months beginning with the day on which this Act is passed, and during each subsequent complete period of twelve months in the period beginning with that day and ending with the first day on which all the provisions of this Act are fully in force, the Secretary of State shall—

- (a) prepare a report on his proposals for bringing fully into force those provisions of this Act which are not yet fully in force, and
- (b) lay a copy of the report before each House of Parliament.

Short title and extent.

88.—(1) This Act may be cited as the Freedom of Information Act 2000.

(2) Subject to subsection (3), this Act extends to Northern Ireland.

(3) The amendment or repeal of any enactment by this Act has the same extent as that enactment.

SCHEDULES

SCHEDULE 1

Section 3(1)(a)(i).

PUBLIC AUTHORITIES

PART I

GENERAL

1. Any government department.
2. The House of Commons.
3. The House of Lords.
4. The Northern Ireland Assembly.
5. The National Assembly for Wales.
6. The armed forces of the Crown, except—
 - (a) the special forces, and
 - (b) any unit or part of a unit which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in the exercise of its functions.

PART II

LOCAL GOVERNMENT

England and Wales

7. A local authority within the meaning of the Local Government Act 1972, 1972 c. 70. namely—
 - (a) in England, a county council, a London borough council, a district council or a parish council,
 - (b) in Wales, a county council, a county borough council or a community council.
8. The Greater London Authority.
9. The Common Council of the City of London, in respect of information held in its capacity as a local authority, police authority or port health authority.
10. The Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple, in respect of information held in his capacity as a local authority.
11. The Council of the Isles of Scilly.
12. A parish meeting constituted under section 13 of the Local Government Act 1972.
13. Any charter trustees constituted under section 246 of the Local Government Act 1972.
14. A fire authority constituted by a combination scheme under section 5 or 6 of the Fire Services Act 1947. 1947 c. 41.

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- 1985 c. 51. 15. A waste disposal authority established by virtue of an order under section 10(1) of the Local Government Act 1985.
- 1984 c. 22. 16. A port health authority constituted by an order under section 2 of the Public Health (Control of Disease) Act 1984.
- 1964 c. 26. 17. A licensing planning committee constituted under section 119 of the Licensing Act 1964.
- 1991 c. 59. 18. An internal drainage board which is continued in being by virtue of section 1 of the Land Drainage Act 1991.
19. A joint authority established under Part IV of the Local Government Act 1985 (fire services, civil defence and transport).
20. The London Fire and Emergency Planning Authority.
21. A joint fire authority established by virtue of an order under section 42(2) of the Local Government Act 1985 (reorganisation of functions).
22. A body corporate established pursuant to an order under section 67 of the Local Government Act 1985 (transfer of functions to successors of residuary bodies, etc.).
- 1992 c. 19. 23. A body corporate established pursuant to an order under section 22 of the Local Government Act 1992 (residuary bodies).
- 1988 c. 4. 24. The Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988.
- 1972 c. 70. 25. A joint committee constituted in accordance with section 102(1)(b) of the Local Government Act 1972.
26. A joint board which is continued in being by virtue of section 263(1) of the Local Government Act 1972.
27. A joint authority established under section 21 of the Local Government Act 1992.
- 1968 c. 73. 28. A Passenger Transport Executive for a passenger transport area within the meaning of Part II of the Transport Act 1968.
29. Transport for London.
30. The London Transport Users Committee.
31. A joint board the constituent members of which consist of any of the public authorities described in paragraphs 8, 9, 10, 12, 15, 16, 20 to 31, 57 and 58.
- 1995 c. 25. 32. A National Park authority established by an order under section 63 of the Environment Act 1995.
- 1990 c. 8. 33. A joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the Town and Country Planning Act 1990.

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34. A magistrates' court committee established under section 27 of the Justices of the Peace Act 1997. 1997 c. 25.

35. The London Development Agency.

Northern Ireland

36. A district council within the meaning of the Local Government Act (Northern Ireland) 1972. 1972 c. 9 (N.I.).

PART III

THE NATIONAL HEALTH SERVICE

England and Wales

37. A Health Authority established under section 8 of the National Health Service Act 1977. 1977 c. 49.

38. A special health authority established under section 11 of the National Health Service Act 1977.

39. A primary care trust established under section 16A of the National Health Service Act 1977.

40. A National Health Service trust established under section 5 of the National Health Service and Community Care Act 1990. 1990 c. 19.

41. A Community Health Council established under section 20 of the National Health Service Act 1977.

42. The Dental Practice Board constituted under regulations made under section 37 of the National Health Service Act 1977.

43. The Public Health Laboratory Service Board constituted under Schedule 3 to the National Health Service Act 1977.

44. Any person providing general medical services, general dental services, general ophthalmic services or pharmaceutical services under Part II of the National Health Service Act 1977, in respect of information relating to the provision of those services.

45. Any person providing personal medical services or personal dental services under arrangements made under section 28C of the National Health Service Act 1977, in respect of information relating to the provision of those services.

Northern Ireland

46. A Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972. S.I. 1972/1265 (N.I. 14).

47. A Health and Social Services Council established under Article 4 of the Health and Personal Social Services (Northern Ireland) Order 1991. S.I. 1991/194 (N.I. 1).

48. A Health and Social Services Trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991.

49. A special agency established under Article 3 of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990. S.I. 1990/247 (N.I. 3).

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S.I. 1972/1265
(N.I. 14).

50. The Northern Ireland Central Services Agency for the Health and Social Services established under Article 26 of the Health and Personal Social Services (Northern Ireland) Order 1972.

51. Any person providing general medical services, general dental services, general ophthalmic services or pharmaceutical services under Part VI of the Health and Personal Social Services (Northern Ireland) Order 1972, in respect of information relating to the provision of those services.

PART IV

MAINTAINED SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS

England and Wales

1998 c. 56.

52. The governing body of a maintained school, within the meaning of the School Standards and Framework Act 1998.

1992 c. 13.

53.—(1) The governing body of—

- (a) an institution within the further education sector,
- (b) a university receiving financial support under section 65 of the Further and Higher Education Act 1992,
- (c) an institution conducted by a higher education corporation,
- (d) a designated institution for the purposes of Part II of the Further and Higher Education Act 1992 as defined by section 72(3) of that Act, or
- (e) any college, school, hall or other institution of a university which falls within paragraph (b).

(2) In sub-paragraph (1)—

- (a) “governing body” is to be interpreted in accordance with subsection (1) of section 90 of the Further and Higher Education Act 1992 but without regard to subsection (2) of that section,
- (b) in paragraph (a), the reference to an institution within the further education sector is to be construed in accordance with section 91(3) of the Further and Higher Education Act 1992,
- (c) in paragraph (c), “higher education corporation” has the meaning given by section 90(1) of that Act, and
- (d) in paragraph (e) “college” includes any institution in the nature of a college.

*Northern Ireland*S.I. 1986/594 (N.I.
3).

54.—(1) The managers of—

- (a) a controlled school, voluntary school or grant-maintained integrated school within the meaning of Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986, or
- (b) a pupil referral unit as defined by Article 87(1) of the Education (Northern Ireland) Order 1998.

S.I. 1998/1759
(N.I. 13).

(2) In sub-paragraph (1) “managers” has the meaning given by Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986.

S.I. 1993/2810
(N.I. 12).

55.—(1) The governing body of—

- (a) a university receiving financial support under Article 30 of the Education and Libraries (Northern Ireland) Order 1993,
- (b) a college of education maintained in pursuance of arrangements under Article 66(1) or in respect of which grants are paid under Article 66(2) or (3) of the Education and Libraries (Northern Ireland) Order 1986, or

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- (c) an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997. S.I. 1997/1772 (N.I. 15).
- (2) In sub-paragraph (1) “governing body” has the meaning given by Article 30(3) of the Education and Libraries (Northern Ireland) Order 1993. S.I. 1993/2810 (N.I. 12).
56. Any person providing further education to whom grants, loans or other payments are made under Article 5(1)(b) of the Further Education (Northern Ireland) Order 1997.

PART V

POLICE

England and Wales

57. A police authority established under section 3 of the Police Act 1996. 1996 c. 16.
58. The Metropolitan Police Authority established under section 5B of the Police Act 1996.
59. A chief officer of police of a police force in England or Wales.

Northern Ireland

60. The Police Authority for Northern Ireland.
61. The Chief Constable of the Royal Ulster Constabulary.

Miscellaneous

62. The British Transport Police.
63. The Ministry of Defence Police established by section 1 of the Ministry of Defence Police Act 1987. 1987 c. 4.
64. Any person who—
- (a) by virtue of any enactment has the function of nominating individuals who may be appointed as special constables by justices of the peace, and
 - (b) is not a public authority by virtue of any other provision of this Act,
- in respect of information relating to the exercise by any person appointed on his nomination of the functions of a special constable.

PART VI

OTHER PUBLIC BODIES AND OFFICES: GENERAL

- The Adjudicator for the Inland Revenue and Customs and Excise.
- The Administration of Radioactive Substances Advisory Committee.
- The Advisory Board on Family Law.
- The Advisory Board on Restricted Patients.
- The Advisory Board on the Registration of Homoeopathic Products.
- The Advisory Committee for Cleaner Coal Technology.
- The Advisory Committee for Disabled People in Employment and Training.
- The Advisory Committee for the Public Lending Right.

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The Advisory Committee for Wales (in relation to the Environment Agency).

The Advisory Committee on Advertising.

The Advisory Committee on Animal Feedingstuffs.

The Advisory Committee on Borderline Substances.

The Advisory Committee on Business and the Environment.

The Advisory Committee on Business Appointments.

The Advisory Committee on Conscientious Objectors.

The Advisory Committee on Consumer Products and the Environment.

The Advisory Committee on Dangerous Pathogens.

The Advisory Committee on Distinction Awards.

An Advisory Committee on General Commissioners of Income Tax.

The Advisory Committee on the Government Art Collection

The Advisory Committee on Hazardous Substances.

The Advisory Committee on Historic Wreck Sites.

An Advisory Committee on Justices of the Peace in England and Wales.

The Advisory Committee on the Microbiological Safety of Food.

The Advisory Committee on NHS Drugs.

The Advisory Committee on Novel Foods and Processes.

The Advisory Committee on Overseas Economic and Social Research.

The Advisory Committee on Packaging.

The Advisory Committee on Pesticides.

The Advisory Committee on Releases to the Environment.

The Advisory Council on Libraries.

The Advisory Council on the Misuse of Drugs.

The Advisory Council on Public Records.

The Advisory Group on Hepatitis.

The Advisory Panel on Standards for the Planning Inspectorate.

The Aerospace Committee.

An Agricultural Dwelling House Advisory Committee.

An Agricultural Wages Board for England and Wales.

An Agricultural Wages Committee.

The Agriculture and Environment Biotechnology Commission.

The Airborne Particles Expert Group.

The Alcohol Education and Research Council.

The Ancient Monuments Board for Wales.

The Animal Procedures Committee.

The Animal Welfare Advisory Committee.

The Apple and Pear Research Council.

The Armed Forces Pay Review Body.

The Arts Council of England.

The Arts Council of Wales.

The Audit Commission for Local Authorities and the National Health Service in England and Wales.

The Auditor General for Wales.

The Authorised Conveyancing Practitioners Board.

The Bank of England, in respect of information held for purposes other than those of its functions with respect to—

- (a) monetary policy,
- (b) financial operations intended to support financial institutions for the purposes of maintaining stability, and
- (c) the provision of private banking services and related services.

The Better Regulation Task Force.

The Biotechnology and Biological Sciences Research Council.

Any Board of Visitors established under section 6(2) of the Prison Act 1952. 1952 c. 52.

The Britain-Russia Centre and East-West Centre.

The British Association for Central and Eastern Europe.

The British Broadcasting Corporation, in respect of information held for purposes other than those of journalism, art or literature.

The British Coal Corporation.

The British Council.

The British Educational Communications and Technology Agency.

The British Hallmarking Council.

The British Library.

The British Museum.

The British Pharmacopoeia Commission.

The British Potato Council.

The British Railways Board.

British Shipbuilders.

The British Tourist Authority.

The British Waterways Board.

The British Wool Marketing Board.

The Broadcasting Standards Commission.

The Building Regulations Advisory Committee.

The Central Advisory Committee on War Pensions.

The Central Council for Education and Training in Social Work (UK).

The Central Rail Users' Consultative Committee.

The Channel Four Television Corporation, in respect of information held for purposes other than those of journalism, art or literature.

The Children and Family Court Advisory and Support Service.

The Civil Aviation Authority.

The Civil Justice Council.

The Civil Procedure Rule Committee.

The Civil Service Appeal Board.

The Civil Service Commissioners.

The Coal Authority.

The Commission for Architecture and the Built Environment.

The Commission for Health Improvement.

The Commission for Local Administration in England.

The Commission for Local Administration in Wales.

The Commission for Racial Equality.

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- The Commission for the New Towns.
- The Commissioner for Integrated Transport.
- The Commissioner for Public Appointments.
- The Committee for Monitoring Agreements on Tobacco Advertising and Sponsorship.
- The Committee of Investigation for Great Britain.
- The Committee on Agricultural Valuation.
- The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment.
- The Committee on Chemicals and Materials of Construction For Use in Public Water Supply and Swimming Pools.
- The Committee on Medical Aspects of Food and Nutrition Policy.
- The Committee on Medical Aspects of Radiation in the Environment.
- The Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment.
- The Committee on Standards in Public Life.
- The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment.
- The Committee on the Medical Effects of Air Pollutants.
- The Committee on the Safety of Medicines.
- The Commonwealth Scholarship Commission in the United Kingdom.
- The Community Development Foundation.
- The Competition Commission, in relation to information held by it otherwise than as a tribunal.
- The Construction Industry Training Board.
- Consumer Communications for England.
- The Consumer Panel.
- 1958 c. 47. The consumers' committee for Great Britain appointed under section 19 of the Agricultural Marketing Act 1958.
- The Council for Professions Supplementary to Medicine.
- The Council for the Central Laboratory of the Research Councils.
- The Council for Science and Technology.
- The Council on Tribunals.
- The Countryside Agency.
- The Countryside Council for Wales.
- The Covent Garden Market Authority.
- The Criminal Cases Review Commission.
- The Criminal Justice Consultative Council.
- The Crown Court Rule Committee.
- The Dartmoor Steering Group and Working Party.
- The Darwin Advisory Committee.
- The Defence Nuclear Safety Committee.
- The Defence Scientific Advisory Council.
- The Design Council.
- The Development Awareness Working Group.
- The Diplomatic Service Appeal Board.
- The Disability Living Allowance Advisory Board.

The Disability Rights Commission.
The Disabled Persons Transport Advisory Committee.
The Economic and Social Research Council.
The Education Transfer Council.
The Energy Advisory Panel.
The Engineering Construction Industry Training Board.
The Engineering and Physical Sciences Research Council.
The English National Board for Nursing, Midwifery and Health Visiting.
English Nature.
The English Sports Council.
The English Tourist Board.
The Environment Agency.
The Equal Opportunities Commission.
The Expert Advisory Group on AIDS.
The Expert Group on Cryptosporidium in Water Supplies.
An Expert Panel on Air Quality Standards.
The Export Guarantees Advisory Council.
The Family Proceedings Rules Committee.
The Farm Animal Welfare Council.
The Fire Services Examination Board.
The Firearms Consultative Committee.
The Food Advisory Committee.
Food from Britain.
The Football Licensing Authority.
The Fuel Cell Advisory Panel.
The Further Education Funding Council for Wales.
The Gaming Board for Great Britain.
The Gas Consumers' Council.
The Gene Therapy Advisory Committee.
The General Chiropractic Council.
The General Dental Council.
The General Medical Council.
The General Osteopathic Council.
The Genetic Testing and Insurance Committee.
The Government Hospitality Advisory Committee for the Purchase of Wine.
The Government Chemist.
The Great Britain-China Centre.
The Health and Safety Commission.
The Health and Safety Executive.
The Health Service Commissioner for England.
The Health Service Commissioner for Wales.
Her Majesty's Chief Inspector of Schools in Wales.
The Higher Education Funding Council for England.
The Higher Education Funding Council for Wales.

SCH. 1

- The Hill Farming Advisory Committee.
 The Hill Farming Advisory Sub-committee for Wales.
 The Historic Buildings Council for Wales.
 The Historic Buildings and Monuments Commission for England.
 The Historic Royal Palaces Trust.
 The Home-Grown Cereals Authority.
 The Honorary Investment Advisory Committee.
 The Horserace Betting Levy Board.
 The Horserace Totalisator Board.
 The Horticultural Development Council.
 Horticulture Research International.
 The House of Lords Appointments Commission.
- 1988 c. 50. Any housing action trust established under Part III of the Housing Act 1988.
- The Housing Corporation.
 The Human Fertilisation and Embryology Authority.
 The Human Genetics Commission.
 The Immigration Services Commissioner.
 The Imperial War Museum.
 The Independent Board of Visitors for Military Corrective Training Centres.
 The Independent Case Examiner for the Child Support Agency.
 The Independent Living Funds.
 The Independent Television Commission.
 The Indian Family Pensions Funds Body of Commissioners.
 The Industrial Development Advisory Board.
 The Industrial Injuries Advisory Council.
 The Information Commissioner.
 The Inland Waterways Amenity Advisory Council.
 The Insolvency Rules Committee.
 The Insurance Brokers Registration Council.
 Investors in People UK.
 The Joint Committee on Vaccination and Immunisation.
 The Joint Nature Conservation Committee.
 The Joint Prison/Probation Accreditation Panel.
 The Judicial Studies Board.
 The Know-How Fund Advisory Board.
 The Land Registration Rule Committee.
 The Law Commission.
 The Legal Services Commission.
 The Legal Services Consultative Panel.
 The Legal Services Ombudsman.
 The Library and Information Services Council (Wales).
 The Local Government Boundary Commission for Wales.
 The Local Government Commission for England.

SCH. 1

A local probation board established under section 4 of the Criminal Justice and Court Services Act 2000.

2000 c. 42.

The London Pensions Fund Authority.

The Low Pay Commission.

The Magistrates' Courts Rules Committee.

The Marshall Aid Commemoration Commission.

The Measurement Advisory Committee.

The Meat and Livestock Commission.

The Medical Practices Committee.

The Medical Research Council.

The Medical Workforce Standing Advisory Committee.

The Medicines Commission.

The Milk Development Council.

The Millennium Commission.

The Museum of London.

The National Army Museum.

The National Audit Office.

The National Biological Standards Board (UK).

The National Consumer Council.

The National Crime Squad.

The National Employers' Liaison Committee.

The National Endowment for Science, Technology and the Arts.

The National Expert Group on Transboundary Air Pollution.

The National Gallery.

The National Heritage Memorial Fund.

The National Library of Wales.

The National Lottery Charities Board.

The National Lottery Commission.

The National Maritime Museum.

The National Museum of Science and Industry.

The National Museums and Galleries of Wales.

The National Museums and Galleries on Merseyside.

The National Portrait Gallery.

The National Radiological Protection Board.

The Natural Environment Research Council.

The Natural History Museum.

The New Deal Task Force.

The New Opportunities Fund.

The Occupational Pensions Regulatory Authority.

The Oil and Pipelines Agency.

The OSO Board.

The Overseas Service Pensions Scheme Advisory Board.

The Panel on Standards for the Planning Inspectorate.

The Parliamentary Boundary Commission for England.

The Parliamentary Boundary Commission for Scotland.

SCH. 1

- The Parliamentary Boundary Commission for Wales.
 The Parliamentary Commissioner for Administration.
 The Parole Board.
 The Particle Physics and Astronomy Research Council.
 The Pensions Compensation Board.
 The Pensions Ombudsman.
 The Pharmacists' Review Panel.
 The Place Names Advisory Committee.
 The Poisons Board.
 The Police Complaints Authority.
 The Police Information Technology Organisation.
 The Police Negotiating Board.
 The Political Honours Scrutiny Committee.
 The Post Office.
 The Post Office Users' Councils for Scotland, Wales and Northern Ireland.
 The Post Office Users' National Council.
 The Property Advisory Group.
 The Qualifications, Curriculum and Assessment Authority for Wales.
 The Qualifications Curriculum Authority.
 The Race Education and Employment Forum.
 The Race Relations Forum.
 The Radio Authority.
 The Radioactive Waste Management Advisory Committee.
 A Regional Cultural Consortium.
 Any regional development agency established under the Regional
 Development Agencies Act 1998, other than the London
 Development Agency.
 Any regional flood defence committee.
 The Registrar of Occupational and Personal Pension Schemes.
 The Registrar of Public Lending Right.
 Remploy Ltd.
 The Renewable Energy Advisory Committee.
 Resource: The Council for Museums, Archives and Libraries.
 The Review Board for Government Contracts.
 The Review Body for Nursing Staff, Midwives, Health Visitors and
 Professions Allied to Medicine.
 The Review Body on Doctors and Dentists Remuneration.
 The Reviewing Committee on the Export of Works of Art.
 The Royal Air Force Museum.
 The Royal Armouries.
 The Royal Botanic Gardens, Kew.
 The Royal Commission on Ancient and Historical Monuments of Wales.
 The Royal Commission on Environmental Pollution.
 The Royal Commission on Historical Manuscripts.
 The Royal Military College of Science Advisory Council.

SCH. 1

- The Royal Mint Advisory Committee on the Design of Coins, Medals, Seals and Decorations.
- The School Teachers' Review Body.
- The Scientific Committee on Tobacco and Health.
- The Scottish Advisory Committee on Telecommunications.
- The Scottish Committee of the Council on Tribunals.
- The Sea Fish Industry Authority.
- The Senior Salaries Review Body.
- The Sentencing Advisory Panel.
- The Service Authority for the National Crime Squad.
- Sianel Pedwar Cymru, in respect of information held for purposes other than those of journalism, art or literature.
- Sir John Soane's Museum.
- The Skills Task Force.
- The social fund Commissioner appointed under section 65 of the Social Security Administration Act 1992. 1992 c. 5.
- The Social Security Advisory Committee.
- The Social Services Inspectorate for Wales Advisory Group.
- The Spongiform Encephalopathy Advisory Committee.
- The Sports Council for Wales.
- The Standing Advisory Committee on Industrial Property.
- The Standing Advisory Committee on Trunk Road Assessment.
- The Standing Dental Advisory Committee.
- The Standing Nursing and Midwifery Advisory Committee.
- The Standing Medical Advisory Committee.
- The Standing Pharmaceutical Advisory Committee.
- The Steering Committee on Pharmacy Postgraduate Education.
- The subsidence adviser appointed under section 46 of the Coal Industry Act 1994. 1994 c. 21.
- The Substance Misuse Advisory Panel.
- The Sustainable Development Commission.
- The Sustainable Development Education Panel.
- The Tate Gallery.
- The Teacher Training Agency.
- The Theatres Trust.
- The Traffic Commissioners, in respect of information held by them otherwise than as a tribunal.
- The Treasure Valuation Committee.
- The UK Advisory Panel for Health Care Workers Infected with Bloodborne Viruses.
- The UK Sports Council.
- The United Kingdom Atomic Energy Authority.
- The United Kingdom Central Council for Nursing, Midwifery and Health Visiting.
- The United Kingdom Register of Organic Food Standards.
- The United Kingdom Xenotransplantation Interim Regulatory Authority.
- The Unlinked Anonymous Serosurveys Steering Group.

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The Unrelated Live Transplant Regulatory Authority.
 The Urban Regeneration Agency.
 The Veterinary Products Committee.
 The Victoria and Albert Museum.
 The Wales New Deal Advisory Task Force.
 The Wales Tourist Board.
 The Wallace Collection.
 The War Pensions Committees.
 The Water Regulations Advisory Committee.
 The Welsh Administration Ombudsman.
 The Welsh Advisory Committee on Telecommunications.
 The Welsh Committee for Professional Development of Pharmacy.
 The Welsh Dental Committee.
 The Welsh Development Agency.
 The Welsh Industrial Development Advisory Board.
 The Welsh Language Board.
 The Welsh Medical Committee.
 The Welsh National Board for Nursing, Midwifery and Health Visiting.
 The Welsh Nursing and Midwifery Committee.
 The Welsh Optometric Committee.
 The Welsh Pharmaceutical Committee.
 The Welsh Scientific Advisory Committee.
 The Westminster Foundation for Democracy.
 The Wilton Park Academic Council.
 The Wine Standards Board of the Vintners' Company.
 The Women's National Commission.
 The Youth Justice Board for England and Wales.
 The Zoos Forum.

PART VII

OTHER PUBLIC BODIES AND OFFICES: NORTHERN IRELAND

An Advisory Committee on General Commissioners of Income Tax
 (Northern Ireland).
 The Advisory Committee on Justices of the Peace in Northern Ireland.
 The Advisory Committee on Juvenile Court Lay Panel (Northern Ireland).
 The Advisory Committee on Pesticides for Northern Ireland.
 The Agricultural Research Institute of Northern Ireland.
 The Agricultural Wages Board for Northern Ireland.
 The Arts Council of Northern Ireland.
 The Assembly Ombudsman for Northern Ireland.
 The Board of Trustees of National Museums and Galleries of Northern
 Ireland.
 Boards of Visitors and Visiting Committees.
 The Boundary Commission for Northern Ireland.
 The Charities Advisory Committee.
 The Chief Electoral Officer for Northern Ireland.

SCH. 1

- The Civil Service Commissioners for Northern Ireland.
- The Commissioner for Public Appointments for Northern Ireland.
- The Construction Industry Training Board.
- The consultative Civic Forum referred to in section 56(4) of the Northern Ireland Act 1998. 1998 c. 47.
- The Council for Catholic Maintained Schools.
- The Council for Nature Conservation and the Countryside.
- The County Court Rules Committee (Northern Ireland).
- The Disability Living Allowance Advisory Board for Northern Ireland.
- The Distinction and Meritorious Service Awards Committee.
- The Drainage Council for Northern Ireland.
- An Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986. S.I. 1986/594 (N.I. 3).
- Enterprise Ulster.
- The Equality Commission for Northern Ireland.
- The Family Proceedings Rules Committee (Northern Ireland).
- The Fire Authority for Northern Ireland.
- The Fisheries Conservancy Board for Northern Ireland.
- The General Consumer Council for Northern Ireland.
- The Health and Safety Agency for Northern Ireland.
- The Historic Buildings Council.
- The Historic Monuments Council.
- The Independent Assessor of Military Complaints Procedures in Northern Ireland.
- The Independent Reviewer of the Northern Ireland (Emergency Provisions) Act.
- The Independent Commissioner for Holding Centres.
- The Industrial Development Board for Northern Ireland.
- The Industrial Research and Technology Unit.
- The Juvenile Justice Board.
- The Labour Relations Agency.
- The Lagan Corporation.
- The Law Reform Advisory Committee for Northern Ireland.
- The Lay Observer for Northern Ireland.
- The Legal Aid Advisory Committee (Northern Ireland).
- The Livestock & Meat Commission for Northern Ireland.
- The Local Enterprise Development Unit.
- The Local Government Staff Commission.
- The Magistrates' Courts Rules Committee (Northern Ireland).
- The Mental Health Commission for Northern Ireland.
- The Northern Ireland Advisory Committee on Telecommunications.
- The Northern Ireland Audit Office.
- The Northern Ireland Building Regulations Advisory Committee.
- The Northern Ireland Civil Service Appeal Board.
- The Northern Ireland Commissioner for Complaints.
- The Northern Ireland Community Relations Council.

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	The Northern Ireland Consumer Committee for Electricity.
	The Northern Ireland Council for the Curriculum, Examinations and Assessment.
	The Northern Ireland Council for Postgraduate Medical and Dental Education.
	The Northern Ireland Crown Court Rules Committee.
	The Northern Ireland Economic Council.
	The Northern Ireland Fishery Harbour Authority.
	The Northern Ireland Higher Education Council.
	The Northern Ireland Housing Executive.
	The Northern Ireland Human Rights Commission.
	The Northern Ireland Insolvency Rules Committee.
	The Northern Ireland Local Government Officers' Superannuation Committee.
	The Northern Ireland Museums Council.
	The Northern Ireland Pig Production Development Committee.
	The Northern Ireland Supreme Court Rules Committee.
	The Northern Ireland Tourist Board.
	The Northern Ireland Transport Holding Company.
	The Northern Ireland Water Council.
	The Parades Commission.
	The Police Ombudsman for Northern Ireland.
	The Probation Board for Northern Ireland.
	The Rural Development Council for Northern Ireland.
1998 c. 35.	The Sentence Review Commissioners appointed under section 1 of the Northern Ireland (Sentences) Act 1998.
S.I. 1998/1506 (N.I.10).	The social fund Commissioner appointed under Article 37 of the Social Security (Northern Ireland) Order 1998.
	The Sports Council for Northern Ireland.
	The Staff Commission for Education and Library Boards.
	The Statistics Advisory Committee.
	The Statute Law Committee for Northern Ireland.
	The Training and Employment Agency.
	Ulster Supported Employment Ltd.
	The Youth Council for Northern Ireland.

Section 18(4).

SCHEDULE 2

THE COMMISSIONER AND THE TRIBUNAL

PART I

PROVISION CONSEQUENTIAL ON S. 18(1) AND (2)

General

1.—(1) Any reference in any enactment, instrument or document to the Data Protection Commissioner or the Data Protection Registrar shall be construed, in relation to any time after the commencement of section 18(1), as a reference to the Information Commissioner.

(2) Any reference in any enactment, instrument or document to the Data Protection Tribunal shall be construed, in relation to any time after the commencement of section 18(2), as a reference to the Information Tribunal.

2.—(1) Any reference in this Act or in any instrument under this Act to the Commissioner shall be construed, in relation to any time before the commencement of section 18(1), as a reference to the Data Protection Commissioner.

(2) Any reference in this Act or in any instrument under this Act to the Tribunal shall be construed, in relation to any time before the commencement of section 18(2), as a reference to the Data Protection Tribunal.

Public Records Act 1958 (c. 51)

3.—(1) In Part II of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (definition of public records), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner.”

(2) In paragraph 4(1) of that Schedule, for paragraph (nn) there is substituted—

“(nn) records of the Information Tribunal;”.

Parliamentary Commissioner Act 1967 (c. 13)

4. In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner”.

5. In Schedule 4 to that Act (tribunals exercising administrative functions), for the entry relating to the Data Protection Tribunal there is substituted—

“Information Tribunal constituted under section 6 of the Data Protection Act 1998.”

Superannuation Act 1972 (c. 11)

6. In Schedule 1 to the Superannuation Act 1972 (employment with superannuation scheme), for “Data Protection Commissioner” there is substituted “Information Commissioner”.

Consumer Credit Act 1974 (c. 39)

7. In section 159 of the Consumer Credit Act 1974 (correction of wrong information), in subsections (7) and (8)(b), for “Data Protection Commissioner”, in both places where it occurs, there is substituted “Information Commissioner”.

House of Commons Disqualification Act 1975 (c. 24)

8.—(1) In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

(2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

SCH. 2

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

9.—(1) In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

(2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

Tribunals and Inquiries Act 1992 (c. 53)

10. In paragraph 14 of Part I of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals)—

(a) in sub-paragraph (a), for “The Data Protection Commissioner” there is substituted “The Information Commissioner”, and

(b) for sub-paragraph (b) there is substituted—

“(b) the Information Tribunal constituted under that section, in respect of its jurisdiction under—

(i) section 48 of that Act, and

(ii) section 57 of the Freedom of Information Act 2000.”

Judicial Pensions and Retirement Act 1993 (c. 8)

11. In Schedule 5 to the Judicial Pensions and Retirement Act 1993 (retirement provisions: the relevant offices), in the entry relating to the chairman and deputy chairman of the Data Protection Tribunal, for “the Data Protection Tribunal” there is substituted “the Information Tribunal”.

12. In Schedule 7 to that Act (retirement dates: transitional provisions), in paragraph 5(5)(xxvi) for “the Data Protection Tribunal” there is substituted “the Information Tribunal”.

Data Protection Act 1998 (c. 29)

13.—(1) Section 6 of the Data Protection Act 1998 (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.

(2) For subsection (1) there is substituted—

“(1) For the purposes of this Act and of the Freedom of Information Act 2000 there shall be an officer known as the Information Commissioner (in this Act referred to as “the Commissioner”).”

(3) For subsection (3) there is substituted—

“(3) For the purposes of this Act and of the Freedom of Information Act 2000 there shall be a tribunal known as the Information Tribunal (in this Act referred to as “the Tribunal”).”

14. In section 70(1) of that Act (supplementary definitions)—

(a) in the definition of “the Commissioner”, for “the Data Protection Commissioner” there is substituted “the Information Commissioner”, and

(b) in the definition of “the Tribunal”, for “the Data Protection Tribunal” there is substituted “the Information Tribunal”.

15.—(1) Schedule 5 to that Act (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.

(2) In paragraph 1(1), for “Data Protection Commissioner” there is substituted “Information Commissioner”.

(3) Part III shall cease to have effect.

PART II

AMENDMENTS RELATING TO EXTENSION OF FUNCTIONS OF COMMISSIONER AND TRIBUNAL

Interests represented by lay members of Tribunal

16. In section 6(6) of the Data Protection Act 1998 (lay members of Tribunal)— 1998 c. 29.

(a) for the word “and” at the end of paragraph (a) there is substituted—

“(aa) persons to represent the interests of those who make requests for information under the Freedom of Information Act 2000,”
and

(b) after paragraph (b) there is inserted “and

(bb) persons to represent the interests of public authorities.”

Expenses incurred under this Act excluded in calculating fees

17. In section 26(2) of that Act (fees regulations), in paragraph (a)—

(a) after “functions” there is inserted “under this Act”, and

(b) after “Tribunal” there is inserted “so far as attributable to their functions under this Act”.

Information provided to Commissioner or Tribunal

18. In section 58 of that Act (disclosure of information to Commissioner or Tribunal), after “this Act” there is inserted “or the Freedom of Information Act 2000”.

19.—(1) Section 59 of that Act (confidentiality of information) is amended as follows.

(2) In subsections (1) and (2), for “this Act”, wherever occurring, there is substituted “the information Acts”.

(3) After subsection (3) there is inserted—

“(4) In this section “the information Acts” means this Act and the Freedom of Information Act 2000.”

Deputy commissioners

20.—(1) Paragraph 4 of Schedule 5 to that Act (officers and staff) is amended as follows.

(2) In sub-paragraph (1)(a), after “a deputy commissioner” there is inserted “or two deputy commissioners”.

(3) After sub-paragraph (1) there is inserted—

“(1A) The Commissioner shall, when appointing any second deputy commissioner, specify which of the Commissioner’s functions are to be performed, in the circumstances referred to in paragraph 5(1), by each of the deputy commissioners.”

SCH. 2

Exercise of Commissioner's functions by others

21.—(1) Paragraph 5 of Schedule 5 to that Act (exercise of functions of Commissioner during vacancy etc.) is amended as follows.

(2) In sub-paragraph (1)—

- (a) after “deputy commissioner” there is inserted “or deputy commissioners”, and
- (b) after “this Act” there is inserted “or the Freedom of Information Act 2000”.

(3) In sub-paragraph (2) after “this Act” there is inserted “or the Freedom of Information Act 2000”.

Money

22. In paragraph 9(1) of Schedule 5 to that Act (money) for “or section 159 of the Consumer Credit Act 1974” there is substituted “, under section 159 of the Consumer Credit Act 1974 or under the Freedom of Information Act 2000”.

Section 55.

SCHEDULE 3

POWERS OF ENTRY AND INSPECTION

Issue of warrants

1.—(1) If a circuit judge is satisfied by information on oath supplied by the Commissioner that there are reasonable grounds for suspecting—

- (a) that a public authority has failed or is failing to comply with—
 - (i) any of the requirements of Part I of this Act,
 - (ii) so much of a decision notice as requires steps to be taken, or
 - (iii) an information notice or an enforcement notice, or
- (b) that an offence under section 77 has been or is being committed,

and that evidence of such a failure to comply or of the commission of the offence is to be found on any premises specified in the information, he may, subject to paragraph 2, grant a warrant to the Commissioner.

(2) A warrant issued under sub-paragraph (1) shall authorise the Commissioner or any of his officers or staff at any time within seven days of the date of the warrant—

- (a) to enter and search the premises,
- (b) to inspect and seize any documents or other material found there which may be such evidence as is mentioned in that sub-paragraph, and
- (c) to inspect, examine, operate and test any equipment found there in which information held by the public authority may be recorded.

2.—(1) A judge shall not issue a warrant under this Schedule unless he is satisfied—

- (a) that the Commissioner has given seven days' notice in writing to the occupier of the premises in question demanding access to the premises, and
- (b) that either—
 - (i) access was demanded at a reasonable hour and was unreasonably refused, or

(ii) although entry to the premises was granted, the occupier unreasonably refused to comply with a request by the Commissioner or any of the Commissioner's officers or staff to permit the Commissioner or the officer or member of staff to do any of the things referred to in paragraph 1(2), and

(c) that the occupier, has, after the refusal, been notified by the Commissioner of the application for the warrant and has had an opportunity of being heard by the judge on the question whether or not it should be issued.

(2) Sub-paragraph (1) shall not apply if the judge is satisfied that the case is one of urgency or that compliance with those provisions would defeat the object of the entry.

3. A judge who issues a warrant under this Schedule shall also issue two copies of it and certify them clearly as copies.

Execution of warrants

4. A person executing a warrant issued under this Schedule may use such reasonable force as may be necessary.

5. A warrant issued under this Schedule shall be executed at a reasonable hour unless it appears to the person executing it that there are grounds for suspecting that the evidence in question would not be found if it were so executed.

6.—(1) If the premises in respect of which a warrant is issued under this Schedule are occupied by a public authority and any officer or employee of the authority is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if no such officer or employee is present a copy of the warrant shall be left in a prominent place on the premises.

(2) If the premises in respect of which a warrant is issued under this Schedule are occupied by a person other than a public authority and he is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if that person is not present a copy of the warrant shall be left in a prominent place on the premises.

7.—(1) A person seizing anything in pursuance of a warrant under this Schedule shall give a receipt for it if asked to do so.

(2) Anything so seized may be retained for so long as is necessary in all the circumstances but the person in occupation of the premises in question shall be given a copy of anything that is seized if he so requests and the person executing the warrant considers that it can be done without undue delay.

Matters exempt from inspection and seizure

8. The powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of information which is exempt information by virtue of section 23(1) or 24(1).

9.—(1) Subject to the provisions of this paragraph, the powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of—

(a) any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or

SCH. 3

(b) any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.

(2) Sub-paragraph (1) applies also to—

(a) any copy or other record of any such communication as is there mentioned, and

(b) any document or article enclosed with or referred to in any such communication if made in connection with the giving of any advice or, as the case may be, in connection with or in contemplation of and for the purposes of such proceedings as are there mentioned.

(3) This paragraph does not apply to anything in the possession of any person other than the professional legal adviser or his client or to anything held with the intention of furthering a criminal purpose.

(4) In this paragraph references to the client of a professional legal adviser include references to any person representing such a client.

10. If the person in occupation of any premises in respect of which a warrant is issued under this Schedule objects to the inspection or seizure under the warrant of any material on the grounds that it consists partly of matters in respect of which those powers are not exercisable, he shall, if the person executing the warrant so requests, furnish that person with a copy of so much of the material in relation to which the powers are exercisable.

Return of warrants

11. A warrant issued under this Schedule shall be returned to the court from which it was issued—

(a) after being executed, or

(b) if not executed within the time authorised for its execution;

and the person by whom any such warrant is executed shall make an endorsement on it stating what powers have been exercised by him under the warrant.

Offences

12. Any person who—

(a) intentionally obstructs a person in the execution of a warrant issued under this Schedule, or

(b) fails without reasonable excuse to give any person executing such a warrant such assistance as he may reasonably require for the execution of the warrant,

is guilty of an offence.

Vessels, vehicles etc.

13. In this Schedule “premises” includes any vessel, vehicle, aircraft or hovercraft, and references to the occupier of any premises include references to the person in charge of any vessel, vehicle, aircraft or hovercraft.

Scotland and Northern Ireland

14. In the application of this Schedule to Scotland—
- (a) for any reference to a circuit judge there is substituted a reference to the sheriff, and
 - (b) for any reference to information on oath there is substituted a reference to evidence on oath.
15. In the application of this Schedule to Northern Ireland—
- (a) for any reference to a circuit judge there is substituted a reference to a county court judge, and
 - (b) for any reference to information on oath there is substituted a reference to a complaint on oath.

SCHEDULE 4

Section 61(1).

APPEAL PROCEEDINGS: AMENDMENTS OF SCHEDULE 6 TO DATA PROTECTION ACT 1998

Constitution of Tribunal in national security cases

1. In paragraph 2(1) of Schedule 6 to the Data Protection Act 1998 (constitution of Tribunal in national security cases), at the end there is inserted “or under section 60(1) or (4) of the Freedom of Information Act 2000”. 1998 c. 29.

2. For paragraph 3 of that Schedule there is substituted—

“3. The Tribunal shall be duly constituted—

- (a) for an appeal under section 28(4) or (6) in any case where the application of paragraph 6(1) is excluded by rules under paragraph 7, or
- (b) for an appeal under section 60(1) or (4) of the Freedom of Information Act 2000,

if it consists of three of the persons designated under paragraph 2(1), of whom one shall be designated by the Lord Chancellor to preside.”

Constitution of Tribunal in other cases

3.—(1) Paragraph 4 of that Schedule (constitution of Tribunal in other cases) is amended as follows.

(2) After sub-paragraph (1) there is inserted—

“(1A) Subject to any rules made under paragraph 7, the Tribunal shall be duly constituted for an appeal under section 57(1) or (2) of the Freedom of Information Act 2000 if it consists of—

- (a) the chairman or a deputy chairman (who shall preside), and
- (b) an equal number of the members appointed respectively in accordance with paragraphs (aa) and (bb) of section 6(6).”

(3) In sub-paragraph (2), after “(1)” there is inserted “or (1A)”.

Rules of procedure

4.—(1) Paragraph 7 of that Schedule (rules of procedure) is amended as follows.

(2) In sub-paragraph (1), for the words from “regulating” onwards there is substituted “regulating—

SCH. 4

- (a) the exercise of the rights of appeal conferred—
 - (i) by sections 28(4) and (6) and 48, and
 - (ii) by sections 57(1) and (2) and section 60(1) and (4) of the Freedom of Information Act 2000, and
- (b) the practice and procedure of the Tribunal.”
- (3) In sub-paragraph (2), after paragraph (a) there is inserted—
 - “(aa) for the joinder of any other person as a party to any proceedings on an appeal under the Freedom of Information Act 2000,
 - (ab) for the hearing of an appeal under this Act with an appeal under the Freedom of Information Act 2000.”.

Section 67.

SCHEDULE 5

AMENDMENTS OF PUBLIC RECORDS LEGISLATION

PART I

AMENDMENTS OF PUBLIC RECORDS ACT 1958

Functions of Advisory Council on Public Records

1958 c. 51.

1. In section 1 of the Public Records Act 1958 (general responsibility of the Lord Chancellor for public records), after subsection (2) there is inserted—

“(2A) The matters on which the Advisory Council on Public Records may advise the Lord Chancellor include matters relating to the application of the Freedom of Information Act 2000 to information contained in public records which are historical records within the meaning of Part VI of that Act.”

Access to public records

2.—(1) Section 5 of that Act (access to public records) is amended in accordance with this paragraph.

(2) Subsections (1) and (2) are omitted.

(3) For subsection (3) there is substituted—

“(3) It shall be the duty of the Keeper of Public Records to arrange that reasonable facilities are available to the public for inspecting and obtaining copies of those public records in the Public Record Office which fall to be disclosed in accordance with the Freedom of Information Act 2000.”

(4) Subsection (4) and, in subsection (5), the words from “and subject to” to the end are omitted.

3. Schedule 2 of that Act (enactments prohibiting disclosure of information obtained from the public) is omitted.

Power to extend meaning of “public records”

4. In Schedule 1 to that Act (definition of public records) after the Table at the end of paragraph 3 there is inserted—

“3A.—(1) Her Majesty may by Order in Council amend the Table at the end of paragraph 3 of this Schedule by adding to either Part of the Table an entry relating to any body or establishment—

- (a) which, at the time when the Order is made, is specified in Schedule 2 to the Parliamentary Commissioner Act 1967 (departments, etc. subject to investigation), or

(b) in respect of which an entry could, at that time, be added to Schedule 2 to that Act by an Order in Council under section 4 of that Act (which confers power to amend that Schedule).

(2) An Order in Council under this paragraph may relate to a specified body or establishment or to bodies or establishments falling within a specified description.

(3) An Order in Council under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

PART II

AMENDMENT OF PUBLIC RECORDS ACT (NORTHERN IRELAND) 1923

5. After section 5 of the Public Records Act (Northern Ireland) 1923 (deposit of documents in Record Office by trustees or other persons) there is inserted—

“Access to public records 5A. It shall be the duty of the Deputy Keeper of the Records of Northern Ireland to arrange that reasonable facilities are available to the public for inspecting and obtaining copies of those public records in the Public Record Office of Northern Ireland which fall to be disclosed in accordance with the Freedom of Information Act 2000.”

1923 c. 20 (N.I.).

SCHEDULE 6

Section 73.

FURTHER AMENDMENTS OF DATA PROTECTION ACT 1998

Request by data controller for further information

1. In section 7 of the Data Protection Act 1998 (right of access to personal data), for subsection (3) there is substituted—

1998 c. 29.

“(3) Where a data controller—

(a) reasonably requires further information in order to satisfy himself as to the identity of the person making a request under this section and to locate the information which that person seeks, and

(b) has informed him of that requirement,

the data controller is not obliged to comply with the request unless he is supplied with that further information.

Parliament

2. After section 35 of that Act there is inserted—

“Parliamentary privilege.

35A. Personal data are exempt from—

(a) the first data protection principle, except to the extent to which it requires compliance with the conditions in Schedules 2 and 3,

(b) the second, third, fourth and fifth data protection principles,

(c) section 7, and

(d) sections 10 and 14(1) to (3),

if the exemption is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.”

SCH. 6

3. After section 63 of that Act there is inserted—

“Application to Parliament. 63A.—(1) Subject to the following provisions of this section and to section 35A, this Act applies to the processing of personal data by or on behalf of either House of Parliament as it applies to the processing of personal data by other persons.

(2) Where the purposes for which and the manner in which any personal data are, or are to be, processed are determined by or on behalf of the House of Commons, the data controller in respect of those data for the purposes of this Act shall be the Corporate Officer of that House.

(3) Where the purposes for which and the manner in which any personal data are, or are to be, processed are determined by or on behalf of the House of Lords, the data controller in respect of those data for the purposes of this Act shall be the Corporate Officer of that House.

(4) Nothing in subsection (2) or (3) is to be taken to render the Corporate Officer of the House of Commons or the Corporate Officer of the House of Lords liable to prosecution under this Act, but section 55 and paragraph 12 of Schedule 9 shall apply to a person acting on behalf of either House as they apply to any other person.”

4. In Schedule 2 to that Act (conditions relevant for the purposes of the first data protection principle: processing of any personal data) in paragraph 5 after paragraph (a) there is inserted—

“(aa) for the exercise of any functions of either House of Parliament.”

5. In Schedule 3 to that Act (conditions relevant for the purposes of the first data protection principle: processing of sensitive personal data) in paragraph 7 after paragraph (a) there is inserted—

“(aa) for the exercise of any functions of either House of Parliament.”

Honours

6. In Schedule 7 to that Act (miscellaneous exemptions) in paragraph 3(b) (honours) after “honour” there is inserted “or dignity”.

Legal professional privilege

7. In paragraph 10 of that Schedule (legal professional privilege), for the words “or, in Scotland, to confidentiality as between client and professional legal adviser,” there is substituted “or, in Scotland, to confidentiality of communications”.

Extension of transitional exemption

8. In Schedule 14 to that Act (transitional provisions), in paragraph 2(1) (which confers transitional exemption from the prohibition on processing without registration on those registered under the Data Protection Act 1984) the words “or, if earlier, 24th October 2001” are omitted.

SCHEDULE 7

Section 76(2).

DISCLOSURE OF INFORMATION BY OMBUDSMEN

The Parliamentary Commissioner for Administration

1. At the end of section 11 of the Parliamentary Commissioner Act 1967 (provision for secrecy of information) there is inserted— 1967 c. 13.

“(5) Information obtained from the Information Commissioner by virtue of section 76(1) of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) of this section as obtained for the purposes of an investigation under this Act and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

2. After section 11A of that Act there is inserted—

“Disclosure of information by Parliamentary Commissioner to Information Commissioner.

11AA.—(1) The Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Commissioner under or for the purposes of this Act if the information appears to the Commissioner to relate to—

(a) a matter in respect of which the Information Commissioner could exercise any power conferred by—

(i) Part V of the Data Protection Act 1998 (enforcement),

(ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or

(iii) Part IV of that Act (enforcement), or

(b) the commission of an offence under—

(i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or

(ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(2) Nothing in section 11(2) of this Act shall apply in relation to the disclosure of information in accordance with this section.”

The Commissions for Local Administration in England and Wales

3. In section 32 of the Local Government Act 1974 (law of defamation, and disclosure of information) after subsection (6) there is inserted— 1974 c. 7.

“(7) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) above as obtained for the purposes of an investigation under this Part of this Act and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

SCH. 7

4. After section 33 of that Act there is inserted—

“Disclosure of information by Local Commissioner to Information Commissioner.
33A.—(1) A Local Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Local Commissioner under or for the purposes of this Part of this Act if the information appears to the Local Commissioner to relate to—

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(2) Nothing in section 32(2) of this Act shall apply in relation to the disclosure of information in accordance with this section.”

The Health Service Commissioners

1993 c. 46.

5. At the end of section 15 of the Health Service Commissioners Act 1993 (confidentiality of information) there is inserted—

“(4) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (1) as obtained for the purposes of an investigation and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

6. After section 18 of that Act there is inserted—

“Disclosure of information to Information Commissioner.
18A.—(1) The Health Service Commissioner for England or the Health Service Commissioner for Wales may disclose to the Information Commissioner any information obtained by, or furnished to, the Health Service Commissioner under or for the purposes of this Act if the information appears to the Health Service Commissioner to relate to—

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or

(ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(3) Nothing in section 15 (confidentiality of information) applies in relation to the disclosure of information in accordance with this section.”

The Welsh Administration Ombudsman

7. In Schedule 9 to the Government of Wales Act 1998 (the Welsh Administration Ombudsman), at the end of paragraph 25 (confidentiality of information) there is inserted—

“(5) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of sub-paragraph (1) as obtained for the purposes of an investigation and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

8. After paragraph 27 of that Schedule there is inserted—

“Disclosure of information to Information Commissioner

28.—(1) The Welsh Administration Ombudsman may disclose to the Information Commissioner any information obtained by, or furnished to, the Welsh Administration Ombudsman under or for the purposes of this Schedule if the information appears to the Welsh Administration Ombudsman to relate to—

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(2) Nothing in paragraph 25(1) applies in relation to the disclosure of information in accordance with this paragraph.”

The Northern Ireland Commissioner for Complaints

9. At the end of Article 21 of the Commissioner for Complaints (Northern Ireland) Order 1996 (disclosure of information by Commissioner) there is inserted—

“(5) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of paragraph (1) as obtained for the purposes of an investigation under this Order and, in relation to such information, the reference in paragraph (1)(a) to the investigation shall have effect as a reference to any investigation.”

SCH. 7

10. After that Article there is inserted—

“Disclosure of information to Information Commissioner

21A.—(1) The Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Commissioner under or for the purposes of this Order if the information appears to the Commissioner to relate to—

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(2) Nothing in Article 21(1) applies in relation to the disclosure of information in accordance with this Article.”

The Assembly Ombudsman for Northern Ireland

S.I. 1996/1298
(N.I. 8).

11. At the end of Article 19 of the Ombudsman (Northern Ireland) Order 1996 there is inserted—

“(5) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of paragraph (1) as obtained for the purposes of an investigation under this Order and, in relation to such information, the reference in paragraph (1)(a) to the investigation shall have effect as a reference to any investigation.”

12. After that Article there is inserted—

“Disclosure of information to Information Commissioner

19A.—(1) The Ombudsman may disclose to the Information Commissioner any information obtained by, or furnished to, the Ombudsman under or for the purposes of this Order if the information appears to the Ombudsman to relate to—

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).

(2) Nothing in Article 19(1) applies in relation to the disclosure of information in accordance with this Article.”

SCH. 7

The Commissioner for Local Administration in Scotland

13. In section 30 of the Local Government (Scotland) Act 1975 (limitation on disclosure of information), after subsection (5) there is inserted— 1975 c. 30.

“(5A) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) as obtained for the purposes of an investigation under this Part of this Act and, in relation to such information, the reference in subsection (2)(a) to the investigation shall have effect as a reference to any investigation.”

SCHEDULE 8

Section 86.

REPEALS

PART I

REPEAL COMING INTO FORCE ON PASSING OF ACT

Chapter	Short title	Extent of repeal
1998 c. 29.	The Data Protection Act 1998.	In Schedule 14, in paragraph 2(1), the words “or, if earlier, 24th October 2001”.

PART II

REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 87(2)

Chapter	Short title	Extent of repeal
1958 c. 51.	The Public Records Act 1958.	In Schedule 1, in Part II of the Table in paragraph 3, the entry relating to the Data Protection Commissioner.
1967 c. 13.	The Parliamentary Commissioner Act 1967.	In Schedule 2, the entry relating to the Data Protection Commissioner.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to the Data Protection Commissioner.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to the Data Protection Commissioner.
1998 c. 29.	The Data Protection Act 1998.	In Schedule 5, Part III. In Schedule 15, paragraphs 1(1), 2, 4, 5(2) and 6(2)

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Freedom of Information Act 2000

SCH. 8

PART III

REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 87(3)

Chapter	Short title	Extent of repeal
1958 c. 51.	The Public Records Act 1958.	In section 5, subsections (1), (2) and (4) and, in subsection (5), the words from “and subject to” to the end. Schedule 2.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Data Protection Tribunal.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Data Protection Tribunal.
1998 c. 29.	The Data Protection Act 1998.	In section 1(1), in the definition of “data”, the word “or” at the end of paragraph (c). In Schedule 15, paragraphs 1(2) and (3), 3, 5(1) and 6(1).

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Freedom of Information Act 2000

2000 CHAPTER 36

An Act to make provision for the disclosure of information held by public authorities or by persons providing services for them and to amend the Data Protection Act 1998 and the Public Records Act 1958; and for connected purposes. [30th November 2000]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Annotations:

Modifications etc. (not altering text)

- C1 Act: functions of Secretary of State transferred to the Lord Chancellor (26.11.2001) by [S.I. 2001/3500](#), [arts. 3, 4](#), [Sch. 1 para. 12](#)
Act (except ss. 15, 23, 24, 36, 46, 65, 66 and s. 53 for certain purposes): functions of the Lord Chancellor transferred to the Secretary of State, and all property, rights and liabilities to which the Lord Chancellor is entitled or subject in connection with any such function transferred to the Secretary of State for Constitutional Affairs (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), [art. 4](#), [Sch. 1](#) (with [art. 6](#))
- C2 Act: enforcement and appeals provisions applied (with modifications) (1.1.2005) by [The Environmental Information Regulations 2004 \(S.I. 2004/3391\)](#), [reg. 18](#) (with [reg. 3](#))
- C3 Act applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), [regs. 1\(1\), 3-6](#), [Sch. Pt. 3](#)
- C4 Act applied (with modifications) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), [regs. 1\(1\), 3-6](#), [Sch. Pt. 2](#)
- C5 Act applied (with modifications) (E.W.) (22.11.2012) by [The Police and Crime Panels \(Application of Local Authority Enactments\) Regulations 2012 \(S.I. 2012/2734\)](#), [regs. 1\(1\), 3-6](#), [Sch. Pt. 1](#)
- C6 Act: transfer of functions (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), [art. 7\(a\)](#) (with [arts. 8, 12](#))
- C7 Act: transfer of functions (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), [arts. 1\(2\), 3\(1\)](#), [Sch. 1\(i\)](#) (with [arts. 3\(2\), 6, 12](#))

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART I

ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

Right to information

1 General right of access to information held by public authorities.

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.
- (2) Subsection (1) has effect subject to the following provisions of this section and to the provisions of sections 2, 9, 12 and 14.
- (3) Where a public authority—
 - (a) reasonably requires further information in order to identify and locate the information requested, and
 - (b) has informed the applicant of that requirement,
 the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.
- (4) The information—
 - (a) in respect of which the applicant is to be informed under subsection (1)(a), or
 - (b) which is to be communicated under subsection (1)(b),
 is the information in question held at the time when the request is received, except that account may be taken of any amendment or deletion made between that time and the time when the information is to be communicated under subsection (1)(b), being an amendment or deletion that would have been made regardless of the receipt of the request.
- (5) A public authority is to be taken to have complied with subsection (1)(a) in relation to any information if it has communicated the information to the applicant in accordance with subsection (1)(b).
- (6) In this Act, the duty of a public authority to comply with subsection (1)(a) is referred to as “the duty to confirm or deny”.

2 Effect of the exemptions in Part II.

- (1) Where any provision of Part II states that the duty to confirm or deny does not arise in relation to any information, the effect of the provision is that where either—
 - (a) the provision confers absolute exemption, or
 - (b) in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the public authority holds the information,
 section 1(1)(a) does not apply.
- (2) In respect of any information which is exempt information by virtue of any provision of Part II, section 1(1)(b) does not apply if or to the extent that—

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- (a) the information is exempt information by virtue of a provision conferring absolute exemption, or
 - (b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (3) For the purposes of this section, the following provisions of Part II (and no others) are to be regarded as conferring absolute exemption—
- (a) section 21,
 - (b) section 23,
 - (c) section 32,
 - (d) section 34,
 - (e) section 36 so far as relating to information held by the House of Commons or the House of Lords,
 - [^{F1}(ea) in section 37, paragraphs (a) to (ab) of subsection (1), and subsection (2) so far as relating to those paragraphs,]
 - (f) in section 40—
 - (i) subsection (1), and
 - (ii) subsection (2) so far as relating to cases where the first condition referred to in that subsection is satisfied by virtue of subsection (3)(a)(i) or (b) of that section,
 - (g) section 41, and
 - (h) section 44.

Annotations:

Amendments (Textual)

- F1** S. 2(3)(ea) inserted (19.1.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 46(1), 52(2), [Sch. 7 para. 2](#); S.I. 2011/46, [art. 3\(b\)\(i\)](#) (with [art. 4](#))

3 Public authorities.

- (1) In this Act “public authority” means—
- (a) subject to section 4(4), any body which, any other person who, or the holder of any office which—
 - (i) is listed in Schedule 1, or
 - (ii) is designated by order under section 5, or
 - (b) a publicly-owned company as defined by section 6.
- (2) For the purposes of this Act, information is held by a public authority if—
- (a) it is held by the authority, otherwise than on behalf of another person, or
 - (b) it is held by another person on behalf of the authority.

Annotations:

Modifications etc. (not altering text)

- C8** S. 3 modified (29.9.2008 at 8.00 a.m.) by The Bradford & Bingley plc [Transfer of Securities and Property etc. Order 2008 \(S.I. 2008/2546\)](#), [art. 41](#)
- C9** S. 3 modified (7.10.2008 at 9.30 a.m.) by The Heritable Bank plc [Transfer of Certain Rights and Liabilities Order 2008 \(S.I. 2008/2644\)](#), [art. 29](#)

Status: This version of this Act contains provisions that are prospective.

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- C10** S. 3(1)(b) modified (30.3.2009 at 8.00 a.m.) by The Amendments to Law (Resolution of Dunfermline Building Society) Order (S.I. 2009/814), {art. 8(1)(a)(2)}
- C11** S. 3(1)(b) modified (22.2.2008) by The Northern Rock plc Transfer Order 2008 (S.I. 2008/432), **art. 18(2)(a)**
- C12** S. 3(1)(b) excluded (1.3.2016) by The NRAM plc (formerly Northern Rock plc) Consequential and Supplementary Provisions Order 2016 (S.I. 2016/114), arts. 1(1), **8(2)(a)**
- C13** S. 3(2) modified (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 3 para. 13(2)**; S.I. 2011/2576, art. 5
- C14** S. 3(2)(b) modified (30.3.2009 at 8.00 a.m.) by The Amendments to Law (Resolution of Dunfermline Building Society) Order (S.I. 2009/814), {art. 8(1)(b)(2)}
- C15** S. 3(2)(b) modified (8.10.2008 at 12.15 p.m.) by The Kaupthing Singer & Friedlander Limited Transfer of Certain Rights and Liabilities Order 2008 (S.I. 2008/2674), **art. 31**
- C16** S. 3(2)(b) modified (22.2.2008) by The Northern Rock plc Transfer Order 2008 (S.I. 2008/432), **art. 18(2)(b)**
- C17** S. 3(2)(b) excluded (1.3.2016) by The NRAM plc (formerly Northern Rock plc) Consequential and Supplementary Provisions Order 2016 (S.I. 2016/114), arts. 1(1), **8(2)(b)**

4 Amendment of Schedule 1.

- (1) The [^{F2}Secretary of State][^{F3}or the [^{F4}Minister for the Cabinet Office]] may by order amend Schedule 1 by adding to that Schedule a reference to any body or the holder of any office which (in either case) is not for the time being listed in that Schedule but as respects which both the first and the second conditions below are satisfied.
- (2) The first condition is that the body or office—
 - (a) is established by virtue of Her Majesty’s prerogative or by an enactment or by subordinate legislation, or
 - (b) is established in any other way by a Minister of the Crown in his capacity as Minister, by a government department or by [^{F5}the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government].
- (3) The second condition is—
 - (a) in the case of a body, that the body is wholly or partly constituted by appointment made by the Crown, by a Minister of the Crown, by a government department or by [^{F6}the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government], or
 - (b) in the case of an office, that appointments to the office are made by the Crown, by a Minister of the Crown, by a government department or by [^{F6}the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government].
- (4) If either the first or the second condition above ceases to be satisfied as respects any body or office which is listed in Part VI or VII of Schedule 1, that body or the holder of that office shall cease to be a public authority by virtue of the entry in question.
- (5) The [^{F2}Secretary of State][^{F7}or the [^{F8}Minister for the Cabinet Office]] may by order amend Schedule 1 by removing from Part VI or VII of that Schedule an entry relating to any body or office—
 - (a) which has ceased to exist, or
 - (b) as respects which either the first or the second condition above has ceased to be satisfied.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (6) An order under subsection (1) may relate to a specified person or office or to persons or offices falling within a specified description.
- (7) Before making an order under subsection (1), the [^{F2}Secretary of State][^{F9}or the [^{F10}Minister for the Cabinet Office]] shall—
- (a) if the order adds to Part II, III, IV or VI of Schedule 1 a reference to—
- (i) a body whose functions are exercisable only or mainly in or as regards Wales, or
- (ii) the holder of an office whose functions are exercisable only or mainly in or as regards Wales, consult [^{F11}the Welsh Ministers], and
- (b) if the order relates to a body which, or the holder of any office who, if the order were made, would be a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.
- (8) This section has effect subject to section 80.
- (9) In this section “Minister of the Crown” includes a Northern Ireland Minister.

Annotations:

Amendments (Textual)

- F2** Words in s. 4 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(a)**
- F3** Words in s. 4(1) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(a)**
- F4** Words in s. 4(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(a)** (with art. 12)
- F5** Words in s. 4(2)(b) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 78(2)** (the amendment coming into force immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F6** Words in s. 4(3)(a)(b) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 78(3)** (the amendment coming into force immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F7** Words in s. 4(5) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(a)**
- F8** Words in s. 4(5) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(a)** (with art. 12)
- F9** Words in s. 4(7) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(a)**
- F10** Words in s. 4(7) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(a)** (with art. 12)
- F11** Words in s. 4(7)(a)(ii) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 78(4)** (the amendment coming into force immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

Status: This version of this Act contains provisions that are prospective.

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Modifications etc. (not altering text)

- C18** S. 4(1) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(a) (with art. 5)
- C19** S. 4(5)(7) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(a) (with art. 5)

5 Further power to designate public authorities.

- (1) The [^{F12}Secretary of State][^{F13}or the [^{F14}Minister for the Cabinet Office]] may by order designate as a public authority for the purposes of this Act any person who is neither listed in Schedule 1 nor capable of being added to that Schedule by an order under section 4(1), but who—
- appears to the Secretary of State[^{F13}or the [^{F14}Minister for the Cabinet Office]] to exercise functions of a public nature, or
 - is providing under a contract made with a public authority any service whose provision is a function of that authority.
- (2) An order under this section may designate a specified person or office or persons or offices falling within a specified description.
- (3) Before making an order under this section, the [^{F12}Secretary of State][^{F15}or the [^{F16}Minister for the Cabinet Office]] shall consult every person to whom the order relates, or persons appearing to him to represent such persons.
- (4) This section has effect subject to section 80.

Annotations:

Amendments (Textual)

- F12** Words in s. 5 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(a)**
- F13** Words in s. 5(1) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(b)**
- F14** Words in s. 5(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(b)** (with art. 12)
- F15** Words in s. 5(3) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(b)**
- F16** Words in s. 5(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(b)** (with art. 12)

Modifications etc. (not altering text)

- C20** S. 5(1)(3) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(b) (with art. 5)

6 Publicly-owned companies.

- (1) A company is a “publicly-owned company” for the purposes of section 3(1)(b) if—
- it is wholly owned by the Crown,^{F17} ...
 - it is wholly owned by [^{F18}the wider public sector][^{F19}, or
 - it is wholly owned by the Crown and the wider public sector.]

Status: This version of this Act contains provisions that are prospective.

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[^{F20}(2) For the purposes of this section—

- (a) a company is wholly owned by the Crown if, and only if, every member is a person falling within sub-paragraph (i) or (ii)—
 - (i) a Minister of the Crown, government department or company wholly owned by the Crown, or
 - (ii) a person acting on behalf of a Minister of the Crown, government department or company wholly owned by the Crown,
- (b) a company is wholly owned by the wider public sector if, and only if, every member is a person falling within sub-paragraph (i) or (ii)—
 - (i) a relevant public authority or a company wholly owned by the wider public sector, or
 - (ii) a person acting on behalf of a relevant public authority or of a company wholly owned by the wider public sector, and
- (c) a company is wholly owned by the Crown and the wider public sector if, and only if, condition A, B or C is met.

(2A) In subsection (2)(c)—

- (a) condition A is met if—
 - (i) at least one member is a person falling within subsection (2)(a)(i) or (ii),
 - (ii) at least one member is a person falling within subsection (2)(b)(i) or (ii), and
 - (iii) every member is a person falling within subsection (2)(a)(i) or (ii) or (b)(i) or (ii),
- (b) condition B is met if—
 - (i) at least one member is a person falling within subsection (2)(a)(i) or (ii) or (b)(i) or (ii),
 - (ii) at least one member is a company wholly owned by the Crown and the wider public sector, and
 - (iii) every member is a person falling within subsection (2)(a)(i) or (ii) or (b)(i) or (ii) or a company wholly owned by the Crown and the wider public sector, and
- (c) condition C is met if every member is a company wholly owned by the Crown and the wider public sector.]

(3) In this section—

“company” includes any body corporate;

“Minister of the Crown” includes a Northern Ireland Minister.

[^{F21} “ relevant public authority ” means any public authority listed in Schedule 1 other than—

a government department, or

any authority which is listed only in relation to particular information]

Annotations:

Amendments (Textual)

F17 Word in s. 6(1)(a) repealed (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 103(2)(a), 120, [Sch. 10 Pt. 7](#) (with s. 97); S.I. 2013/1906, art. 3(b)

Status: This version of this Act contains provisions that are prospective.

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- F18** Words in s. 6(1)(b) substituted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 103\(2\)\(b\), 120 \(with s. 97\); S.I. 2013/1906, art. 3\(b\)](#)
- F19** S. 6(1)(c) and word inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 103\(2\)\(c\), 120 \(with s. 97\); S.I. 2013/1906, art. 3\(b\)](#)
- F20** S. 6(2)(2A) substituted for s. 6(2) (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 103\(3\), 120 \(with s. 97\); S.I. 2013/1906, art. 3\(b\)](#)
- F21** Words in s. 6(3) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 103\(4\), 120 \(with s. 97\); S.I. 2013/1906, art. 3\(b\)](#)

7 Public authorities to which Act has limited application.

- (1) Where a public authority is listed in Schedule 1 only in relation to information of a specified description, nothing in Parts I to V of this Act applies to any other information held by the authority.
- (2) An order under section 4(1) may, in adding an entry to Schedule 1, list the public authority only in relation to information of a specified description.
- (3) The [^{F22}Secretary of State][^{F23}or the [^{F24}Minister for the Cabinet Office]] may by order amend Schedule 1—
 - (a) by limiting to information of a specified description the entry relating to any public authority, or
 - (b) by removing or amending any limitation to information of a specified description which is for the time being contained in any entry.
- (4) Before making an order under subsection (3), the [^{F22}Secretary of State][^{F25}or the [^{F26}Minister for the Cabinet Office]] shall—
 - ^{F27}(a) if the order relates to the National Assembly for Wales or a Welsh public authority referred to in section 83(1)(b)(ii) (subsidiary of the Assembly Commission), consult the Presiding Officer of the National Assembly for Wales,
 - (aa) if the order relates to the Welsh Assembly Government or a Welsh public authority other than one referred to in section 83(1)(b)(ii), consult the First Minister for Wales,]
 - (b) if the order relates to the Northern Ireland Assembly, consult the Presiding Officer of that Assembly, and
 - (c) if the order relates to a Northern Ireland department or a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.
- (5) An order under section 5(1)(a) must specify the functions of the public authority designated by the order with respect to which the designation is to have effect; and nothing in Parts I to V of this Act applies to information which is held by the authority but does not relate to the exercise of those functions.
- (6) An order under section 5(1)(b) must specify the services provided under contract with respect to which the designation is to have effect; and nothing in Parts I to V of this Act applies to information which is held by the public authority designated by the order but does not relate to the provision of those services.
- (7) Nothing in Parts I to V of this Act applies in relation to any information held by a publicly-owned company which is excluded information in relation to that company.

Status: This version of this Act contains provisions that are prospective.

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- (8) In subsection (7) “excluded information”, in relation to a publicly-owned company, means information which is of a description specified in relation to that company in an order made by the [F22Secretary of State][F28] or the [F29Minister for the Cabinet Office] for the purposes of this subsection.
- (9) In this section “publicly-owned company” has the meaning given by section 6.

Annotations:

Amendments (Textual)

- F22** Words in s. 7 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(a)**
- F23** Words in s. 7(3) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(c)**
- F24** Words in s. 7(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(c)** (with art. 12)
- F25** Words in s. 7(4) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(c)**
- F26** Words in s. 7(4) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(c)** (with art. 12)
- F27** S. 7(4)(a)(aa) substituted for s. 7(4)(a) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 79** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))
- F28** Words in s. 7(8) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(c)**
- F29** Words in s. 7(8) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(c)** (with art. 12)

Modifications etc. (not altering text)

- C21** S. 7(3) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(c) (with art. 5)
- C22** S. 7(4)(8) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(c) (with art. 5)

8 Request for information.

- (1) In this Act any reference to a “request for information” is a reference to such a request which—
- is in writing,
 - states the name of the applicant and an address for correspondence, and
 - describes the information requested.
- (2) For the purposes of subsection (1)(a), a request is to be treated as made in writing where the text of the request—
- is transmitted by electronic means,
 - is received in legible form, and
 - is capable of being used for subsequent reference.

Status: This version of this Act contains provisions that are prospective.

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9 Fees.

- (1) A public authority to whom a request for information is made may, within the period for complying with section 1(1), give the applicant a notice in writing (in this Act referred to as a “fees notice”) stating that a fee of an amount specified in the notice is to be charged by the authority for complying with section 1(1).
- (2) Where a fees notice has been given to the applicant, the public authority is not obliged to comply with section 1(1) unless the fee is paid within the period of three months beginning with the day on which the fees notice is given to the applicant.
- (3) Subject to subsection (5), any fee under this section must be determined by the public authority in accordance with regulations made by the [^{F30}Minister for the Cabinet Office].
- (4) Regulations under subsection (3) may, in particular, provide—
 - (a) that no fee is to be payable in prescribed cases,
 - (b) that any fee is not to exceed such maximum as may be specified in, or determined in accordance with, the regulations, and
 - (c) that any fee is to be calculated in such manner as may be prescribed by the regulations.
- (5) Subsection (3) does not apply where provision is made by or under any enactment as to the fee that may be charged by the public authority for the disclosure of the information.

Annotations:

Amendments (Textual)

F30 Words in s. 9(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(d)** (with art. 12)

Modifications etc. (not altering text)

C23 S. 9(3) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(a) (with art. 5)

Commencement Information

II S. 9 wholly in force at 1.1.2005; s. 9 in force at Royal Assent to the extent that it confers power to make regulations, see s. 87(1)(m)(3); s. 9 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

10 Time for compliance with request.

- (1) Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.
- (2) Where the authority has given a fees notice to the applicant and the fee is paid in accordance with section 9(2), the working days in the period beginning with the day on which the fees notice is given to the applicant and ending with the day on which the fee is received by the authority are to be disregarded in calculating for the purposes of subsection (1) the twentieth working day following the date of receipt.
- (3) If, and to the extent that—

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- (a) section 1(1)(a) would not apply if the condition in section 2(1)(b) were satisfied, or
 - (b) section 1(1)(b) would not apply if the condition in section 2(2)(b) were satisfied,
- the public authority need not comply with section 1(1)(a) or (b) until such time as is reasonable in the circumstances; but this subsection does not affect the time by which any notice under section 17(1) must be given.
- (4) The [^{F31}Minister for the Cabinet Office] may by regulations provide that subsections (1) and (2) are to have effect as if any reference to the twentieth working day following the date of receipt were a reference to such other day, not later than the sixtieth working day following the date of receipt, as may be specified in, or determined in accordance with, the regulations.
- (5) Regulations under subsection (4) may—
- (a) prescribe different days in relation to different cases, and
 - (b) confer a discretion on the Commissioner.
- (6) In this section—
- “the date of receipt” means—
 - (a) the day on which the public authority receives the request for information, or
 - (b) if later, the day on which it receives the information referred to in section 1(3);
 - “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the ^{M1}Banking and Financial Dealings Act 1971 in any part of the United Kingdom.

Annotations:

Amendments (Textual)

F31 Words in s. 10(4) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(e)** (with art. 12)

Modifications etc. (not altering text)

- C24** S. 10(1)(2) modified (1.1.2005) by [The Freedom of Information \(Time for Compliance with Request\) Regulations 2004 \(S.I. 2004/3364\)](#), **regs. 3(2), 4(2), 5(2), 6(2)**
- C25** S. 10(1)(2) modified (26.6.2009) by [The Freedom of Information \(Time for Compliance with Request\) Regulations 2009 \(S.I. 2009/1369\)](#), **reg. 2(2)**
- C26** S. 10(1)(2) modified (18.11.2010) by [The Freedom of Information \(Time for Compliance with Request\) Regulations 2010 \(S.I. 2010/2768\)](#), **regs. 1(2), 2**
- C27** S. 10(4) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1), (2)(b)** (with art. 5)

Commencement Information

I2 S. 10 wholly in force at 1.1.2005; s. 10 in force at Royal Assent to the extent that it confers power to make regulations, see s. 87(1)(m)(3); s. 10 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Marginal Citations

M1 1971 c. 80.

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11 Means by which communication to be made.

- (1) Where, on making his request for information, the applicant expresses a preference for communication by any one or more of the following means, namely—
- (a) the provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant,
 - (b) the provision to the applicant of a reasonable opportunity to inspect a record containing the information, and
 - (c) the provision to the applicant of a digest or summary of the information in permanent form or in another form acceptable to the applicant,
- the public authority shall so far as reasonably practicable give effect to that preference.

[^{F32}(1A) Where—

- (a) an applicant makes a request for information to a public authority in respect of information that is, or forms part of, a dataset held by the public authority, and
- (b) on making the request for information, the applicant expresses a preference for communication by means of the provision to the applicant of a copy of the information in electronic form,

the public authority must, so far as reasonably practicable, provide the information to the applicant in an electronic form which is capable of re-use.]

- (2) In determining for the purposes of this section whether it is reasonably practicable to communicate information by particular means, the public authority may have regard to all the circumstances, including the cost of doing so.
- (3) Where the public authority determines that it is not reasonably practicable to comply with any preference expressed by the applicant in making his request, the authority shall notify the applicant of the reasons for its determination.
- (4) Subject to [^{F33}subsections (1) and (1A)], a public authority may comply with a request by communicating information by any means which are reasonable in the circumstances.

[^{F34}(5) In this Act “dataset” means information comprising a collection of information held in electronic form where all or most of the information in the collection—

- (a) has been obtained or recorded for the purpose of providing a public authority with information in connection with the provision of a service by the authority or the carrying out of any other function of the authority,
- (b) is factual information which—
 - (i) is not the product of analysis or interpretation other than calculation, and
 - (ii) is not an official statistic (within the meaning given by section 6(1) of the Statistics and Registration Service Act 2007), and
- (c) remains presented in a way that (except for the purpose of forming part of the collection) has not been organised, adapted or otherwise materially altered since it was obtained or recorded.]

Annotations:

Amendments (Textual)

F32 S. 11(1A) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. **102(2)(a)**, 120 (with s. 97); S.I. 2013/1906, art. 3(a)

Status: This version of this Act contains provisions that are prospective.

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- F33** Words in s. 11(4) substituted (1.9.2013) by Protection of Freedoms Act 2012 (c. 9), ss. 102(2)(b), 120 (with s. 97); S.I. 2013/1906, art. 3(a)
- F34** S. 11(5) inserted (1.9.2013) by Protection of Freedoms Act 2012 (c. 9), ss. 102(2)(c), 120 (with s. 97); S.I. 2013/1906, art. 3(a)

[^{F35} 11A Release of datasets for re-use

- (1) This section applies where—
- a person makes a request for information to a public authority in respect of information that is, or forms part of, a dataset held by the authority,
 - any of the dataset or part of a dataset so requested is a relevant copyright work,
 - the public authority is the only owner of the relevant copyright work, and
 - the public authority is communicating the relevant copyright work to the applicant in accordance with this Act.

[^{F36}(1A) But if the whole of the relevant copyright work is a document to which the Re-use of Public Sector Information Regulations 2015 apply, this section does not apply to the relevant copyright work.

(1B) If part of the relevant copyright work is a document to which those Regulations apply

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- this section does not apply to that part, but
 - this section does apply to the part to which the Regulations do not apply (and references in the following provisions of this section to the relevant copyright work are to be read as references to that part).]

(2) When communicating the relevant copyright work to the applicant, the public authority must make the relevant copyright work available for re-use by the applicant in accordance with the terms of the specified licence.

(3) The public authority may exercise any power that it has by virtue of regulations under section 11B to charge a fee in connection with making the relevant copyright work available for re-use in accordance with subsection (2).

(4) Nothing in this section or section 11B prevents a public authority which is subject to a duty under subsection (2) from exercising any power that it has by or under an enactment other than this Act to charge a fee in connection with making the relevant copyright work available for re-use.

(5) Where a public authority intends to charge a fee (whether in accordance with regulations under section 11B or as mentioned in subsection (4)) in connection with making a relevant copyright work available for re-use by an applicant, the authority must give the applicant a notice in writing (in this section referred to as a “ re-use fee notice ”) stating that a fee of an amount specified in, or determined in accordance with, the notice is to be charged by the authority in connection with complying with subsection (2).

(6) Where a re-use fee notice has been given to the applicant, the public authority is not obliged to comply with subsection (2) while any part of the fee which is required to be paid is unpaid.

(7) Where a public authority intends to charge a fee as mentioned in subsection (4), the re-use fee notice may be combined with any other notice which is to be given under the power which enables the fee to be charged.

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(8) In this section—

“copyright owner” has the meaning given by Part 1 of the Copyright, Designs and Patents Act 1988 (see section 173 of that Act);

“copyright work” has the meaning given by Part 1 of the Act of 1988 (see section 1(2) of that Act);

“database” has the meaning given by section 3A of the Act of 1988;

“database right” has the same meaning as in Part 3 of the Copyright and Rights in Databases Regulations 1997 (S.I. 1997/3032);

“owner”, in relation to a relevant copyright work, means—

- (a) the copyright owner, or
- (b) the owner of the database right in the database;

“relevant copyright work” means—

- (a) a copyright work, or
- (b) a database subject to a database right,

but excludes a relevant Crown work or a relevant Parliamentary work;

“relevant Crown work” means—

- (a) a copyright work in relation to which the Crown is the copyright owner, or
- (b) a database in relation to which the Crown is the owner of the database right;

“relevant Parliamentary work” means—

- (a) a copyright work in relation to which the House of Commons or the House of Lords is the copyright owner, or
- (b) a database in relation to which the House of Commons or the House of Lords is the owner of the database right;

“the specified licence” is the licence specified by the [^{F37}Minister for the Cabinet Office] in a code of practice issued under section 45, and the [^{F37}Minister for the Cabinet Office] may specify different licences for different purposes.

Annotations:

Amendments (Textual)

- F35** Ss. 11A, 11B inserted (31.7.2013 for the insertion of s. 11B, 1.9.2013 in so far as not already in force) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(3)**, 120 (with s. 97); S.I. 2013/1906, arts. 2, 3(a)
- F36** S. 11A(1A)(1B) inserted (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), **regs. 1, 21(2)** (with **regs. 5, 11(4), 21(8)**)
- F37** Words in s. 11A(8) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(f)** (with art. 12)

Modifications etc. (not altering text)

- C28** S. 11A(8) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(c) (with art. 5)

Status: This version of this Act contains provisions that are prospective.

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11B Power to charge fees in relation to release of datasets for re-use

- (1) The [^{F38}Minister for the Cabinet Office] may, with the consent of the Treasury, make provision by regulations about the charging of fees by public authorities in connection with making relevant copyright works available for re-use under section 11A(2) or by virtue of section 19(2A)(c).
- (2) Regulations under this section may, in particular—
- prescribe cases in which fees may, or may not, be charged,
 - prescribe the amount of any fee payable or provide for any such amount to be determined in such manner as may be prescribed,
 - prescribe, or otherwise provide for, times at which fees, or parts of fees, are payable,
 - require the provision of information about the manner in which amounts of fees are determined,
 - make different provision for different purposes.
- (3) Regulations under this section may, in prescribing the amount of any fee payable or providing for any such amount to be determined in such manner as may be prescribed, provide for a reasonable return on investment.
- (4) In this section “relevant copyright work” has the meaning given by section 11A(8).]

Annotations:

Amendments (Textual)

F35 Ss. 11A, 11B inserted (31.7.2013 for the insertion of s. 11B, 1.9.2013 in so far as not already in force) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. **102(3)**, 120 (with s. 97); S.I. 2013/1906, arts. 2, 3(a)

F38 Words in s. 11B(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(g)** (with art. 12)

Modifications etc. (not altering text)

C29 S. 11B(1) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(d) (with art. 5)

12 Exemption where cost of compliance exceeds appropriate limit.

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The [^{F39}Minister for the Cabinet Office] may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
- by one person, or

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- (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,
the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The [^{F40}Minister for the Cabinet Office] may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Annotations:

Amendments (Textual)

- F39** Words in s. 12(4) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(h)** (with art. 12)
- F40** Words in s. 12(5) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(h)** (with art. 12)

Modifications etc. (not altering text)

- C30** S. 12(3)-(5) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(e) (with art. 5)

Commencement Information

- I3** S. 12 wholly in force at 1.1.2005; s. 12 in force at Royal Assent to the extent that it confers power to make regulations, see s. 87(1)(m)(3); s. 12 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

13 Fees for disclosure where cost of compliance exceeds appropriate limit.

- (1) A public authority may charge for the communication of any information whose communication—
- is not required by section 1(1) because the cost of complying with the request for information exceeds the amount which is the appropriate limit for the purposes of section 12(1) and (2), and
 - is not otherwise required by law,
- such fee as may be determined by the public authority in accordance with regulations made by the [^{F41}Minister for the Cabinet Office].
- (2) Regulations under this section may, in particular, provide—
- that any fee is not to exceed such maximum as may be specified in, or determined in accordance with, the regulations, and
 - that any fee is to be calculated in such manner as may be prescribed by the regulations.
- (3) Subsection (1) does not apply where provision is made by or under any enactment as to the fee that may be charged by the public authority for the disclosure of the information.

Annotations:

Amendments (Textual)

- F41** Words in s. 13(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(i)** (with art. 12)

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Modifications etc. (not altering text)

- C31** S. 13(1) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(f) (with art. 5)

Commencement Information

- I4** S. 13 wholly in force at 1.1.2005; s. 13 in force at Royal Assent to the extent that it confers power to make regulations, see s. 87(1)(m)(3); s. 13 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

14 Vexatious or repeated requests.

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.
- (2) Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

15 Special provisions relating to public records transferred to Public Record Office, etc.

- (1) Where—
 - (a) the appropriate records authority receives a request for information which relates to information which is, or if it existed would be, contained in a transferred public record, and
 - (b) either of the conditions in subsection (2) is satisfied in relation to any of that information,that authority shall, within the period for complying with section 1(1), send a copy of the request to the responsible authority.
- (2) The conditions referred to in subsection (1)(b) are—
 - (a) that the duty to confirm or deny is expressed to be excluded only by a provision of Part II not specified in subsection (3) of section 2, and
 - (b) that the information is exempt information only by virtue of a provision of Part II not specified in that subsection.
- (3) On receiving the copy, the responsible authority shall, within such time as is reasonable in all the circumstances, inform the appropriate records authority of the determination required by virtue of subsection (3) or (4) of section 66.
- (4) In this Act “transferred public record” means a public record which has been transferred—
 - (a) to the Public Record Office,
 - (b) to another place of deposit appointed by the [^{F42}Secretary of State] under the ^{M2}Public Records Act 1958, or
 - (c) to the Public Record Office of Northern Ireland.
- (5) In this Act—

“appropriate records authority”, in relation to a transferred public record, means—

 - (a) in a case falling within subsection (4)(a), the Public Record Office,

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- (b) in a case falling within subsection (4)(b), the [^{F43}Secretary of State], and
- (c) in a case falling within subsection (4)(c), the Public Record Office of Northern Ireland;
- “responsible authority”, in relation to a transferred public record, means—
- (a) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the [^{F43}Secretary of State] to be primarily concerned,
- (b) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from any other person, the person who appears to the [^{F43}Secretary of State] to be primarily concerned,
- (c) in the case of a record transferred to the Public Record Office of Northern Ireland from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the appropriate Northern Ireland Minister to be primarily concerned,
- (d) in the case of a record transferred to the Public Record Office of Northern Ireland from a Northern Ireland department, the Northern Ireland Minister who appears to the appropriate Northern Ireland Minister to be primarily concerned, or
- (e) in the case of a record transferred to the Public Record Office of Northern Ireland from any other person, the person who appears to the appropriate Northern Ireland Minister to be primarily concerned.

Annotations:

Amendments (Textual)

F42 Words in s. 15(4)(b) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(a)**

F43 Words in s. 15(5) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(a)**

Commencement Information

I5 S. 15 wholly in force at 1.1.2005; s. 15 not in force at Royal Assent, see s. 87(3); s. 15(4)(5) in force for certain purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2**; s. 15 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Marginal Citations

M2 1958 c. 51.

16 Duty to provide advice and assistance.

- (1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.
- (2) Any public authority which, in relation to the provision of advice or assistance in any case, conforms with the code of practice under section 45 is to be taken to comply with the duty imposed by subsection (1) in relation to that case.

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Refusal of request

17 Refusal of request.

- (1) A public authority which, in relation to any request for information, is to any extent relying on a claim that any provision of Part II relating to the duty to confirm or deny is relevant to the request or on a claim that information is exempt information must, within the time for complying with section 1(1), give the applicant a notice which—
 - (a) states that fact,
 - (b) specifies the exemption in question, and
 - (c) states (if that would not otherwise be apparent) why the exemption applies.
- (2) Where—
 - (a) in relation to any request for information, a public authority is, as respects any information, relying on a claim—
 - (i) that any provision of Part II which relates to the duty to confirm or deny and is not specified in section 2(3) is relevant to the request, or
 - (ii) that the information is exempt information only by virtue of a provision not specified in section 2(3), and
 - (b) at the time when the notice under subsection (1) is given to the applicant, the public authority (or, in a case falling within section 66(3) or (4), the responsible authority) has not yet reached a decision as to the application of subsection (1)(b) or (2)(b) of section 2,
the notice under subsection (1) must indicate that no decision as to the application of that provision has yet been reached and must contain an estimate of the date by which the authority expects that such a decision will have been reached.
- (3) A public authority which, in relation to any request for information, is to any extent relying on a claim that subsection (1)(b) or (2)(b) of section 2 applies must, either in the notice under subsection (1) or in a separate notice given within such time as is reasonable in the circumstances, state the reasons for claiming—
 - (a) that, in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the authority holds the information, or
 - (b) that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (4) A public authority is not obliged to make a statement under subsection (1)(c) or (3) if, or to the extent that, the statement would involve the disclosure of information which would itself be exempt information.
- (5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.
- (6) Subsection (5) does not apply where—
 - (a) the public authority is relying on a claim that section 14 applies,
 - (b) the authority has given the applicant a notice, in relation to a previous request for information, stating that it is relying on such a claim, and
 - (c) it would in all the circumstances be unreasonable to expect the authority to serve a further notice under subsection (5) in relation to the current request.

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- (7) A notice under subsection (1), (3) or (5) must—
- (a) contain particulars of any procedure provided by the public authority for dealing with complaints about the handling of requests for information or state that the authority does not provide such a procedure, and
 - (b) contain particulars of the right conferred by section 50.

^{F44} *The Information Commissioner . . .*

Annotations:

Amendments (Textual)

- F44** Words in cross-heading preceding s. 18 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 67**

18 The Information Commissioner ^{F45} . . .

- (1) The Data Protection Commissioner shall be known instead as the Information Commissioner.

^{F46}(2)

- (3) In this Act—

- (a) the Information Commissioner is referred to as “the Commissioner”, ^{F47} . . .
- (b)

- (4) Schedule 2 (which makes provision consequential on subsections (1) and (2) and amendments of the ^{M3}Data Protection Act 1998 relating to the extension by this Act of the functions of the Commissioner and the Tribunal) has effect.

^{F48}(5)

(6)

(7)

Annotations:

Amendments (Textual)

- F45** Words in s. 18 heading omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 68(a)**
- F46** S. 18(2) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 68(b)**
- F47** S. 18(3)(b) and preceding word omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 68(c)**
- F48** S. 18(5)-(7) repealed (16.3.2015) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 105(5), 120, **Sch. 10 Pt. 8** (with s. 97); [S.I. 2015/587](#), art. 2(a)(c)

Commencement Information

- I6** S. 18 wholly in force at 1.1.2005; s. 18(4) in force for certain purposes at Royal Assent, see s. 87(1)(i); s. 18(1) wholly in force and s. 18(4) in force for certain further purposes at 30.1.2001, see s. 87(2)(a)(c); s. 18(2)(3)(5)-(7) in force and s. 18(4) in force for certain further purposes at 14.5.2001 by [S.I. 2001/1637](#), art. 2(a)(b); s. 18 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

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Marginal Citations

M3 1998 c. 29.

Publication schemes

19 Publication schemes.

- (1) It shall be the duty of every public authority—
- (a) to adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Commissioner (in this Act referred to as a “publication scheme”),
 - (b) to publish information in accordance with its publication scheme, and
 - (c) from time to time to review its publication scheme.
- (2) A publication scheme must—
- (a) specify classes of information which the public authority publishes or intends to publish,
 - (b) specify the manner in which information of each class is, or is intended to be, published, and
 - (c) specify whether the material is, or is intended to be, available to the public free of charge or on payment.

[^{F49}(2A) A publication scheme must, in particular, include a requirement for the public authority concerned—

- (a) to publish—
 - (i) any dataset held by the authority in relation to which a person makes a request for information to the authority, and
 - (ii) any up-dated version held by the authority of such a dataset, unless the authority is satisfied that it is not appropriate for the dataset to be published,
- (b) where reasonably practicable, to publish any dataset the authority publishes by virtue of paragraph (a) in an electronic form which is capable of re-use,
- (c) where [^{F50}subject to subsections (2AA) and (2AB)] any information in a dataset published by virtue of paragraph (a) is a relevant copyright work in relation to which the authority is the only owner, to make the information available for re-use in accordance with the terms of the specified licence.

[^{F51}(2AA) If the whole of the relevant copyright work is a document to which the Re-use of Public Sector Information Regulations 2015 apply, subsections (2A)(c) and (2B) to (2F) do not apply to the relevant copyright work.

(2AB) If part of the relevant copyright work is a document to which those Regulations apply

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- (a) subsections (2A)(c) and (2B) to (2F) do not apply to that part, but
 - (b) those provisions do apply to the part to which the Regulations do not apply (and references in the following provisions of this section to the relevant copyright work are to be read as references to that part).]

(2B) The public authority may exercise any power that it has by virtue of regulations under section 11B to charge a fee in connection with making the relevant copyright

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work available for re-use in accordance with a requirement imposed by virtue of subsection (2A)(c).

- (2C) Nothing in this section or section 11B prevents a public authority which is subject to such a requirement from exercising any power that it has by or under an enactment other than this Act to charge a fee in connection with making the relevant copyright work available for re-use.
- (2D) Where a public authority intends to charge a fee (whether in accordance with regulations under section 11B or as mentioned in subsection (2C)) in connection with making a relevant copyright work available for re-use by an applicant, the authority must give the applicant a notice in writing (in this section referred to as a “ re-use fee notice ”) stating that a fee of an amount specified in, or determined in accordance with, the notice is to be charged by the authority in connection with complying with the requirement imposed by virtue of subsection (2A)(c).
- (2E) Where a re-use fee notice has been given to the applicant, the public authority is not obliged to comply with the requirement imposed by virtue of subsection (2A)(c) while any part of the fee which is required to be paid is unpaid.
- (2F) Where a public authority intends to charge a fee as mentioned in subsection (2C), the re-use fee notice may be combined with any other notice which is to be given under the power which enables the fee to be charged.]
- (3) In adopting or reviewing a publication scheme, a public authority shall have regard to the public interest—
- (a) in allowing public access to information held by the authority, and
 - (b) in the publication of reasons for decisions made by the authority.
- (4) A public authority shall publish its publication scheme in such manner as it thinks fit.
- (5) The Commissioner may, when approving a scheme, provide that his approval is to expire at the end of a specified period.
- (6) Where the Commissioner has approved the publication scheme of any public authority, he may at any time give notice to the public authority revoking his approval of the scheme as from the end of the period of six months beginning with the day on which the notice is given.
- (7) Where the Commissioner—
- (a) refuses to approve a proposed publication scheme, or
 - (b) revokes his approval of a publication scheme,
- he must give the public authority a statement of his reasons for doing so.

[^{F52}(8) In this section—

“ copyright owner ” has the meaning given by Part 1 of the Copyright, Designs and Patents Act 1988 (see section 173 of that Act);

“ copyright work ” has the meaning given by Part 1 of the Act of 1988 (see section 1(2) of that Act);

“ database ” has the meaning given by section 3A of the Act of 1988;

“ database right ” has the same meaning as in Part 3 of the Copyright and Rights in Databases Regulations 1997 (S.I. 1997/3032);

“ owner ”, in relation to a relevant copyright work, means—

- (a) the copyright owner, or

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- (b) the owner of the database right in the database;
“ relevant copyright work ” means—
- (a) a copyright work, or
(b) a database subject to a database right,
- but excludes a relevant Crown work or a relevant Parliamentary work;
“ relevant Crown work ” means—
- (a) a copyright work in relation to which the Crown is the copyright owner,
or
(b) a database in relation to which the Crown is the owner of the database right;
- “ relevant Parliamentary work ” means—
- (a) a copyright work in relation to which the House of Commons or the House of Lords is the copyright owner, or
(b) a database in relation to which the House of Commons or the House of Lords is the owner of the database right;
- “ the specified licence ” has the meaning given by section 11A(8).]

Annotations:

Amendments (Textual)

- F49** S. 19(2A)-(2F) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(4)(a)**, 120 (with s. 97); S.I. 2013/1906, art. 3(a)
- F50** Words in s. 19(2A)(c) inserted (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **21(3)(a)** (with regs. 5, 11(4), 21(8))
- F51** S. 19(2AA)(2AB) inserted (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **21(3)(b)** (with regs. 5, 11(4), 21(8))
- F52** S. 19(8) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(4)(b)**, 120 (with s. 97); S.I. 2013/1906, art. 3(a)

Commencement Information

- I7** S. 19 wholly in force at 1.1.2005; s. 19 in force for certain purposes at Royal Assent, see s. 87(1)(b) (3); s. 19(5)-(7) in force at 30.11.2002 and s. 19(1)-(4) in force for certain purposes at 28.2.2003 and 30.6.2003 by [S.I. 2002/2812](#), **arts. 3, 4, 5** (as amended (1.4.2006) by [S.I. 2005/3239](#), art. 9(2), [Sch. 2 para. 8](#), [S.I. 2006/63](#), art. 3(2)(b) and [S.I. 2006/64](#), art. 3(2)(b)); s. 19(1)-(4) in force for certain further purposes at 31.10.2003, 29.2.2004 and 30.6.2004 by [S.I. 2003/2603](#), **arts. 2, 3, 4**; s. 19 in force in so far as not already in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

20 Model publication schemes.

- (1) The Commissioner may from time to time approve, in relation to public authorities falling within particular classes, model publication schemes prepared by him or by other persons.
- (2) Where a public authority falling within the class to which an approved model scheme relates adopts such a scheme without modification, no further approval of the Commissioner is required so long as the model scheme remains approved; and where such an authority adopts such a scheme with modifications, the approval of the Commissioner is required only in relation to the modifications.

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- (3) The Commissioner may, when approving a model publication scheme, provide that his approval is to expire at the end of a specified period.
- (4) Where the Commissioner has approved a model publication scheme, he may at any time publish, in such manner as he thinks fit, a notice revoking his approval of the scheme as from the end of the period of six months beginning with the day on which the notice is published.
- (5) Where the Commissioner refuses to approve a proposed model publication scheme on the application of any person, he must give the person who applied for approval of the scheme a statement of the reasons for his refusal.
- (6) Where the Commissioner refuses to approve any modifications under subsection (2), he must give the public authority a statement of the reasons for his refusal.
- (7) Where the Commissioner revokes his approval of a model publication scheme, he must include in the notice under subsection (4) a statement of his reasons for doing so.

Annotations:

Commencement Information

- I8** [S. 20](#) wholly in force at 1.1.2005; [s. 20](#) in force for certain purposes at Royal Assent, see [s. 87\(1\)\(c\)\(3\)](#); [s. 20](#) otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

PART II

EXEMPT INFORMATION

21 Information accessible to applicant by other means.

- (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
 - (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
 - (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.
- (3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

22 Information intended for future publication.

- (1) Information is exempt information if—

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- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
 - (b) the information was already held with a view to such publication at the time when the request for information was made, and
 - (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

[^{F53}22A Research

- (1) Information obtained in the course of, or derived from, a programme of research is exempt information if—
- (a) the programme is continuing with a view to the publication, by a public authority or any other person, of a report of the research (whether or not including a statement of that information), and
 - (b) disclosure of the information under this Act before the date of publication would, or would be likely to, prejudice—
 - (i) the programme,
 - (ii) the interests of any individual participating in the programme,
 - (iii) the interests of the authority which holds the information, or
 - (iv) the interests of the authority mentioned in paragraph (a) (if it is a different authority from that which holds the information).
- (2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1) if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1)(b).]

Annotations:

Amendments (Textual)

F53 S. 22A inserted (1.10.2014) by [Intellectual Property Act 2014 \(c. 18\)](#), ss. 20, 24(1); S.I. 2014/2330, art. 3, Sch.

23 Information supplied by, or relating to, bodies dealing with security matters.

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
- (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
- (3) The bodies referred to in subsections (1) and (2) are—
- (a) the Security Service,
 - (b) the Secret Intelligence Service,

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- (c) the Government Communications Headquarters,
 - (d) the special forces,
 - (e) the Tribunal established under section 65 of the Regulation of^{M4} Investigatory Powers Act 2000,
 - (f) the Tribunal established under section 7 of the^{M5} Interception of Communications Act 1985,
 - (g) the Tribunal established under section 5 of the^{M6} Security Service Act 1989,
 - (h) the Tribunal established under section 9 of the^{M7} Intelligence Services Act 1994,
 - (i) the Security Vetting Appeals Panel,
 - (j) the Security Commission,
 - (k) the National Criminal Intelligence Service,^{F54} . . .
 - (l) the Service Authority for the National Criminal Intelligence Service.
 - [^{F55}(m) the Serious Organised Crime Agency.]
 - [^{F56}(n) the National Crime Agency.]
 - [^{F57}(o) the Intelligence and Security Committee of Parliament.]
- (4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Annotations:

Amendments (Textual)

- F54** Word in s. 23(3)(k) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 174, 178, [Sch. 4 para. 159](#), [Sch. 17](#); [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (subject to [art. 4\(2\)-\(7\)](#))
- F55** S. 23(3)(m) inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 159](#); [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 10](#) (subject to [art. 4\(2\)-\(7\)](#))
- F56** S. 23(3)(n) inserted (27.5.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 102](#); [S.I. 2013/1042](#), [art. 3\(l\)](#)
- F57** S. 23(3)(o) inserted (25.6.2013) by [Justice and Security Act 2013 \(c. 18\)](#), s. 20(1), [Sch. 2 para. 5\(2\)](#); [S.I. 2013/1482](#), [art. 2](#) (with [arts. 3, 4](#))

Marginal Citations

- M4** 2000 c. 23.
- M5** 1985 c. 56.
- M6** 1989 c. 5.
- M7** 1994 c. 13.

24 National security.

- (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.

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- (2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
- (3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.
- (4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

25 Certificates under ss. 23 and 24: supplementary provisions.

- (1) A document purporting to be a certificate under section 23(2) or 24(3) shall be received in evidence and deemed to be such a certificate unless the contrary is proved.
- (2) A document which purports to be certified by or on behalf of a Minister of the Crown as a true copy of a certificate issued by that Minister under section 23(2) or 24(3) shall in any legal proceedings be evidence (or, in Scotland, sufficient evidence) of that certificate.
- (3) The power conferred by section 23(2) or 24(3) on a Minister of the Crown shall not be exercisable except by a Minister who is a member of the Cabinet or by the Attorney General, the Advocate General for Scotland or the Attorney General for Northern Ireland.

26 Defence.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
 - (a) the defence of the British Islands or of any colony, or
 - (b) the capability, effectiveness or security of any relevant forces.
- (2) In subsection (1)(b) “relevant forces” means—
 - (a) the armed forces of the Crown, and
 - (b) any forces co-operating with those forces,
or any part of any of those forces.
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

27 International relations.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
 - (a) relations between the United Kingdom and any other State,
 - (b) relations between the United Kingdom and any international organisation or international court,
 - (c) the interests of the United Kingdom abroad, or
 - (d) the promotion or protection by the United Kingdom of its interests abroad.

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- (2) Information is also exempt information if it is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.
- (3) For the purposes of this section, any information obtained from a State, organisation or court is confidential at any time while the terms on which it was obtained require it to be held in confidence or while the circumstances in which it was obtained make it reasonable for the State, organisation or court to expect that it will be so held.
- (4) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a)—
- (a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1), or
 - (b) would involve the disclosure of any information (whether or not already recorded) which is confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.
- (5) In this section—
- “international court” means any international court which is not an international organisation and which is established—
- (a) by a resolution of an international organisation of which the United Kingdom is a member, or
 - (b) by an international agreement to which the United Kingdom is a party;
- “international organisation” means any international organisation whose members include any two or more States, or any organ of such an organisation;
- “State” includes the government of any State and any organ of its government, and references to a State other than the United Kingdom include references to any territory outside the United Kingdom.

28 Relations within the United Kingdom.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice relations between any administration in the United Kingdom and any other such administration.
- (2) In subsection (1) “administration in the United Kingdom” means—
- (a) the government of the United Kingdom,
 - (b) the Scottish Administration,
 - (c) the Executive Committee of the Northern Ireland Assembly, or
 - [^{F58}(d) the Welsh Assembly Government.]
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

Annotations:

Amendments (Textual)

- F58** S. 28(2)(d) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, [Sch. 1 para. 80](#) (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first

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appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))

29 The economy.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
 - (a) the economic interests of the United Kingdom or of any part of the United Kingdom, or
 - (b) the financial interests of any administration in the United Kingdom, as defined by section 28(2).
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

30 Investigations and proceedings conducted by public authorities.

- (1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—
 - (a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—
 - (i) whether a person should be charged with an offence, or
 - (ii) whether a person charged with an offence is guilty of it,
 - (b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or
 - (c) any criminal proceedings which the authority has power to conduct.
- (2) Information held by a public authority is exempt information if—
 - (a) it was obtained or recorded by the authority for the purposes of its functions relating to—
 - (i) investigations falling within subsection (1)(a) or (b),
 - (ii) criminal proceedings which the authority has power to conduct,
 - (iii) investigations (other than investigations falling within subsection (1)(a) or (b)) which are conducted by the authority for any of the purposes specified in section 31(2) and either by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under any enactment, or
 - (iv) civil proceedings which are brought by or on behalf of the authority and arise out of such investigations, and
 - (b) it relates to the obtaining of information from confidential sources.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1) or (2).
- (4) In relation to the institution or conduct of criminal proceedings or the power to conduct them, references in subsection (1)(b) or (c) and subsection (2)(a) to the public authority include references—
 - (a) to any officer of the authority,

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- (b) in the case of a government department other than a Northern Ireland department, to the Minister of the Crown in charge of the department, and
- (c) in the case of a Northern Ireland department, to the Northern Ireland Minister in charge of the department.

[^{F59}(5) In this section—

“ criminal proceedings ” includes service law proceedings (as defined by section 324(5) of the Armed Forces Act 2006);

“ offence ” includes a service offence (as defined by section 50 of that Act).

]

(6) In the application of this section to Scotland—

- (a) in subsection (1)(b), for the words from “ a decision ” to the end there is substituted “ a decision by the authority to make a report to the procurator fiscal for the purpose of enabling him to determine whether criminal proceedings should be instituted ”,
- (b) in subsections (1)(c) and (2)(a)(ii) for “ which the authority has power to conduct ” there is substituted “ which have been instituted in consequence of a report made by the authority to the procurator fiscal ”, and
- (c) for any reference to a person being charged with an offence there is substituted a reference to the person being prosecuted for the offence.

Annotations:

Amendments (Textual)

F59 S. 30(5) substituted (28.3.2009 for certain purposes and 31.10.2009 otherwise) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 176](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#)

Modifications etc. (not altering text)

C32 S. 30 modified (24.4.2009 for certain purposes and 31.10.2009 otherwise) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, [Sch. 1 para. 46\(1\)](#)

C33 S. 30(5) modified (24.4.2009 for certain purposes and 31.10.2009 otherwise) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, [Sch. 1 para. 46\(2\)](#)

31 Law enforcement.

(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,
- (b) the apprehension or prosecution of offenders,
- (c) the administration of justice,
- (d) the assessment or collection of any tax or duty or of any imposition of a similar nature,
- (e) the operation of the immigration controls,
- (f) the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained,
- (g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2),
- (h) any civil proceedings which are brought by or on behalf of a public authority and arise out of an investigation conducted, for any of the purposes specified

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- in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment, or
- (i) any inquiry held under the [^{F60}Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016] to the extent that the inquiry arises out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment.
- (2) The purposes referred to in subsection (1)(g) to (i) are—
- (a) the purpose of ascertaining whether any person has failed to comply with the law,
- (b) the purpose of ascertaining whether any person is responsible for any conduct which is improper,
- (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,
- (d) the purpose of ascertaining a person's fitness or competence in relation to the management of bodies corporate or in relation to any profession or other activity which he is, or seeks to become, authorised to carry on,
- (e) the purpose of ascertaining the cause of an accident,
- (f) the purpose of protecting charities against misconduct or mismanagement (whether by trustees or other persons) in their administration,
- (g) the purpose of protecting the property of charities from loss or misapplication,
- (h) the purpose of recovering the property of charities,
- (i) the purpose of securing the health, safety and welfare of persons at work, and
- (j) the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

Annotations:

Amendments (Textual)

F60 Words in s. 31(1)(i) substituted (S.) (15.6.2017) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(2), [sch. 2 para. 8](#); S.S.I. 2017/155, reg. 2 (with regs. 4(2)5) and words in s. 31(1)(i) substituted (E.W. N.I.) (15.6.2017) by [The Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1142\)](#), art. 1(2), [Sch. para. 8](#) (with art. 7(2)); ; S.S.I. 2017/155, reg. 2

32 Court records, etc.

- (1) Information held by a public authority is exempt information if it is held only by virtue of being contained in—
- (a) any document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter,
- (b) any document served upon, or by, a public authority for the purposes of proceedings in a particular cause or matter, or
- (c) any document created by—

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- (i) a court, or
 - (ii) a member of the administrative staff of a court,
- for the purposes of proceedings in a particular cause or matter.
- (2) Information held by a public authority is exempt information if it is held only by virtue of being contained in—
- (a) any document placed in the custody of a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration, or
 - (b) any document created by a person conducting an inquiry or arbitration, for the purposes of the inquiry or arbitration.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of this section.
- (4) In this section—
- (a) “court” includes any tribunal or body exercising the judicial power of the State,
 - (b) “proceedings in a particular cause or matter” includes [^{F61}any investigation under Part 1 of the Coroners and Justice Act 2009, any inquest under the Coroners Act (Northern Ireland) 1959 and any] post-mortem examination,
 - (c) “inquiry” means any inquiry or hearing held under any provision contained in, or made under, an enactment, and
 - (d) except in relation to Scotland, “arbitration” means any arbitration to which Part I of the ^{M8}Arbitration Act 1996 applies.

Annotations:

Amendments (Textual)

F61 Words in s. 32(4)(b) substituted (25.7.2013) by [Coroners and Justice Act 2009 \(c. 25\), s. 182\(4\)\(e\), Sch. 21 para. 44](#) (with [s. 180](#)); [S.I. 2013/1869, art. 2\(o\)\(xvi\)](#)

Modifications etc. (not altering text)

C34 S. 32(2) excluded (7.6.2005) by [Inquiries Act 2005 \(c. 12\), ss. 18\(3\), 51\(1\)](#) (with [ss. 44, 50](#)); [S.I. 2005/1432, art. 2](#)

Marginal Citations

M8 [1996 c. 23](#).

33 Audit functions.

- (1) This section applies to any public authority which has functions in relation to—
- (a) the audit of the accounts of other public authorities, or
 - (b) the examination of the economy, efficiency and effectiveness with which other public authorities use their resources in discharging their functions.
- (2) Information held by a public authority to which this section applies is exempt information if its disclosure would, or would be likely to, prejudice the exercise of any of the authority’s functions in relation to any of the matters referred to in subsection (1).

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- (3) The duty to confirm or deny does not arise in relation to a public authority to which this section applies if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the exercise of any of the authority's functions in relation to any of the matters referred to in subsection (1).

34 Parliamentary privilege.

- (1) Information is exempt information if exemption from section 1(1)(b) is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.
- (2) The duty to confirm or deny does not apply if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.
- (3) A certificate signed by the appropriate authority certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of avoiding an infringement of the privileges of either House of Parliament shall be conclusive evidence of that fact.
- (4) In subsection (3) “the appropriate authority” means—
- (a) in relation to the House of Commons, the Speaker of that House, and
 - (b) in relation to the House of Lords, the Clerk of the Parliaments.

35 Formulation of government policy, etc.

- (1) Information held by a government department or by [^{F62}the Welsh Assembly Government] is exempt information if it relates to—
- (a) the formulation or development of government policy,
 - (b) Ministerial communications,
 - (c) the provision of advice by any of the Law Officers or any request for the provision of such advice, or
 - (d) the operation of any Ministerial private office.
- (2) Once a decision as to government policy has been taken, any statistical information used to provide an informed background to the taking of the decision is not to be regarded—
- (a) for the purposes of subsection (1)(a), as relating to the formulation or development of government policy, or
 - (b) for the purposes of subsection (1)(b), as relating to Ministerial communications.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).
- (4) In making any determination required by section 2(1)(b) or (2)(b) in relation to information which is exempt information by virtue of subsection (1)(a), regard shall be had to the particular public interest in the disclosure of factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.
- (5) In this section—

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“government policy” includes the policy of the Executive Committee of the Northern Ireland Assembly and the policy of [^{F63}the Welsh Assembly Government];

“the Law Officers” means the Attorney General, the Solicitor General, the Advocate General for Scotland, the Lord Advocate, the Solicitor General for Scotland [^{F64}, the Counsel General to the Welsh Assembly Government] and the Attorney General for Northern Ireland;

“Ministerial communications” means any communications—

- (a) between Ministers of the Crown,
- (b) between Northern Ireland Ministers, including Northern Ireland junior Ministers, or
- (c) [^{F65}between members of the Welsh Assembly Government]

and includes, in particular, proceedings of the Cabinet or of any committee of the Cabinet, proceedings of the Executive Committee of the Northern Ireland Assembly, and proceedings of [^{F66}the Cabinet or any committee of the Cabinet of the Welsh Assembly Government];

“Ministerial private office” means any part of a government department which provides personal administrative support to a Minister of the Crown, to a Northern Ireland Minister or a Northern Ireland junior Minister or [^{F67}any part of the administration of the Welsh Assembly Government providing personal administrative support to the members of the Welsh Assembly Government];

“Northern Ireland junior Minister” means a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the ^{M9}Northern Ireland Act 1998.

Annotations:

Amendments (Textual)

- F62** Words in s. 35(1) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 81(2)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F63** S. 35(5): words in definition of "government policy" substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 81(3)(a)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F64** S. 35(5): words in definition of "the Law Officers" substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 81(3)(b)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F65** S. 35(5): para. (c) in definition of "Ministerial communications" substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 81(c)(i)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on

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25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of Government of Wales Act 2006 (c. 32))

F66 S. 35(5): words in definition of "Ministerial communications" substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 3, Sch. 1 para. 81(c)(ii) (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of Government of Wales Act 2006 (c. 32))

F67 S. 35(5): words in definition of "Ministerial private office" substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 3, Sch. 1 para. 81(d) (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of Government of Wales Act 2006 (c. 32))

Marginal Citations

M9 1998 c. 47.

36 Prejudice to effective conduct of public affairs.

- (1) This section applies to—
 - (a) information which is held by a government department or by [^{F68}the Welsh Assembly Government] and is not exempt information by virtue of section 35, and
 - (b) information which is held by any other public authority.
- (2) Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act—
 - (a) would, or would be likely to, prejudice—
 - (i) the maintenance of the convention of the collective responsibility of Ministers of the Crown, or
 - (ii) the work of the Executive Committee of the Northern Ireland Assembly, or
 - [^{F69}(iii) the work of the Cabinet of the Welsh Assembly Government.]
 - (b) would, or would be likely to, inhibit—
 - (i) the free and frank provision of advice, or
 - (ii) the free and frank exchange of views for the purposes of deliberation, or
 - (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.
- (3) The duty to confirm or deny does not arise in relation to information to which this section applies (or would apply if held by the public authority) if, or to the extent that, in the reasonable opinion of a qualified person, compliance with section 1(1)(a) would, or would be likely to, have any of the effects mentioned in subsection (2).
- (4) In relation to statistical information, subsections (2) and (3) shall have effect with the omission of the words "in the reasonable opinion of a qualified person".
- (5) In subsections (2) and (3) "qualified person"—
 - (a) in relation to information held by a government department in the charge of a Minister of the Crown, means any Minister of the Crown,

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- (b) in relation to information held by a Northern Ireland department, means the Northern Ireland Minister in charge of the department,
- (c) in relation to information held by any other government department, means the commissioners or other person in charge of that department,
- (d) in relation to information held by the House of Commons, means the Speaker of that House,
- (e) in relation to information held by the House of Lords, means the Clerk of the Parliaments,
- (f) in relation to information held by the Northern Ireland Assembly, means the Presiding Officer,
- [^{F70}(g) in relation to information held by the Welsh Assembly Government, means the Welsh Ministers or the Counsel General to the Welsh Assembly Government,
- (ga) in relation to information held by the National Assembly for Wales, means the Presiding Officer of the National Assembly for Wales,
- (gb) in relation to information held by any Welsh public authority (other than one referred to in section 83(1)(b)(ii) (subsidiary of the Assembly Commission), the Auditor General for Wales [^{F71}, the Wales Audit Office] or the Public Services Ombudsman for Wales), means—
 - (i) the public authority, or
 - (ii) any officer or employee of the authority authorised by the Welsh Ministers or the Counsel General to the Welsh Assembly Government”,
- (gc) in relation to information held by a Welsh public authority referred to in section 83(1)(b)(ii), means—
 - (i) the public authority, or
 - (ii) any officer or employee of the authority authorised by the Presiding Officer of the National Assembly for Wales,]
- (i) in relation to information held by the National Audit Office [^{F72}or the Comptroller and Auditor General], means the Comptroller and Auditor General,
- (j) in relation to information held by the Northern Ireland Audit Office, means the Comptroller and Auditor General for Northern Ireland,
- (k) in relation to information held by the Auditor General for Wales [^{F73}or the Wales Audit Office], means the Auditor General for Wales,
- [^{F74}(ka) in relation to information held by the Public Services Ombudsman for Wales, means the Public Services Ombudsman for Wales,]
- (l) in relation to information held by any Northern Ireland public authority other than the Northern Ireland Audit Office, means—
 - (i) the public authority, or
 - (ii) any officer or employee of the authority authorised by the First Minister and deputy First Minister in Northern Ireland acting jointly,
- (m) in relation to information held by the Greater London Authority, means the Mayor of London,
- (n) in relation to information held by a functional body within the meaning of the ^{M10}Greater London Authority Act 1999, means the chairman of that functional body, and
- (o) in relation to information held by any public authority not falling within any of paragraphs (a) to (n), means—
 - (i) a Minister of the Crown,

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- (ii) the public authority, if authorised for the purposes of this section by a Minister of the Crown, or
 - (iii) any officer or employee of the public authority who is authorised for the purposes of this section by a Minister of the Crown.
- (6) Any authorisation for the purposes of this section—
- (a) may relate to a specified person or to persons falling within a specified class,
 - (b) may be general or limited to particular classes of case, and
 - (c) may be granted subject to conditions.
- (7) A certificate signed by the qualified person referred to in subsection (5)(d) or (e) above certifying that in his reasonable opinion—
- (a) disclosure of information held by either House of Parliament, or
 - (b) compliance with section 1(1)(a) by either House,
- would, or would be likely to, have any of the effects mentioned in subsection (2) shall be conclusive evidence of that fact.

Annotations:

Amendments (Textual)

- F68** Words in s. 36(1)(a) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 82(2)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F69** S. 36(2)(a)(iii) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 82(3)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F70** S. 36(5)(g)-(gc) substituted for s. 36(5)(h) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 82(4)(a)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F71** Words in s. 36(5)(gb) inserted (E.W.) (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), **Sch. 4 para. 18(2)** (with [Sch. 3 para. 3](#)); S.I. 2013/1466, art. 3(1)
- F72** Words in s. 36(5)(i) inserted (1.4.2012) by [Budget Responsibility and National Audit Act 2011 \(c. 4\)](#), s. 29, **Sch. 5 para. 22(1)**; S.I. 2011/2576, art. 5
- F73** Words in s. 36(5)(k) inserted (E.W.) (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), **Sch. 4 para. 18(3)** (with [Sch. 3 para. 3](#)); S.I. 2013/1466, art. 3(1)
- F74** S. 36(5)(ka) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 82(4)(b)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

Modifications etc. (not altering text)

- C35** S. 36(5)(i) amended (1.4.2012) by [Budget Responsibility and National Audit Act 2011 \(c. 4\)](#), s. 29, **Sch. 5 para. 22(2)**; S.I. 2011/2576, art. 5

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Marginal Citations

M10 1999 c. 29.

37 Communications with Her Majesty, etc. and honours.

- (1) Information is exempt information if it relates to—
- [^{F75}(a) communications with the Sovereign,
 - (aa) communications with the heir to, or the person who is for the time being second in line of succession to, the Throne,
 - (ab) communications with a person who has subsequently acceded to the Throne or become heir to, or second in line to, the Throne,
 - (ac) communications with other members of the Royal Family (other than communications which fall within any of paragraphs (a) to (ab) because they are made or received on behalf of a person falling within any of those paragraphs), and
 - (ad) communications with the Royal Household (other than communications which fall within any of paragraphs (a) to (ac) because they are made or received on behalf of a person falling within any of those paragraphs), or]
 - (b) the conferring by the Crown of any honour or dignity.
- (2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

Annotations:

Amendments (Textual)

F75 S. 37(1)(a)-(ad) substituted for s. 37(1)(a) (19.1.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 46(1), 52(2), [Sch. 7 para. 3](#); S.I. 2011/46, [art. 3\(b\)\(i\)](#) (with art. 4)

38 Health and safety.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to—
- (a) endanger the physical or mental health of any individual, or
 - (b) endanger the safety of any individual.
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

39 Environmental information.

- (1) Information is exempt information if the public authority holding it—
- (a) is obliged by [^{F76}environmental information regulations] to make the information available to the public in accordance with the regulations, or
 - (b) would be so obliged but for any exemption contained in the regulations.

[^{F77}(1A) In subsection (1) “ environmental information regulations ” means—

- (a) regulations made under section 74, or

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- (b) regulations made under section 2(2) of the European Communities Act 1972 for the purpose of implementing any [^{F78}EU] obligation relating to public access to, and the dissemination of, information on the environment.]
- (2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).
- (3) Subsection (1)(a) does not limit the generality of section 21(1).

Annotations:

Amendments (Textual)

- F76** Words in s. 39(1)(a) substituted (1.1.2005) by [The Environmental Information Regulations 2004 \(S.I. 2004/3391\)](#), [reg. 20\(2\)](#) (with [reg. 3](#))
- F77** S. 39(1A) inserted (1.1.2005) by [The Environmental Information Regulations 2004 \(S.I. 2004/3391\)](#), [reg. 20\(3\)](#) (with [reg. 3](#))
- F78** Words in s. 39(1A)(b) substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 3, [6\(1\)\(e\)](#)

40 Personal information.

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the ^{M11}Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the ^{M12}Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the ^{M13}Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).
- (5) The duty to confirm or deny—
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either—

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- (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the ^{M14}Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
 - (ii) by virtue of any provision of Part IV of the ^{M15}Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject’s right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the ^{M16}Data Protection Act 1998 shall be disregarded.
- (7) In this section—
- “the data protection principles” means the principles set out in Part I of Schedule 1 to the ^{M17}Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;
 - “data subject” has the same meaning as in section 1(1) of that Act;
 - “personal data” has the same meaning as in section 1(1) of that Act.

Annotations:

Marginal Citations

- M11 1998 c. 29.
- M12 1998 c. 29.
- M13 1998 c. 29.
- M14 1998 c. 29.
- M15 1998 c. 29.
- M16 1998 c. 29.
- M17 1998 c. 29.

41 Information provided in confidence.

- (1) Information is exempt information if—
- (a) it was obtained by the public authority from any other person (including another public authority), and
 - (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.
- (2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

Annotations:

Modifications etc. (not altering text)

- C36 S. 41(1) extended (E.W.) (5.11.2013) by [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), ss. **61(8)**, 64(1) (with [Sch. 5 para. 7](#))

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42 Legal professional privilege.

- (1) Information in respect of which a claim to legal professional privilege or, in Scotland, to confidentiality of communications could be maintained in legal proceedings is exempt information.
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) in respect of which such a claim could be maintained in legal proceedings.

43 Commercial interests.

- (1) Information is exempt information if it constitutes a trade secret.
- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

44 Prohibitions on disclosure.

- (1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it—
 - (a) is prohibited by or under any enactment,
 - (b) is incompatible with any [^{F79}EU] obligation, or
 - (c) would constitute or be punishable as a contempt of court.
- (2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).

Annotations:

Amendments (Textual)

F79 Words in s. 44(1)(b) substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 3, **6(1)(e)**

Modifications etc. (not altering text)

C37 S. 44 excluded (1.12.2007) by [Statistics and Registration Service Act 2007 \(c. 18\)](#), ss. **40(1)(2)**, 74; [S.I. 2007/3388](#), art. **2(f)**

C38 S. 44(1)(a) modified (7.4.2005 at 5:45 p.m.) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\)](#), ss. **23**, 53(1); [S.I. 2005/1126](#), art. **2(1)**

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PART III

GENERAL FUNCTIONS OF [F80][F81]MINISTER FOR THE CABINET OFFICE], SECRETARY OF STATE] AND INFORMATION COMMISSIONER

Annotations:

Amendments (Textual)

- F80** Words in Pt. III heading substituted (9.12.2015) by virtue of [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(6)**
- F81** Words in Pt. III heading substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(j)** (with art. 12)

45 Issue of code of practice [F82]by the Minister for the Cabinet Office].

- (1) The [F83]Minister for the Cabinet Office] shall issue, and may from time to time revise, a code of practice providing guidance to public authorities as to the practice which it would, in his opinion, be desirable for them to follow in connection with the discharge of the authorities' functions under Part I.
- (2) The code of practice must, in particular, include provision relating to—
- (a) the provision of advice and assistance by public authorities to persons who propose to make, or have made, requests for information to them,
 - (b) the transfer of requests by one public authority to another public authority by which the information requested is or may be held,
 - (c) consultation with persons to whom the information requested relates or persons whose interests are likely to be affected by the disclosure of information,
 - (d) the inclusion in contracts entered into by public authorities of terms relating to the disclosure of information,
 - [F84](da) the disclosure by public authorities of datasets held by them,] and
 - (e) the provision by public authorities of procedures for dealing with complaints about the handling by them of requests for information.
- [F85](2A) Provision of the kind mentioned in subsection (2)(da) may, in particular, include provision relating to—
- (a) the giving of permission for datasets to be re-used,
 - (b) the disclosure of datasets in an electronic form which is capable of re-use,
 - (c) the making of datasets available for re-use in accordance with the terms of a licence,
 - (d) other matters relating to the making of datasets available for re-use,
 - (e) standards applicable to public authorities in connection with the disclosure of datasets.]
- (3) [F86]Any code under this section] may make different provision for different public authorities.
- (4) Before issuing or revising any code under this section, the [F87]Minister for the Cabinet Office] shall consult the Commissioner.

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- (5) The [^{F88}Minister for the Cabinet Office] shall lay before each House of Parliament any code or revised code made under this section.

Annotations:

Amendments (Textual)

- F82** Words in s. 45 heading substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(4)** (with art. 12)
- F83** Words in s. 45(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(k)** (with art. 12)
- F84** S. 45(2)(da) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(5)(a)**, 120 (with s. 97); [S.I. 2013/1906](#), art. 3(a)
- F85** S. 45(2A) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(5)(b)**, 120 (with s. 97); [S.I. 2013/1906](#), art. 3(a)
- F86** Words in s. 45(3) substituted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(5)(c)**, 120 (with s. 97); [S.I. 2013/1906](#), art. 3(a)
- F87** Words in s. 45(4) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(k)** (with art. 12)
- F88** Words in s. 45(5) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(k)** (with art. 12)

Modifications etc. (not altering text)

- C39** S. 45(1) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(g) (with art. 5)
- C40** S. 45(4)(5) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(g) (with art. 5)

Commencement Information

- I9** S. 45 wholly in force at 30.11.2002; s. 45 in force at Royal Assent to the extent that it confers power to make code of practice, see s. 87(1)(m)(3); s. 45 otherwise in force at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(b)**

46 Issue of code of practice by [^{F89}Secretary of State].

- (1) The [^{F90}Secretary of State] shall issue, and may from time to time revise, a code of practice providing guidance to relevant authorities as to the practice which it would, in his opinion, be desirable for them to follow in connection with the keeping, management and destruction of their records.
- (2) For the purpose of facilitating the performance by the Public Record Office, the Public Record Office of Northern Ireland and other public authorities of their functions under this Act in relation to records which are public records for the purposes of the ^{M18}Public Records Act 1958 or the Public Records Act (Northern Ireland) 1923, the code may also include guidance as to—
- the practice to be adopted in relation to the transfer of records under section 3(4) of the ^{M19}Public Records Act 1958 or section 3 of the ^{M20}Public Records Act (Northern Ireland) 1923, and
 - the practice of reviewing records before they are transferred under those provisions.

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- (3) In exercising his functions under this section, the [^{F91}Secretary of State] shall have regard to the public interest in allowing public access to information held by relevant authorities.
- (4) The code may make different provision for different relevant authorities.
- (5) Before issuing or revising any code under this section the [^{F92}Secretary of State] shall consult—
- [^{F93}(a) the [^{F94}Minister for the Cabinet Office],]
 - (b) the Commissioner, and
 - (c) in relation to Northern Ireland, the appropriate Northern Ireland Minister.
- (6) The [^{F95}Secretary of State] shall lay before each House of Parliament any code or revised code made under this section.
- (7) In this section “relevant authority” means—
- (a) any public authority, and
 - (b) any office or body which is not a public authority but whose administrative and departmental records are public records for the purposes of the ^{M21}Public Records Act 1958 or the Public Records Act (Northern Ireland) 1923.

Annotations:

Amendments (Textual)

- F89** Words in s. 46 heading substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(c)**
- F90** Words in s. 46(1) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(b)**
- F91** Words in s. 46(3) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(b)**
- F92** Words in s. 46(5) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(b)**
- F93** S. 46(5)(a) inserted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(2)**
- F94** Words in s. 46(5)(a) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(l)** (with art. 12)
- F95** Words in s. 46(6) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(b)**

Modifications etc. (not altering text)

- C41** S. 46(1) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **6(1)(b)**, (3)(a) (with art. 7)
- C42** S. 46(3) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **6(1)(b)**, (3)(a) (with art. 7)
- C43** S. 46(5)(6) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **6(1)(b)**, (3)(a) (with art. 7)
- C44** S. 46(5)(a) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(h) (with art. 5)

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Commencement Information

- I10** S. 46 wholly in force at 30.11.2002; s. 46 in force at Royal Assent to the extent that it confers power to make code of practice, see s. 87(1)(m)(3); s. 46 otherwise in force at 30.11.2002 by [S.I. 2002/2812, art. 2\(b\)](#)

Marginal Citations

- M18** 1958 c. 51.
M19 1958 c. 51.
M20 1923 c. 20 (N.I.)
M21 1958 c. 51.

47 General functions of Commissioner.

- (1) It shall be the duty of the Commissioner to promote the following of good practice by public authorities and, in particular, so to perform his functions under this Act as to promote the observance by public authorities of—
 - (a) the requirements of this Act, and
 - (b) the provisions of the codes of practice under sections 45 and 46.
- (2) The Commissioner shall arrange for the dissemination in such form and manner as he considers appropriate of such information as it may appear to him expedient to give to the public—
 - (a) about the operation of this Act,
 - (b) about good practice, and
 - (c) about other matters within the scope of his functions under this Act,
 and may give advice to any person as to any of those matters.
- (3) The Commissioner may, with the consent of any public authority, assess whether that authority is following good practice.
- (4) The Commissioner may charge such sums as he may ^{F96}... determine for any ^{F97}[relevant] services provided by the Commissioner under this section.

^{F98}(4A) In subsection (4) “relevant services” means—

- (a) the provision to the same person of more than one copy of any published material where each of the copies of the material is either provided on paper, a portable disk which stores the material electronically or a similar medium,
 - (b) the provision of training, or
 - (c) the provision of conferences.
- (4B) The ^{F99}[Minister for the Cabinet Office] may by order amend subsection (4A).
- (4C) An order under subsection (4B) may include such transitional or saving provision as the ^{F99}[Minister for the Cabinet Office] considers appropriate.
- (4D) The ^{F99}[Minister for the Cabinet Office] must consult the Commissioner before making an order under subsection (4B).]
- (5) The Commissioner shall from time to time as he considers appropriate—
 - (a) consult the Keeper of Public Records about the promotion by the Commissioner of the observance by public authorities of the provisions of

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the code of practice under section 46 in relation to records which are public records for the purposes of the ^{M22}Public Records Act 1958, and

- (b) consult the Deputy Keeper of the Records of Northern Ireland about the promotion by the Commissioner of the observance by public authorities of those provisions in relation to records which are public records for the purposes of the ^{M23}Public Records Act (Northern Ireland) 1923.

- (6) In this section “good practice”, in relation to a public authority, means such practice in the discharge of its functions under this Act as appears to the Commissioner to be desirable, and includes (but is not limited to) compliance with the requirements of this Act and the provisions of the codes of practice under sections 45 and 46.

Annotations:

Amendments (Textual)

- F96** Words in s. 47(4) repealed (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 107(3)(a)(i), 120, [Sch. 10 Pt. 8](#) (with s. 97); S.I. 2013/1906, art. 3(d)
- F97** Word in s. 47(4) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 107(3)(a)(ii), 120 (with s. 97); S.I. 2013/1906, art. 3(d)
- F98** S. 47(4A)-(4D) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 107(3)(b), 120 (with s. 97); S.I. 2013/1906, art. 3(d)
- F99** Words in s. 47(4B)-(4D) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), [Sch. 2 para. 14\(2\)\(m\)](#) (with art. 12)

Modifications etc. (not altering text)

- C45** S. 47 applied (with modifications) (1.1.2005) by [The Environmental Information Regulations 2004 \(S.I. 2004/3391\)](#), [reg. 16\(5\)](#) (with [reg. 3](#))
- C46** S. 47(4B)-(4D) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), [4\(1\)](#), (2)(i) (with art. 5)

Commencement Information

- I11** S. 47 wholly in force at 30.11.2002; s. 47(2)-(6) in force at Royal Assent, see s. 87(1)(d); s. 47(1) in force at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(c\)](#)

Marginal Citations

- M22** 1958 c. 51.
M23 1923 c. 20.

48 Recommendations as to good practice.

- (1) If it appears to the Commissioner that the practice of a public authority in relation to the exercise of its functions under this Act does not conform with that proposed in the codes of practice under sections 45 and 46, he may give to the authority a recommendation (in this section referred to as a “practice recommendation”) specifying the steps which ought in his opinion to be taken for promoting such conformity.
- (2) A practice recommendation must be given in writing and must refer to the particular provisions of the code of practice with which, in the Commissioner’s opinion, the public authority’s practice does not conform.

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- (3) Before giving to a public authority other than the Public Record Office a practice recommendation which relates to conformity with the code of practice under section 46 in respect of records which are public records for the purposes of the ^{M24}Public Records Act 1958, the Commissioner shall consult the Keeper of Public Records.
- (4) Before giving to a public authority other than the Public Record Office of Northern Ireland a practice recommendation which relates to conformity with the code of practice under section 46 in respect of records which are public records for the purposes of the Public Records Act (Northern Ireland) 1923, the Commissioner shall consult the Deputy Keeper of the Records of Northern Ireland.

Annotations:

Modifications etc. (not altering text)

C47 S. 48 applied (with modifications) (1.1.2005) by [The Environmental Information Regulations 2004 \(S.I. 2004/3391\)](#), [reg. 16\(5\)](#) (with [reg. 3](#))

Commencement Information

I12 S. 48 wholly in force at 1.1.2005; s. 48 not in force at Royal Assent, see s. 87(3); s. 48(1)(2) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)](#); s. 48 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#); s. 48 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

Marginal Citations

M24 [1958 c. 51](#).

49 Reports to be laid before Parliament.

- (1) The Commissioner shall lay annually before each House of Parliament a general report on the exercise of his functions under this Act.
- (2) The Commissioner may from time to time lay before each House of Parliament such other reports with respect to those functions as he thinks fit.

PART IV

ENFORCEMENT

50 Application for decision by Commissioner.

- (1) Any person (in this section referred to as “the complainant”) may apply to the Commissioner for a decision whether, in any specified respect, a request for information made by the complainant to a public authority has been dealt with in accordance with the requirements of Part I.
- (2) On receiving an application under this section, the Commissioner shall make a decision unless it appears to him—
 - (a) that the complainant has not exhausted any complaints procedure which is provided by the public authority in conformity with the code of practice under section 45,

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- (b) that there has been undue delay in making the application,
 - (c) that the application is frivolous or vexatious, or
 - (d) that the application has been withdrawn or abandoned.
- (3) Where the Commissioner has received an application under this section, he shall either—
- (a) notify the complainant that he has not made any decision under this section as a result of the application and of his grounds for not doing so, or
 - (b) serve notice of his decision (in this Act referred to as a “decision notice”) on the complainant and the public authority.
- (4) Where the Commissioner decides that a public authority—
- (a) has failed to communicate information, or to provide confirmation or denial, in a case where it is required to do so by section 1(1), or
 - (b) has failed to comply with any of the requirements of sections 11 and 17,
- the decision notice must specify the steps which must be taken by the authority for complying with that requirement and the period within which they must be taken.
- (5) A decision notice must contain particulars of the right of appeal conferred by section 57.
- (6) Where a decision notice requires steps to be taken by the public authority within a specified period, the time specified in the notice must not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, no step which is affected by the appeal need be taken pending the determination or withdrawal of the appeal.
- (7) This section has effect subject to section 53.

Annotations:

Modifications etc. (not altering text)

- C48** S. 50 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(4)(9)}
- C49** S. 50 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), [regs. 1, 18](#) (with [regs. 5, 11\(4\)](#))
- C50** S. 50 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), [regs. 1, 19](#) (with [regs. 5, 11\(4\)](#))

Commencement Information

- I13** S. 50 wholly in force at 1.1.2005; s. 50 not in force at Royal Assent, see [s. 87\(3\)](#); s. 50 in force for certain purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

51 Information notices.

- (1) If the Commissioner—
- (a) has received an application under section 50, or
 - (b) reasonably requires any information—
 - (i) for the purpose of determining whether a public authority has complied or is complying with any of the requirements of Part I, or

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- (ii) for the purpose of determining whether the practice of a public authority in relation to the exercise of its functions under this Act conforms with that proposed in the codes of practice under sections 45 and 46,

he may serve the authority with a notice (in this Act referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

- (2) An information notice must contain—
 - (a) in a case falling within subsection (1)(a), a statement that the Commissioner has received an application under section 50, or
 - (b) in a case falling within subsection (1)(b), a statement—
 - (i) that the Commissioner regards the specified information as relevant for either of the purposes referred to in subsection (1)(b), and
 - (ii) of his reasons for regarding that information as relevant for that purpose.
- (3) An information notice must also contain particulars of the right of appeal conferred by section 57.
- (4) The time specified in an information notice must not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the information need not be furnished pending the determination or withdrawal of the appeal.
- (5) An authority shall not be required by virtue of this section to furnish the Commissioner with any information in respect of—
 - (a) any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or
 - (b) any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.
- (6) In subsection (5) references to the client of a professional legal adviser include references to any person representing such a client.
- (7) The Commissioner may cancel an information notice by written notice to the authority on which it was served.
- (8) In this section “information” includes unrecorded information.

Annotations:

Modifications etc. (not altering text)

- C51** S. 51 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(5)(9)}
- C52** S. 51 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, 18 (with regs. 5, 11(4))

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Commencement Information

- I14** S. 51 wholly in force at 1.1.2005; s. 51 not in force at Royal Assent, see s. 87(3); s. 51 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); s. 51 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

52 Enforcement notices.

- (1) If the Commissioner is satisfied that a public authority has failed to comply with any of the requirements of Part I, the Commissioner may serve the authority with a notice (in this Act referred to as “an enforcement notice”) requiring the authority to take, within such time as may be specified in the notice, such steps as may be so specified for complying with those requirements.
- (2) An enforcement notice must contain—
 - (a) a statement of the requirement or requirements of Part I with which the Commissioner is satisfied that the public authority has failed to comply and his reasons for reaching that conclusion, and
 - (b) particulars of the right of appeal conferred by section 57.
- (3) An enforcement notice must not require any of the provisions of the notice to be complied with before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the notice need not be complied with pending the determination or withdrawal of the appeal.
- (4) The Commissioner may cancel an enforcement notice by written notice to the authority on which it was served.
- (5) This section has effect subject to section 53.

Annotations:

Modifications etc. (not altering text)

- C53** S. 52 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(6)(9)}
- C54** S. 52 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))
- C55** S. 52 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **22(7)** (with regs. 5, 11(4))

Commencement Information

- I15** S. 52 wholly in force at 1.1.2005; s. 52 not in force at Royal Assent, see s. 87(3); s. 52 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(e), s. 52 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

53 Exception from duty to comply with decision notice or enforcement notice.

- (1) This section applies to a decision notice or enforcement notice which—
 - (a) is served on—
 - (i) a government department,
 - ^{F100}(ii) the Welsh Assembly Government, or]

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- (iii) any public authority designated for the purposes of this section by an order made by the [^{F101}Minister for the Cabinet Office], and
 - (b) relates to a failure, in respect of one or more requests for information—
 - (i) to comply with section 1(1)(a) in respect of information which falls within any provision of Part II stating that the duty to confirm or deny does not arise, or
 - (ii) to comply with section 1(1)(b) in respect of exempt information.
- (2) A decision notice or enforcement notice to which this section applies shall cease to have effect if, not later than the twentieth working day following the effective date, the accountable person in relation to that authority gives the Commissioner a certificate signed by him stating that he has on reasonable grounds formed the opinion that, in respect of the request or requests concerned, there was no failure falling within subsection (1)(b).
- (3) Where the accountable person gives a certificate to the Commissioner under subsection (2) he shall as soon as practicable thereafter lay a copy of the certificate before—
 - (a) each House of Parliament,
 - (b) the Northern Ireland Assembly, in any case where the certificate relates to a decision notice or enforcement notice which has been served on a Northern Ireland department or any Northern Ireland public authority, or
 - [^{F102}(c) the National Assembly for Wales, in any case where the certificate relates to a decision notice or enforcement notice which has been served on—
 - (i) the Welsh Assembly Government,
 - (ii) the National Assembly for Wales, or
 - (iii) any Welsh public authority.]
- (4) In subsection (2) “the effective date”, in relation to a decision notice or enforcement notice, means—
 - (a) the day on which the notice was given to the public authority, or
 - (b) where an appeal under section 57 is brought, the day on which that appeal (or any further appeal arising out of it) is determined or withdrawn.
- (5) Before making an order under subsection (1)(a)(iii), the [^{F103}Minister for the Cabinet Office] shall—
 - (a) if the order relates to a Welsh public authority, consult [^{F104}the Welsh Ministers],
 - [^{F105}(aa) if the order relates to the National Assembly for Wales, consult the Presiding Officer of that Assembly,]
 - (b) if the order relates to the Northern Ireland Assembly, consult the Presiding Officer of that Assembly, and
 - (c) if the order relates to a Northern Ireland public authority, consult the First Minister and deputy First Minister in Northern Ireland.
- (6) Where the accountable person gives a certificate to the Commissioner under subsection (2) in relation to a decision notice, the accountable person shall, on doing so or as soon as reasonably practicable after doing so, inform the person who is the complainant for the purposes of section 50 of the reasons for his opinion.

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- (7) The accountable person is not obliged to provide information under subsection (6) if, or to the extent that, compliance with that subsection would involve the disclosure of exempt information.
- (8) In this section “the accountable person” —
- (a) in relation to a Northern Ireland department or any Northern Ireland public authority, means the First Minister and deputy First Minister in Northern Ireland acting jointly,
 - [^{F106}(b) in relation the Welsh Assembly Government, the National Assembly for Wales or any Welsh public authority, means the First Minister for Wales, and]
 - (c) in relation to any other public authority, means—
 - (i) a Minister of the Crown who is a member of the Cabinet, or
 - (ii) the Attorney General, the Advocate General for Scotland or the Attorney General for Northern Ireland.
- (9) In this section “working day” has the same meaning as in section 10.

Annotations:

Amendments (Textual)

- F100** S. 53(1)(a)(ii) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 83(2)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))
- F101** Words in s. 53(1)(a)(iii) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(n)** (with art. 12)
- F102** S. 53(3)(c) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 83(3)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))
- F103** Words in s. 53(5) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(n)** (with art. 12)
- F104** Words in s. 53(5)(a) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 83(4)(a)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))
- F105** S. 53(5)(aa) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 83(4)(b)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))
- F106** S. 53(8)(b) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 83(5)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see ss. 46, 161(5) of [Government of Wales Act 2006 \(c. 32\)](#))

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Modifications etc. (not altering text)

- C56** S. 53(1)(a)(iii) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(j) (with art. 5)
- C57** S. 53(5) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **4(1)**, (2)(j) (with art. 5)

Commencement Information

- I16** S. 53 wholly in force at 1.1.2005; s. 53 in force at Royal Assent to the extent that it confers power to make an order, see s. 87(1)(m)(3); s. 53 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

54 Failure to comply with notice.

- (1) If a public authority has failed to comply with—
- so much of a decision notice as requires steps to be taken,
 - an information notice, or
 - an enforcement notice,
- the Commissioner may certify in writing to the court that the public authority has failed to comply with that notice.
- (2) For the purposes of this section, a public authority which, in purported compliance with an information notice—
- makes a statement which it knows to be false in a material respect, or
 - recklessly makes a statement which is false in a material respect,
- is to be taken to have failed to comply with the notice.
- (3) Where a failure to comply is certified under subsection (1), the court may inquire into the matter and, after hearing any witness who may be produced against or on behalf of the public authority, and after hearing any statement that may be offered in defence, deal with the authority as if it had committed a contempt of court.
- (4) In this section “the court” means the High Court or, in Scotland, the Court of Session.

Annotations:

Modifications etc. (not altering text)

- C58** S. 54 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}
- C59** S. 54 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **22(7)** (with regs. 5, 11(4))
- C60** S. 54 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))

Commencement Information

- I17** S. 54 wholly in force at 1.1.2005; s. 54 not in force at Royal assent, see s. 87(3); s. 54 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; s. 54 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

55 Powers of entry and inspection.

Schedule 3 (powers of entry and inspection) has effect.

Annotations:

Modifications etc. (not altering text)

C61 [S. 55](#) applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}

Commencement Information

I18 [S. 55](#) wholly in force at 1.1.2005; [s. 55](#) not in force at Royal Assent, see [s. 87\(3\)](#); [s. 55](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(f\)](#); [s. 55](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

56 No action against public authority.

- (1) This Act does not confer any right of action in civil proceedings in respect of any failure to comply with any duty imposed by or under this Act.
- (2) Subsection (1) does not affect the powers of the Commissioner under section 54.

Annotations:

Modifications etc. (not altering text)

C62 [S. 56](#) applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(7)(9)}

C63 [S. 56](#) applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), [regs. 1, 19](#) (with [regs. 5, 11\(4\)](#))

C64 [S. 56](#) applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), [regs. 1, 18](#) (with [regs. 5, 11\(4\)](#))

C65 [S. 56](#) excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), [regs. 1, 22\(7\)](#) (with [regs. 5, 11\(4\)](#))

PART V

APPEALS

57 Appeal against notices served under Part IV.

- (1) Where a decision notice has been served, the complainant or the public authority may appeal to the Tribunal against the notice.
- (2) A public authority on which an information notice or an enforcement notice has been served by the Commissioner may appeal to the Tribunal against the notice.
- (3) In relation to a decision notice or enforcement notice which relates—
 - (a) to information to which section 66 applies, and

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- (b) to a matter which by virtue of subsection (3) or (4) of that section falls to be determined by the responsible authority instead of the appropriate records authority,
- subsections (1) and (2) shall have effect as if the reference to the public authority were a reference to the public authority or the responsible authority.

Annotations:

Modifications etc. (not altering text)

- C66** S. 57 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(8)(9)}
- C67** S. 57 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))
- C68** S. 57 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **22(7)** (with regs. 5, 11(4))
- C69** S. 57 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **19** (with regs. 5, 11(4))

Commencement Information

- I19** S. 57 wholly in force at 1.1.2005; s. 57 not in force at Royal Assent, see s. 87(3); s. 57(2) in force at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(g)**; s. 57(1)(3) in force for certain purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2**; s. 57(1)(3) otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

58 Determination of appeals.

- (1) If on an appeal under section 57 the Tribunal considers—
- (a) that the notice against which the appeal is brought is not in accordance with the law, or
- (b) to the extent that the notice involved an exercise of discretion by the Commissioner, that he ought to have exercised his discretion differently,
- the Tribunal shall allow the appeal or substitute such other notice as could have been served by the Commissioner; and in any other case the Tribunal shall dismiss the appeal.
- (2) On such an appeal, the Tribunal may review any finding of fact on which the notice in question was based.

Annotations:

Modifications etc. (not altering text)

- C70** S. 58 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}
- C71** S. 58 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))
- C72** S. 58 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **19** (with regs. 5, 11(4))
- C73** S. 58 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **22(7)** (with regs. 5, 11(4))

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

59 Appeals from decision of Tribunal.

F107

Annotations:

Amendments (Textual)

F107 S. 59 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), [Sch. 2 para. 69](#)

60 Appeals against national security certificate.

- (1) Where a certificate under section 23(2) or 24(3) has been issued—
 - (a) the Commissioner, or
 - (b) any applicant whose request for information is affected by the issue of the certificate,
 may appeal to the Tribunal against the certificate.
- (2) If on an appeal under subsection (1) relating to a certificate under section 23(2), the Tribunal finds that the information referred to in the certificate was not exempt information by virtue of section 23(1), the Tribunal may allow the appeal and quash the certificate.
- (3) If on an appeal under subsection (1) relating to a certificate under section 24(3), the Tribunal finds that, applying the principles applied by the court on an application for judicial review, the Minister did not have reasonable grounds for issuing the certificate, the Tribunal may allow the appeal and quash the certificate.
- (4) Where in any proceedings under this Act it is claimed by a public authority that a certificate under section 24(3) which identifies the information to which it applies by means of a general description applies to particular information, any other party to the proceedings may appeal to the Tribunal on the ground that the certificate does not apply to the information in question and, subject to any determination under subsection (5), the certificate shall be conclusively presumed so to apply.
- (5) On any appeal under subsection (4), the Tribunal may determine that the certificate does not so apply.

Annotations:

Commencement Information

I20 S. 60 wholly in force at 1.1.2005; s. 60 not in force at Royal Assent, see s. 87(3); s. 60 in force for certain purposes at 1.1.2005 by [S.I. 2002/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

61 Appeal proceedings.

[^{F108}The provisions of Schedule 6 to the Data Protection Act 1998 have effect (so far as applicable) in relation to appeals under this Part.]

Status: This version of this Act contains provisions that are prospective.

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Annotations:

Amendments (Textual)

F108 Words in s. 61 substituted for s. 61(1)(2) (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 70**

Modifications etc. (not altering text)

C74 [S. 61](#) applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3(9))}

Commencement Information

I21 [S. 61](#) wholly in force at 1.1.2005; [s. 61](#) not in force at Royal Assent, see [s. 87\(3\)](#); [s. 61](#) in force for certain purposes at 14.5.2001 by [S.I. 2001/1637](#), **art. 2(c)**; [s. 61\(1\)](#) in force for certain purposes and [s. 61\(2\)](#) wholly in force at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(g)(i)**; [s. 61\(1\)](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

PART VI

HISTORICAL RECORDS AND RECORDS IN PUBLIC RECORD OFFICE OR PUBLIC RECORD OFFICE OF NORTHERN IRELAND

Annotations:

Modifications etc. (not altering text)

C75 Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, **Sch.**

62 Interpretation of Part VI.

- (1) For the purposes of this Part, a record becomes a “historical record” at the end of the period of [^{F109}twenty years] beginning with the year following that in which it was created.
 - (2) Where records created at different dates are for administrative purposes kept together in one file or other assembly, all the records in that file or other assembly are to be treated for the purposes of this Part as having been created when the latest of those records was created.
- [^{F110}(2A) Until the end of the period of 10 years beginning with the commencement of paragraph 4 of Schedule 7 to the Constitutional Reform and Governance Act 2010, subsection (1) has effect subject to any order made under section 46(2) of that Act.]
- (3) In this Part “year” means a calendar year.

Annotations:

Amendments (Textual)

F109 Words in s. 62(1) substituted (1.1.2013) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, **Sch. 7 para. 4(2)**; [S.I. 2012/3001](#), art. 3(1)(b)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F110 S. 62(2A) inserted (1.1.2013) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 7 para. 4\(3\)](#); [S.I. 2012/3001](#), art. 3(1)(b)

Modifications etc. (not altering text)

C76 S. 62(1): saving for the effect of 2010 c. 25, Sch. 7 para. 4(2) (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 3

Commencement Information

I22 S. 62 wholly in force at 1.1.2005; s. 62 not in force at Royal Assent, see s. 87(3); s. 62 in force for certain purposes at 1.1.2005 by [S.I. 2002/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

63 Removal of exemptions: historical records generally.

- (1) Information contained in a historical record cannot be exempt information by virtue of section ^{F111}... 30(1), 32, 33, 35, [^{F112}or 42].
- (2) Compliance with section 1(1)(a) in relation to a historical record is not to be taken to be capable of having any of the effects referred to in section ^{F113}... 33(3), [^{F114}or 42(2)].
- [^{F115}(2A) Information contained in a historical record cannot be exempt information by virtue of section 36 except—
 - (a) in a case falling within subsection (2)(a)(ii) of that section, or
 - (b) in a case falling within subsection (2)(c) of that section where the prejudice or likely prejudice relates to the effective conduct of public affairs in Northern Ireland.
- (2B) Compliance with section 1(1)(a) in relation to a historical record is not to be taken to have any of the effects referred to in subsection (3) of section 36, except where the effect—
 - (a) falls within subsection (2)(a)(ii) of that section, or
 - (b) falls within subsection (2)(c) of that section and relates to the effective conduct of public affairs in Northern Ireland.
- (2C) Information cannot be exempt information—
 - (a) by virtue of section 28 or 43, or
 - (b) by virtue of section 36 in the excepted cases mentioned in subsection (2A), after the end of the period of thirty years beginning with the year following that in which the record containing the information was created.
- (2D) Compliance with section 1(1)(a) in relation to any record is not to be taken, at any time after the end of the period of thirty years beginning with the year following that in which the record was created, to be capable—
 - (a) of prejudicing any of the matters referred to in section 28(1) or 43(2), or
 - (b) of having any of the effects referred to in section 36(3) in the excepted cases mentioned in subsection (2B).
- (2E) Information cannot be exempt information by virtue of any of paragraphs (a) to (ad) of section 37(1) after whichever is the later of—
 - (a) the end of the period of five years beginning with the date of the relevant death, and

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- (b) the end of the period of twenty years beginning with the date on which the record containing the information was created.
- (2F) In subsection (2E)(a) “ the relevant death ” means—
- (a) for the purposes of any of paragraphs (a) to (ac) of section 37(1), the death of the person referred to in the paragraph concerned, or
- (b) for the purposes of section 37(1)(ad), the death of the Sovereign reigning when the record containing the information was created.]
- (3) Information cannot be exempt information by virtue of section 37(1)(b) after the end of the period of sixty years beginning with the year following that in which the record containing the information was created.
- (4) Information cannot be exempt information by virtue of section 31 after the end of the period of one hundred years beginning with the year following that in which the record containing the information was created.
- (5) Compliance with section 1(1)(a) in relation to any record is not to be taken, at any time after the end of the period of one hundred years beginning with the year following that in which the record was created, to be capable of prejudicing any of the matters referred to in section 31(1).

Annotations:

Amendments (Textual)

- F111** Word in s. 63(1) omitted (1.1.2013) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 7 para. 5\(2\)\(a\)](#); S.I. 2012/3001, art. 3(1)(b)
- F112** Words in s. 63(1) substituted (19.1.2011 but only in so far as the words "37(1)(a)," are omitted and otherwise prosp.) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 46(1), 52(2), [Sch. 7 para. 5\(2\)\(b\)](#); S.I. 2011/46, [art. 3\(b\)\(ii\)](#) (with art. 4)
- F113** Word in s. 63(2) omitted (1.1.2013) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 7 para. 5\(3\)\(a\)](#); S.I. 2012/3001, art. 3(1)(b)
- F114** Words in s. 63(2) substituted (1.1.2013) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 7 para. 5\(3\)\(b\)](#); S.I. 2012/3001, art. 3(1)(b)
- F115** S. 63(2A)-(2F) inserted (19.1.2011 but only to the extent of inserting s. 63(2E)(2F) and otherwise prosp.) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 46(1), 52(2), [Sch. 7 para. 5\(4\)](#); S.I. 2011/46, [art. 3\(b\)\(iii\)](#) (with art. 4)

Modifications etc. (not altering text)

- C75** Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, [Sch.](#)

64 Removal of exemptions: historical records in public record offices.

- (1) Information contained in a historical record in the Public Record Office or the Public Record Office of Northern Ireland cannot be exempt information by virtue of section 21 or 22.
- (2) In relation to any information falling within section 23(1) which is contained in a historical record in the Public Record Office or the Public Record Office of Northern Ireland, section 2(3) shall have effect with the omission of the reference to section 23.

Status: This version of this Act contains provisions that are prospective.

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Annotations:

Modifications etc. (not altering text)

- C75** Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, **Sch.**

65 Decisions as to refusal of discretionary disclosure of historical records.

- (1) Before refusing a request for information relating to information which is contained in a historical record and is exempt information only by virtue of a provision not specified in section 2(3), a public authority shall—
- (a) if the historical record is a public record within the meaning of the ^{M25}Public Records Act 1958, consult the [^{F116}Secretary of State], or
 - (b) if the historical record is a public record to which the ^{M26}Public Records Act (Northern Ireland) 1923 applies, consult the appropriate Northern Ireland Minister.
- (2) This section does not apply to information to which section 66 applies.

Annotations:

Amendments (Textual)

- F116** Words in s. 65(1)(a) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(d)**

Modifications etc. (not altering text)

- C75** Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, **Sch.**
- C77** S. 65(1)(a) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **6(1)(b)**, (3)(b) (with art. 7)

Marginal Citations

- M25** 1958 c. 51.
M26 1923 c. 20 (N.I.).

66 Decisions relating to certain transferred public records.

- (1) This section applies to any information which is (or, if it existed, would be) contained in a transferred public record, other than information which the responsible authority has designated as open information for the purposes of this section.
- (2) Before determining whether—
- (a) information to which this section applies falls within any provision of Part II relating to the duty to confirm or deny, or
 - (b) information to which this section applies is exempt information,
- the appropriate records authority shall consult the responsible authority.
- (3) Where information to which this section applies falls within a provision of Part II relating to the duty to confirm or deny but does not fall within any of the provisions of that Part relating to that duty which are specified in subsection (3) of section 2, any

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question as to the application of subsection (1)(b) of that section is to be determined by the responsible authority instead of the appropriate records authority.

- (4) Where any information to which this section applies is exempt information only by virtue of any provision of Part II not specified in subsection (3) of section 2, any question as to the application of subsection (2)(b) of that section is to be determined by the responsible authority instead of the appropriate records authority.
- (5) Before making by virtue of subsection (3) or (4) any determination that subsection (1) (b) or (2)(b) of section 2 applies, the responsible authority shall consult—
- (a) where the transferred public record is a public record within the meaning of the ^{M27}Public Records Act 1958, the [^{F117}Secretary of State], and
 - (b) where the transferred public record is a public record to which the ^{M28}Public Records Act (Northern Ireland) 1923 applies, the appropriate Northern Ireland Minister.
- (6) Where the responsible authority in relation to information to which this section applies is not (apart from this subsection) a public authority, it shall be treated as being a public authority for the purposes of Parts III, IV and V of this Act so far as relating to—
- (a) the duty imposed by section 15(3), and
 - (b) the imposition of any requirement to furnish information relating to compliance with Part I in connection with the information to which this section applies.

Annotations:

Amendments (Textual)

F117 Words in s. 66(5)(a) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(e)**

Modifications etc. (not altering text)

C75 Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, **Sch.**

C78 S. 66(5)(a) functions transferred (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **6(1)(b)**, (3)(c) (with art. 7)

Marginal Citations

M27 1958 c. 51.

M28 1923 c. 20 (N.I.).

67 Amendments of public records legislation.

Schedule 5 (which amends the ^{M29}Public Records Act 1958 and the Public Records Act (Northern Ireland) 1923) has effect.

Annotations:

Modifications etc. (not altering text)

C75 Pt. VI modified (1.1.2013) by [The Freedom of Information \(Definition of Historical Records\) \(Transitional and Saving Provisions\) Order 2012 \(S.I. 2012/3029\)](#), arts. 1(1), 2, **Sch.**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I23 S. 67 wholly in force at 1.1.2005; s. 67 in force for certain purposes at Royal Assent, see s. 87(1)(j)(3); s. 67 in force for certain further purposes at 30.11.2002 by S.I. 2002/2812, art. 2(j); s. 67 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M29 1958 c. 51.

PART VII

AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments relating to personal information held by public authorities

68 Extension of meaning of “data”.

- (1) Section 1 of the ^{M30}Data Protection Act 1998 (basic interpretative provisions) is amended in accordance with subsections (2) and (3).
- (2) In subsection (1)—
 - (a) in the definition of “data”, the word “or” at the end of paragraph (c) is omitted and after paragraph (d) there is inserted “or
 - (e) is recorded information held by a public authority and does not fall within any of paragraphs (a) to (d);”,
 - and
 - (b) after the definition of “processing” there is inserted—

““public authority” has the same meaning as in the Freedom of Information Act 2000;”.
- (3) After subsection (4) there is inserted—
 - “(5) In paragraph (e) of the definition of “data” in subsection (1), the reference to information “held” by a public authority shall be construed in accordance with section 3(2) of the Freedom of Information Act 2000.
 - (6) Where section 7 of the Freedom of Information Act 2000 prevents Parts I to V of that Act from applying to certain information held by a public authority, that information is not to be treated for the purposes of paragraph (e) of the definition of “data” in subsection (1) as held by a public authority.”
- (4) In section 56 of that Act (prohibition of requirement as to production of certain records), after subsection (6) there is inserted—

“(6A) A record is not a relevant record to the extent that it relates, or is to relate, only to personal data falling within paragraph (e) of the definition of “data” in section 1(1).”
- (5) In the Table in section 71 of that Act (index of defined expressions) after the entry relating to processing there is inserted—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“public authority

section 1(1).”.

Annotations:

Commencement Information

I24 S. 68 wholly in force at 1.1.2005; s. 68 not in force at Royal Assent, see s. 87(3); s. 68 in force for certain purposes at 1.1.2005 by S.I. 2002/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M30 1998 c. 29.

69 Right of access to unstructured personal data held by public authorities.

(1) In section 7(1) of the ^{M31}Data Protection Act 1998 (right of access to personal data), for “sections 8 and 9” there is substituted “ sections 8, 9 and 9A ”.

^{F118}(2) After section 9 of that Act there is inserted—

“9A Unstructured personal data held by public authorities.

- (1) In this section “unstructured personal data” means any personal data falling within paragraph (e) of the definition of “data” in section 1(1), other than information which is recorded as part of, or with the intention that it should form part of, any set of information relating to individuals to the extent that the set is structured by reference to individuals or by reference to criteria relating to individuals.
 - (2) A public authority is not obliged to comply with subsection (1) of section 7 in relation to any unstructured personal data unless the request under that section contains a description of the data.
 - (3) Even if the data are described by the data subject in his request, a public authority is not obliged to comply with subsection (1) of section 7 in relation to unstructured personal data if the authority estimates that the cost of complying with the request so far as relating to those data would exceed the appropriate limit.
 - (4) Subsection (3) does not exempt the public authority from its obligation to comply with paragraph (a) of section 7(1) in relation to the unstructured personal data unless the estimated cost of complying with that paragraph alone in relation to those data would exceed the appropriate limit.
 - (5) In subsections (3) and (4) “the appropriate limit” means such amount as may be prescribed by the Secretary of State by regulations, and different amounts may be prescribed in relation to different cases.
 - (6) Any estimate for the purposes of this section must be made in accordance with regulations under section 12(5) of the Freedom of Information Act 2000.”
- (3) In section 67(5) of that Act (statutory instruments subject to negative resolution procedure), in paragraph (c), for “or 9(3)” there is substituted “ , 9(3) or 9A(5) ”.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F118 By [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), [art. 9](#), [Sch. 2 para. 12\(1\)\(b\)](#), it is provided (19.8.2003) that in s. 69(2), in the inserted s. 9A of the Data Protection Act 1998, in each place for the words "Lord Chancellor" there be substituted the words "Secretary of State"

Commencement Information

I25 [S. 69](#) wholly in force at 1.1.2005; [s. 69](#) in force at Royal Assent to the extent that it confers power to make regulations, see [s. 87\(1\)\(m\)\(3\)](#); [s. 69](#) in force for certain further purposes at 1.1.2005 by [S.I. 2002/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

Marginal Citations

M31 [1998 c. 29](#).

70 Exemptions applicable to certain manual data held by public authorities.

(1) After section 33 of the ^{M32}Data Protection Act 1998 there is inserted—

“33A Manual data held by public authorities.

- (1) Personal data falling within paragraph (e) of the definition of “data” in section 1(1) are exempt from—
- (a) the first, second, third, fifth, seventh and eighth data protection principles,
 - (b) the sixth data protection principle except so far as it relates to the rights conferred on data subjects by sections 7 and 14,
 - (c) sections 10 to 12,
 - (d) section 13, except so far as it relates to damage caused by a contravention of section 7 or of the fourth data protection principle and to any distress which is also suffered by reason of that contravention,
 - (e) Part III, and
 - (f) section 55.
- (2) Personal data which fall within paragraph (e) of the definition of “data” in section 1(1) and relate to appointments or removals, pay, discipline, superannuation or other personnel matters, in relation to—
- (a) service in any of the armed forces of the Crown,
 - (b) service in any office or employment under the Crown or under any public authority, or
 - (c) service in any office or employment, or under any contract for services, in respect of which power to take action, or to determine or approve the action taken, in such matters is vested in Her Majesty, any Minister of the Crown, the National Assembly for Wales, any Northern Ireland Minister (within the meaning of the Freedom of Information Act 2000) or any public authority,
- are also exempt from the remaining data protection principles and the remaining provisions of Part II.”

Status: This version of this Act contains provisions that are prospective.

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- (2) In section 55 of that Act (unlawful obtaining etc. of personal data) in subsection (8) after “section 28” there is inserted “ or 33A ”.
- (3) In Part III of Schedule 8 to that Act (exemptions available after 23rd October 2001 but before 24th October 2007) after paragraph 14 there is inserted—
- “14A (1) This paragraph applies to personal data which fall within paragraph (e) of the definition of “data” in section 1(1) and do not fall within paragraph 14(1)(a), but does not apply to eligible manual data to which the exemption in paragraph 16 applies.
- (2) During the second transitional period, data to which this paragraph applies are exempt from—
- (a) the fourth data protection principle, and
- (b) section 14(1) to (3).”
- (4) In Schedule 13 to that Act (modifications of Act having effect before 24th October 2007) in subsection (4)(b) of section 12A to that Act as set out in paragraph 1, after “paragraph 14” there is inserted “ or 14A ”.

Annotations:

Commencement Information

I26 S. 70 wholly in force at 1.1.2005; s. 70 not in force at Royal Assent, see s. 87(3); s. 70 in force for certain purposes at 1.1.2005 by S.I. 2002/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M32 1998 c. 29.

71 Particulars registrable under Part III of Data Protection Act 1998.

In section 16(1) of the ^{M33}Data Protection Act 1998 (the registrable particulars), before the word “and” at the end of paragraph (f) there is inserted—

“(ff) where the data controller is a public authority, a statement of that fact.”.

Annotations:

Commencement Information

I27 S. 71 wholly in force at 1.1.2005; s. 71 not in force at Royal Assent, see s. 87(3); s. 71 in force for certain purposes at 1.1.2005 by S.I. 2002/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M33 1998 c. 29.

Status: This version of this Act contains provisions that are prospective.

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72 Availability under Act disregarded for purpose of exemption.

In section 34 of the ^{M34}Data Protection Act 1998 (information available to the public by or under enactment), after the word “enactment” there is inserted “ other than an enactment contained in the Freedom of Information Act 2000 ”.

Annotations:

Marginal Citations

M34 1998 c. 29.

Other amendments

73 Further amendments of Data Protection Act 1998.

Schedule 6 (which contains further amendments of the Data Protection Act 1998) has effect.

Annotations:

Commencement Information

I28 S. 73 wholly in force at 1.1.2005; s. 73 in force for certain purposes at Royal Assent, see s. 87(1)(k) (3); s. 73 in force for certain further purposes at 14.5.2001 by S.I. 2001/1637, art. 2(d); s. 73 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

PART VIII

MISCELLANEOUS AND SUPPLEMENTAL

74 Power to make provision relating to environmental information.

- (1) In this section “the Aarhus Convention” means the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters signed at Aarhus on 25th June 1998.
- (2) For the purposes of this section “the information provisions” of the Aarhus Convention are Article 4, together with Articles 3 and 9 so far as relating to that Article.
- (3) The Secretary of State may by regulations make such provision as he considers appropriate—
 - (a) for the purpose of implementing the information provisions of the Aarhus Convention or any amendment of those provisions made in accordance with Article 14 of the Convention, and
 - (b) for the purpose of dealing with matters arising out of or related to the implementation of those provisions or of any such amendment.
- (4) Regulations under subsection (3) may in particular—
 - (a) enable charges to be made for making information available in accordance with the regulations,

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- (b) provide that any obligation imposed by the regulations in relation to the disclosure of information is to have effect notwithstanding any enactment or rule of law,
 - (c) make provision for the issue by the Secretary of State of a code of practice,
 - (d) provide for sections 47 and 48 to apply in relation to such a code with such modifications as may be specified,
 - (e) provide for any of the provisions of Parts IV and V to apply, with such modifications as may be specified in the regulations, in relation to compliance with any requirement of the regulations, and
 - (f) contain such transitional or consequential provision (including provision modifying any enactment) as the Secretary of State considers appropriate.
- (5) This section has effect subject to section 80.

75 Power to amend or repeal enactments prohibiting disclosure of information.

- (1) If, with respect to any enactment which prohibits the disclosure of information held by a public authority, it appears to the [^{F119}Secretary of State][^{F120}or the [^{F121}Minister for the Cabinet Office]] that by virtue of section 44(1)(a) the enactment is capable of preventing the disclosure of information under section 1, he may by order repeal or amend the enactment for the purpose of removing or relaxing the prohibition.
- (2) In subsection (1)—
- “enactment” means—
 - (a) any enactment contained in an Act passed before or in the same Session as this Act, or
 - (b) any enactment contained in Northern Ireland legislation or subordinate legislation passed or made before the passing of this Act;
- “information” includes unrecorded information.
- (3) An order under this section may do all or any of the following—
- (a) make such modifications of enactments as, in the opinion of the [^{F119}Secretary of State][^{F122}or the [^{F123}Minister for the Cabinet Office]], are consequential upon, or incidental to, the amendment or repeal of the enactment containing the prohibition;
 - (b) contain such transitional provisions and savings as appear to the [^{F119}Secretary of State][^{F122}or the [^{F123}Minister for the Cabinet Office]] to be appropriate;
 - (c) make different provision for different cases.

Annotations:

Amendments (Textual)

F119 Words in s. 75 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(c)**

F120 Words in s. 75(1) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(d)**

F121 Words in s. 75(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(o)** (with art. 12)

F122 Words in s. 75(3) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(d)**

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F123 Words in s. 75(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(o)** (with art. 12)

Modifications etc. (not altering text)

C79 S. 75(1) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(d) (with art. 5)

76 Disclosure of information between Commissioner and ombudsmen.

- (1) The Commissioner may disclose to a person specified in the first column of the Table below any information obtained by, or furnished to, the Commissioner under or for the purposes of this Act or the ^{M35}Data Protection Act 1998 if it appears to the Commissioner that the information relates to a matter which could be the subject of an investigation by that person under the enactment specified in relation to that person in the second column of that Table.

TABLE

<i>Ombudsman</i>	<i>Enactment</i>
The Parliamentary Commissioner for Administration.	The Parliamentary Commissioner Act 1967 (c. 13).
The Health Service Commissioner for England.	The Health Service Commissioners Act 1993 (c. 46).
F124
[^{F125} The Health Service Commissioner for Scotland.]	[^{F125} The Health Service Commissioners Act 1993 (c. 46).]
A Local Commissioner as defined by section 23(3) of the Local Government Act 1974. The Scottish Public Services Ombudsman	Part III [^{F126} or Part 3A] of the Local Government Act 1974 (c. 7).
[^{F127} The Scottish Public Services Ombudsman	The Scottish Public Services Ombudsman Act 2002 (asp 11)]
[^{F128} The Commissioner for Local Administration in Scotland.]	[^{F128} Part II of the Local Government (Scotland) Act 1975 (c. 30).]
[^{F128} The Scottish Parliamentary Commissioner for Administration.]	[^{F128} The Scotland Act 1998 (Transitory and Transitional Provisions)(Complaints of Maladministration) Order 1999 (S.I. 1999/1351).]
[^{F129} The Public Services Ombudsman for Wales	Part 2 of the Public Services Ombudsman (Wales) Act 2005]
F130
The Northern Ireland Commissioner for Complaints.	The Commissioner for Complaints (Northern Ireland) Order 1996 (S.I. 1996/1297 (N.I. 7)).

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Assembly Ombudsman for Northern Ireland.	The Ombudsman (Northern Ireland) Order 1996 (S.I. 1996/1298 (N.I. 8)).
[^{F131} The Commissioner for Older People in Wales	The Commissioner for Older People (Wales) Act 2006]

- (2) Schedule 7 (which contains amendments relating to information disclosed to ombudsmen under subsection (1) and to the disclosure of information by ombudsmen to the Commissioner) has effect.

Annotations:

Amendments (Textual)

- F124** S. 76(1): entry relating to Health Service Commissioner for Wales repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F125** S. 76(1): entry repealed (S.) (23.10.2002) by Scottish Public Services Ombudsman Act 2002 (asp 11), s. 25, **Sch. 6 para. 23(2)(a)**; S.S.I. 2002/467, **art. 2**
- F126** Words in s. 76 inserted (1.10.2010) by Health Act 2009 (c. 21), ss. 35, 40, **Sch. 5 para. 14**; S.I. 2010/1863, **art. 2**
- F127** S. 76(1): entry inserted (S.) (23.10.2002) by Scottish Public Services Ombudsman Act 2002 (asp 11), s. 25, **Sch. 6 para. 23(2)(b)**; S.S.I. 2002/467, **art. 2**
- F128** S. 76(1): entry repealed (S.) (23.10.2002) by Scottish Public Services Ombudsman Act 2002 (asp 11), s. 25, **Sch. 6 para. 23(2)(a)**; S.S.I. 2002/467, **art. 2**
- F129** S. 76(1): entry substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39(1), 40, **Sch. 6 para. 71(b)**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F130** S. 76(1): entry relating to Social Housing Ombudsman for Wales repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F131** S. 76(1): entry inserted (14.10.2006 for W.) by Commissioner for Older People (Wales) Act 2006 (c. 30), ss. 1(2), 23, **Sch. 1 para. 21(a)**; S.I. 2006/2699, **art. 2**

Modifications etc. (not altering text)

- C80** S. 76(1) applied (31.12.2009) by The INSPIRE Regulations 2009 (S.I. 2009/3157), **reg. 11(11)**

Marginal Citations

- M35** 1998 c. 29.

[^{F132}76A Disclosure between Commissioner and Scottish Information Commissioner

The Commissioner may disclose to the Scottish Information Commissioner any information obtained or furnished as mentioned in section 76(1) of this Act if it appears to the Commissioner that the information is of the same type that could be obtained by, or furnished to, the Scottish Information Commissioner under or for the purposes of the Freedom of Information (Scotland) Act 2002.]

Annotations:

Amendments (Textual)

- F132** S. 76A inserted (1.1.2005) by The Freedom of Information (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/3089), **art. 3(2)**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

77 Offence of altering etc. records with intent to prevent disclosure.

(1) Where—

- (a) a request for information has been made to a public authority, and
- (b) under section 1 of this Act or section 7 of the ^{M36}Data Protection Act 1998, the applicant would have been entitled (subject to payment of any fee) to communication of any information in accordance with that section,

any person to whom this subsection applies is guilty of an offence if he alters, defaces, blocks, erases, destroys or conceals any record held by the public authority, with the intention of preventing the disclosure by that authority of all, or any part, of the information to the communication of which the applicant would have been entitled.

- (2) Subsection (1) applies to the public authority and to any person who is employed by, is an officer of, or is subject to the direction of, the public authority.
- (3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) No proceedings for an offence under this section shall be instituted—
 - (a) in England or Wales, except by the Commissioner or by or with the consent of the Director of Public Prosecutions;
 - (b) in Northern Ireland, except by the Commissioner or by or with the consent of the Director of Public Prosecutions for Northern Ireland.

Annotations:

Commencement Information

I29 S. 77 wholly in force at 1.1.2005; s. 77 not in force at Royal Assent, see s. 87(3); s. 77 in force for certain purposes at 1.1.2005 by S.I. 2002/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M36 1988 c. 29.

78 Saving for existing powers.

Nothing in this Act is to be taken to limit the powers of a public authority to disclose information held by it.

79 Defamation.

Where any information communicated by a public authority to a person (“the applicant”) under section 1 was supplied to the public authority by a third person, the publication to the applicant of any defamatory matter contained in the information shall be privileged unless the publication is shown to have been made with malice.

80 Scotland.

- (1) No order may be made under section 4(1) or 5 in relation to any of the bodies specified in subsection (2); and the power conferred by section 74(3) does not include power to make provision in relation to information held by any of those bodies.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) The bodies referred to in subsection (1) are—
- (a) the Scottish Parliament,
 - (b) any part of the Scottish Administration,
 - (c) the Scottish Parliamentary Corporate Body, or
 - (d) any Scottish public authority with mixed functions or no reserved functions (within the meaning of the ^{M37}Scotland Act 1998).

[^{F133}(3) Section 50 of the Copyright, Designs and Patents Act 1988 and paragraph 6 of Schedule 1 to the Copyright and Rights in Databases Regulations 1997 apply in relation to the Freedom of Information (Scotland) Act 2002 as they apply in relation to this Act.]

Annotations:

Amendments (Textual)

F133 S. 80(3) added (1.1.2005) by [The Freedom of Information \(Scotland\) Act 2002 \(Consequential Modifications\) Order 2004 \(S.I. 2004/3089\)](#), **art. 3(3)**

Marginal Citations

M37 1998 c. 46.

^{F134}**80A Information held by Northern Ireland bodies**

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Annotations:

Amendments (Textual)

F134 S. 80A repealed (1.7.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 104(1)(a), 120, **Sch. 10 Pt. 7** (with s. 97); S.I. 2012/1205, art. 3(x)(cc)

81 Application to government departments, etc.

- (1) For the purposes of this Act each government department is to be treated as a person separate from any other government department.
- (2) Subsection (1) does not enable—
- (a) a government department which is not a Northern Ireland department to claim for the purposes of section 41(1)(b) that the disclosure of any information by it would constitute a breach of confidence actionable by any other government department (not being a Northern Ireland department), or
 - (b) a Northern Ireland department to claim for those purposes that the disclosure of information by it would constitute a breach of confidence actionable by any other Northern Ireland department.
- (3) A government department [^{F135}or the Welsh Assembly Government] is not liable to prosecution under this Act, but section 77 and paragraph 12 of Schedule 3 apply to a person in the public service of the Crown as they apply to any other person.

Status: This version of this Act contains provisions that are prospective.

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- (4) The provisions specified in subsection (3) also apply to a person acting on behalf of either House of Parliament or on behalf of the Northern Ireland Assembly [F136 or the National Assembly for Wales] as they apply to any other person.

Annotations:

Amendments (Textual)

F135 Words in s. 81(3) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 84(2)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

F136 Words in s. 81(4) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 84(3)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

82 Orders and regulations.

- (1) Any power of the ^{F137} . . . Secretary of State [F138 or the [F139 Minister for the Cabinet Office]] to make an order or regulations under this Act shall be exercisable by statutory instrument.
- (2) A statutory instrument containing (whether alone or with other provisions)—
- (a) an order under section 5, 7(3) or (8), 53(1)(a)(iii) or 75, or
 - (b) regulations under section 10(4) or 74(3),
- shall not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (3) A statutory instrument which contains (whether alone or with other provisions)—
- (a) an order under section 4(1) [F140 or 47(4B)], or
 - (b) regulations under any provision of this Act not specified in subsection (2)(b),
- and which is not subject to the requirement in subsection (2) that a draft of the instrument be laid before and approved by a resolution of each House of Parliament, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) An order under section 4(5) shall be laid before Parliament after being made.
- (5) If a draft of an order under section 5 or 7(8) would, apart from this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument, it shall proceed in that House as if it were not such an instrument.

Annotations:

Amendments (Textual)

F137 Words in s. 82(1) repealed (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(3)**

F138 Words in s. 82(1) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(e)**

Status: This version of this Act contains provisions that are prospective.

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- F139** Words in s. 82(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(p)** (with art. 12)
- F140** Words in s. 82(3)(a) inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 107(4)**, 120 (with s. 97); S.I. 2013/1906, art. 3(d)

83 Meaning of “Welsh public authority”.

- (1) In this Act “Welsh public authority” means—
- (a) any public authority which is listed in Part II, III, IV or VI of Schedule 1 and whose functions are exercisable only or mainly in or as regards Wales, other than an excluded authority, or
- ^{F141}(b) any public authority which is—
- (i) a subsidiary of the Welsh Ministers (as defined by section 134(4) of the Government of Wales Act 2006), or
- (ii) a subsidiary of the Assembly Commission (as defined by section 139(4) of that Act).]
- (2) In paragraph (a) of subsection (1) “excluded authority” means a public authority which is designated by the ^{F142}Secretary of State^{F143} or the ^{F144}Minister for the Cabinet Office^{F145} by order as an excluded authority for the purposes of that paragraph.
- (3) Before making an order under subsection (2), the ^{F142}Secretary of State^{F145} or the ^{F146}Minister for the Cabinet Office^{F147} shall consult ^{F147}the First Minister for Wales^{F147}.

Annotations:

Amendments (Textual)

- F141** S. 83(1)(b) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 85(2)** (the amendment coming into force immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F142** Words in s. 83 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(c)**
- F143** Words in s. 83(2) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(f)**
- F144** Words in s. 83(2) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(q)** (with art. 12)
- F145** Words in s. 83(3) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(f)**
- F146** Words in s. 83(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(q)** (with art. 12)
- F147** Words in s. 83(3) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 85(3)** (the amendment coming into force immediately after the end of “the initial period” (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

Modifications etc. (not altering text)

- C81** S. 83(2)(3) functions made exercisable concurrently (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), arts. 1(2), **3(1)**, (2)(e) (with art. 5)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

84 Interpretation.

In this Act, unless the context otherwise requires—

“applicant”, in relation to a request for information, means the person who made the request;

“appropriate Northern Ireland Minister” means the Northern Ireland Minister in charge of the Department of Culture, Arts and Leisure in Northern Ireland;

“appropriate records authority”, in relation to a transferred public record, has the meaning given by section 15(5);

“body” includes an unincorporated association;

^{F148} ...

“the Commissioner” means the Information Commissioner;

[^{F149}“dataset” has the meaning given by section 11(5);]

“decision notice” has the meaning given by section 50;

“the duty to confirm or deny” has the meaning given by section 1(6);

“enactment” includes an enactment contained in Northern Ireland legislation;

“enforcement notice” has the meaning given by section 52;

^{F150}

“exempt information” means information which is exempt information by virtue of any provision of Part II;

“fees notice” has the meaning given by section 9(1);

“government department” includes a Northern Ireland department ^{F151} . . . and any other body or authority exercising statutory functions on behalf of the Crown, but does not include—

(a) any of the bodies specified in section 80(2),

(b) the Security Service, the Secret Intelligence Service or the Government Communications Headquarters, ^{F152} ...

(ba) [^{F153}the National Crime Agency, or]

(c) [^{F154}the Welsh Assembly Government]

“information” (subject to sections 51(8) and 75(2)) means information recorded in any form;

“information notice” has the meaning given by section 51;

“Minister of the Crown” has the same meaning as in the Ministers of the ^{M38}Crown Act 1975;

“Northern Ireland Minister” includes the First Minister and deputy First Minister in Northern Ireland;

“Northern Ireland public authority” means any public authority, other than the Northern Ireland Assembly or a Northern Ireland department, whose functions are exercisable only or mainly in or as regards Northern Ireland and relate only or mainly to transferred matters;

“prescribed” means prescribed by regulations made by the [^{F155}Minister for the Cabinet Office];

“public authority” has the meaning given by section 3(1);

“public record” means a public record within the meaning of the ^{M39}Public Records Act 1958 or a public record to which the ^{M40}Public Records Act (Northern Ireland) 1923 applies;

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- “publication scheme” has the meaning given by section 19;
- “request for information” has the meaning given by section 8;
- “responsible authority”, in relation to a transferred public record, has the meaning given by section 15(5);
- “the special forces” means those units of the armed forces of the Crown the maintenance of whose capabilities is the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director;
- “subordinate legislation” has the meaning given by subsection (1) of section 21 of the ^{M41}Interpretation Act 1978, except that the definition of that term in that subsection shall have effect as if “Act” included Northern Ireland legislation;
- “transferred matter”, in relation to Northern Ireland, has the meaning given by section 4(1) of the ^{M42}Northern Ireland Act 1998;
- “transferred public record” has the meaning given by section 15(4);
- [^{F156}“the Tribunal”, in relation to any appeal under this Act, means—
- (a) the Upper Tribunal, in any case where it is determined by or under Tribunal Procedure Rules that the Upper Tribunal is to hear the appeal; or
 - (b) the First-tier Tribunal, in any other case;]

“Welsh public authority” has the meaning given by section 83.

Annotations:

Amendments (Textual)

- F148** Words in s. 84 omitted (9.11.2016) by virtue of [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(3)** (with art. 12)
- F149** Words in s. 84 inserted (1.9.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 102(6)**, 120 (with s. 97); S.I. 2013/1906, art. 3(a)
- F150** S. 84: definition of "executive committee" omitted by virtue of [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 86(2)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F151** Words in s. 84 omitted (N.I.) (12.4.2010) by virtue of [The Northern Ireland \(Abolition and Transfer of Functions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/133\)](#), art. 4, **Sch. para. 7** (with transitional provision in art. 5)
- F152** Word in s. 84 omitted (27.5.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 103**; S.I. 2013/1042, art. 3(l)
- F153** Words in s. 84 inserted (27.5.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 103**; S.I. 2013/1042, art. 3(l)
- F154** S. 84: in definition of "government department" para. (c) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 86(3)** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))
- F155** Words in s. 84 substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(r)** (with art. 12)
- F156** S. 84: definition of "the Tribunal" substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 71**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Marginal Citations

- M38** 1975 c. 26.
M39 1958 c. 51.
M40 1923 c. 20 (N.I.).
M41 1978 c. 30.
M42 1998 c. 47.

85 Expenses.

There shall be paid out of money provided by Parliament—

- (a) any increase attributable to this Act in the expenses of the [^{F157}Secretary of State] in respect of the Commissioner, the Tribunal or the members of the Tribunal,
- (b) any administrative expenses of the [^{F157}Secretary of State][^{F158}or the [^{F159}Minister for the Cabinet Office]] attributable to this Act,
- (c) any other expenses incurred in consequence of this Act by a Minister of the Crown or government department or by either House of Parliament, and
- (d) any increase attributable to this Act in the sums which under any other Act are payable out of money so provided.

Annotations:

Amendments (Textual)

- F157** Words in s. 85 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(c)**
- F158** Words in s. 85(b) inserted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(2)(g)**
- F159** Words in s. 85(b) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 14(2)(s)** (with art. 12)

86 Repeals.

Schedule 8 (repeals) has effect.

Annotations:

Commencement Information

- I30** [S. 86](#) wholly in force at 1.1.2005; [s. 86](#) in force for certain purposes at 30.11.2000 and in force for certain further purposes at 1.1.2001 see [s. 87\(1\)\(2\)](#); otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

87 Commencement.

- (1) The following provisions of this Act shall come into force on the day on which this Act is passed—
 - (a) sections 3 to 8 and Schedule 1,
 - (b) section 19 so far as relating to the approval of publication schemes,

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- (c) section 20 so far as relating to the approval and preparation by the Commissioner of model publication schemes,
 - (d) section 47(2) to (6),
 - (e) section 49,
 - (f) section 74,
 - (g) section 75,
 - (h) sections 78 to 85 and this section,
 - (i) paragraphs 2 and 17 to 22 of Schedule 2 (and section 18(4) so far as relating to those paragraphs),
 - (j) paragraph 4 of Schedule 5 (and section 67 so far as relating to that paragraph),
 - (k) paragraph 8 of Schedule 6 (and section 73 so far as relating to that paragraph),
 - (l) Part I of Schedule 8 (and section 86 so far as relating to that Part), and
 - (m) so much of any other provision of this Act as confers power to make any order, regulations or code of practice.
- (2) The following provisions of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed—
- (a) section 18(1),
 - (b) section 76 and Schedule 7,
 - (c) paragraphs 1(1), 3(1), 4, 6, 7, 8(2), 9(2), 10(a), 13(1) and (2), 14(a) and 15(1) and (2) of Schedule 2 (and section 18(4) so far as relating to those provisions), and
 - (d) Part II of Schedule 8 (and section 86 so far as relating to that Part).
- (3) Except as provided by subsections (1) and (2), this Act shall come into force at the end of the period of five years beginning with the day on which this Act is passed or on such day before the end of that period as the [F160Secretary of State] may by order appoint; and different days may be appointed for different purposes.
- (4) An order under subsection (3) may contain such transitional provisions and savings (including provisions capable of having effect after the end of the period referred to in that subsection) as the [F160Secretary of State] considers appropriate.
- (5) During the twelve months beginning with the day on which this Act is passed, and during each subsequent complete period of twelve months in the period beginning with that day and ending with the first day on which all the provisions of this Act are fully in force, the [F160Secretary of State] shall—
- (a) prepare a report on his proposals for bringing fully into force those provisions of this Act which are not yet fully in force, and
 - (b) lay a copy of the report before each House of Parliament.

Annotations:

Subordinate Legislation Made

- PI** S. 87(3) power partly exercised: 14.5.2001 appointed for specified provisions by S.I. 2001/1637, **art. 2**
S. 87(3) power partly exercised: different dates appointed for specified provisions by {S.I. 2002/2812}, arts. 2-5, Schs. 1-3 (as amended (1.4.2006) by S.I. 2005/3239, **art. 9(2)**, **Sch. 2 para. 8**, S.I. 2006/63, **art. 3(2)(b)** and S.I. 2006/64, **art. 3(2)(b)**)
S. 87(3) power partly exercised: different dates appointed for specified provisions by {S.I. 2003/2603}, arts. 2-4, Sch. 1

Status: This version of this Act contains provisions that are prospective.

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S. 87(3) power partly exercised: 1.1.2005 appointed for specified provisions by {S.I. 2004/1909}, art. 2

S. 87(3) power fully exercised: 1.1.2005 appointed by {S.I. 2004/3122}, art. 2

Amendments (Textual)

F160 Words in s. 87 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(1)(c)**

88 Short title and extent.

- (1) This Act may be cited as the Freedom of Information Act 2000.
- (2) Subject to subsection (3), this Act extends to Northern Ireland.
- (3) The amendment or repeal of any enactment by this Act has the same extent as that enactment.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 3(1)(a)(i).

PUBLIC AUTHORITIES

PART I

GENERAL

- 1 Any government department [^{F161}other than
[^{F162}(a) the Competition and Markets Authority,
(b)] the Office for Standards in Education, Children's Services and Skills].

Annotations:

Amendments (Textual)

F161 Words in Sch. 1 para. 1 inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 188(3), [Sch. 14 para. 69\(2\)\(a\)](#); S.I. 2007/935, [art. 5\(w\)\(gg\)](#)

F162 Words in Sch. 1 para. 1 inserted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 4 para. 25\(a\)](#); S.I. 2013/2227, [art. 2\(j\)](#) (with [art. 3](#))

- [^{F163}1ZA The Competition and Markets Authority, in respect of information held otherwise than as a tribunal.]

Annotations:

Amendments (Textual)

F163 [Sch. 1 para. 1ZA](#) inserted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 4 para. 25\(b\)](#); S.I. 2013/2227, [art. 2\(j\)](#) (with [art. 3](#))

- [^{F164}1A The Office for Standards in Education, Children's Services and Skills, in respect of information held for purposes other than those of the functions exercisable by Her Majesty's Chief Inspector of Education, Children's Services and Skills by virtue of section 5(1)(a)(iii) of the Care Standards Act 2000.]

Annotations:

Amendments (Textual)

F164 [Sch. 1 para. 1A](#) inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 188(3), [Sch. 14 para. 69\(2\)\(b\)](#); S.I. 2007/935, [art. 5\(w\)\(gg\)](#)

- 2 The House of Commons [^{F165}, in respect of information other than—
(a) information relating to any residential address of a member of either House of Parliament,

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- (b) information relating to travel arrangements of a member of either House of Parliament, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,
- (c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of either House of Parliament at any residence of the member,
- (d) information relating to expenditure by a member of either House of Parliament on security arrangements.
- [^{F166}(e) information held by the Intelligence and Security Committee of Parliament.]

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month.]

Annotations:

Amendments (Textual)

F165 Words in Sch. 1 para. 2 inserted (23.7.2008) by [The Freedom of Information \(Parliament and National Assembly for Wales\) Order 2008 \(S.I. 2008/1967\)](#), **art. 2(2)**

F166 Sch. 1 para. 2(e) inserted (25.6.2013) by [Justice and Security Act 2013 \(c. 18\)](#), s. 20(1), **Sch. 2 para. 5(3)(a)**; S.I. 2013/1482, art. 2 (with arts. 3, 4)

- 3 The House of Lords [^{F167}, in respect of information other than—
- (a) information relating to any residential address of a member of either House of Parliament,
 - (b) information relating to travel arrangements of a member of either House of Parliament, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,
 - (c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of either House of Parliament at any residence of the member,
 - (d) information relating to expenditure by a member of either House of Parliament on security arrangements.
 - [^{F168}(e) information held by the Intelligence and Security Committee of Parliament.]

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month.]

Annotations:

Amendments (Textual)

F167 Words in Sch. 1 para. 3 inserted (23.7.2008) by [The Freedom of Information \(Parliament and National Assembly for Wales\) Order 2008 \(S.I. 2008/1967\)](#), **art. 2(3)**

F168 Sch. 1 para. 3(e) inserted (25.6.2013) by [Justice and Security Act 2013 \(c. 18\)](#), s. 20(1), **Sch. 2 para. 5(3)(b)**; S.I. 2013/1482, art. 2 (with arts. 3, 4)

- 4 The Northern Ireland Assembly.
- 5 The National Assembly for Wales [^{F169}, in respect of information other than—

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- (a) information relating to any residential address of a member of the Assembly,
- (b) information relating to travel arrangements of a member of the Assembly, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,
- (c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of the Assembly at any residence of the member,
- (d) information relating to expenditure by a member of the Assembly on security arrangements.

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month.]

Annotations:

Amendments (Textual)

F169 Words in Sch. 1 para. 5 inserted (23.7.2008) by [The Freedom of Information \(Parliament and National Assembly for Wales\) Order 2008 \(S.I. 2008/1967\)](#), **art. 2(4)**

[^{F170}5A the Welsh Assembly Government.]

Annotations:

Amendments (Textual)

F170 Sch. 1 para. 5A inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), **art. 3, Sch. 1 para. 87** (the amendment coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) in accordance with art. 1(2)(3) of the amending S.I. and see [ss. 46, 161\(5\) of Government of Wales Act 2006 \(c. 32\)](#))

- 6 The armed forces of the Crown, except—
- (a) the special forces, and
 - (b) any unit or part of a unit which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in the exercise of its functions.

PART II

LOCAL GOVERNMENT

England and Wales

- 7 A local authority within the meaning of the ^{M43}Local Government Act 1972, namely —
- (a) in England, a county council, a London borough council, a district council or a parish council,
 - (b) in Wales, a county council, a county borough council or a community council.

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Annotations:

Marginal Citations

M43 1972 c. 70.

- 8 The Greater London Authority.
- 9 The Common Council of the City of London, in respect of information held in its capacity as a local authority, police authority or port health authority.
- 10 The Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple, in respect of information held in his capacity as a local authority.
- 11 The Council of the Isles of Scilly.
- 12 A parish meeting constituted under section 13 of the ^{M44}Local Government Act 1972.

Annotations:

Marginal Citations

M44 1972 c. 70.

- 13 Any charter trustees constituted under section 246 of the ^{M45}Local Government Act 1972.

Annotations:

Marginal Citations

M45 1972 c. 70.

- [^{F171}14 A fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.]

Annotations:

Amendments (Textual)

F171 Sch. 1 para. 14 substituted (E.W.) (1.10.2004 for E. and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), ss. 53(1), 61, **Sch. 1 para. 95**; S.I. 2004/2304, **art. 2(2)** (subject to art. 3); S.I. 2004/2917, **art. 2**

- [^{F172}14A A fire and rescue authority created by an order under section 4A of that Act.]

Annotations:

Amendments (Textual)

F172 Sch. 1 para. 14A inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 81**; S.I. 2017/399, reg. 2, Sch. para. 38

- 15 A waste disposal authority established by virtue of an order under section 10(1) of the ^{M46}Local Government Act 1985.

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Annotations:

Marginal Citations

M46 1985 c. 51.

^{F173}15A

Annotations:

Amendments (Textual)

F173 Sch. 1 para. 15A omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 13 para. 6\(31\)](#); S.I. 2015/994, art. 6(g)

16 A port health authority constituted by an order under section 2 of the ^{M47}Public Health (Control of Disease) Act 1984.

Annotations:

Marginal Citations

M47 1984 c. 22.

17 ^{F174}

Annotations:

Amendments (Textual)

F174 Sch. 1 para. 17 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 199, 201(2), [Sch. 7](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, arts. 1(2), 2(2)

18 An internal drainage board which is continued in being by virtue of section 1 of the ^{M48}Land Drainage Act 1991.

Annotations:

Marginal Citations

M48 1991 c. 59.

19 A joint authority established under Part IV of the ^{M49}Local Government Act 1985 [^{F175}(fire and rescue services and transport)].

Annotations:

Amendments (Textual)

F175 Words in Sch. 1 para. 19 substituted (1.4.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32(1), 34, [Sch. 2 para. 10\(3\)\(d\)](#); S.I. 2005/772, art. 2(b)

Marginal Citations

M49 1985 c. 51.

Status: This version of this Act contains provisions that are prospective.

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[^{F176}19A An economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009.

Annotations:

Amendments (Textual)

F176 Sch. 1 paras. 19A, 19B inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 119, 149, **Sch. 6 para. 94**; S.I. 2009/3318, **art. 2(b)**

19B A combined authority established under section 103 of that Act.]

Annotations:

Amendments (Textual)

F176 Sch. 1 paras. 19A, 19B inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 119, 149, **Sch. 6 para. 94**; S.I. 2009/3318, **art. 2(b)**

[^{F177}20 The London Fire Commissioner.]

Annotations:

Amendments (Textual)

F177 Sch. 1 para. 20 substituted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 2 para. 108**

21 A joint fire authority established by virtue of an order under section 42(2) of the ^{M50}Local Government Act 1985 (reorganisation of functions).

Annotations:

Marginal Citations

M50 1985 c. 51.

22 A body corporate established pursuant to an order under section 67 of the ^{M51}Local Government Act 1985 (transfer of functions to successors of residuary bodies, etc.).

Annotations:

Marginal Citations

M51 1985 c. 51.

23 A body corporate established pursuant to an order under [^{F178}section 17 of the Local Government and Public Involvement in Health Act 2007] (residuary bodies).

Annotations:

Amendments (Textual)

F178 Words in Sch. 1 para. 23 substituted (1.11.2007 with application as mentioned in art. 1(1) of the commencing S.I.) by Local Government and Public Involvement in [Health Act 2007 \(c. 28\)](#), ss. 22, 245, **Sch. 1 para. 20**; S.I. 2007/3136, **art. 2** (subject to art. 3)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 24 The Broads Authority established by section 1 of the ^{M52}Norfolk and Suffolk Broads Act 1988.

Annotations:

Marginal Citations

M52 1988 c. 4.

- 25 A joint committee constituted in accordance with section 102(1)(b) of the ^{M53}Local Government Act 1972.

Annotations:

Marginal Citations

M53 1972 c. 70.

- 26 A joint board which is continued in being by virtue of section 263(1) of the ^{M54}Local Government Act 1972.

Annotations:

Marginal Citations

M54 1972 c. 70.

- 27 A joint authority established under section 21 of the ^{M55}Local Government Act 1992.

Annotations:

Marginal Citations

M55 1992 c. 19.

- [^{F179}28 A Passenger Transport Executive for an integrated transport area for the purposes of Part 2 of the Transport Act 1968.]

Annotations:

Amendments (Textual)

F179 Sch. 1 para. 28 substituted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), ss. 77, 134, [Sch. 4 para. 64\(2\)](#); S.I. 2009/107, [art. 2\(1\)](#), Sch. 1 Pt. 1 (subject to transitional provisions in Sch. 1 Pt. II)

- [^{F180}28A A sub-national transport body established under section 102E of the Local Transport Act 2008.]

Annotations:

Amendments (Textual)

F180 Sch. 1 para. 28A inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), s. 25(2), [Sch. 5 para. 16](#)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 29 Transport for London.
- 30 The London Transport Users Committee.
- 31 A joint board the constituent members of which consist of any of the public authorities described in paragraphs 8, 9, 10, 12, 15, 16, 20 to 31, 57 and 58.
- 32 A National Park authority established by an order under section 63 of the ^{M56}Environment Act 1995.

Annotations:

Marginal Citations
 M56 1995 c. 25.

- 33 A joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the ^{M57}Town and Country Planning Act 1990.

Annotations:

Marginal Citations
 M57 1990 c. 8.

- [^{F181}33A A strategic planning panel established under section 60D of the Planning and Compulsory Purchase Act 2004.]

Annotations:

Amendments (Textual)
 F181 Sch. 1 para. 33A inserted (E.W.) (6.9.2015 for specified purposes) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 1 para. 5](#)

^{F182}34

Annotations:

Amendments (Textual)
 F182 Sch. 1 para. 34 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(1)(3), 110(1), [Sch. 8 para. 392](#), [Sch. 10](#); [S.I. 2005/910](#), [art. 3](#)

^{F183}35

Annotations:

Amendments (Textual)
 F183 Sch. 1 para. 35 repealed (31.3.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 25 Pt. 32](#); [S.I. 2012/628](#), [art. 4\(d\)](#)

^{F184}35A

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F184 Sch. 1 para. 35A repealed (1.4.2010 for W. and 1.4.2011 otherwise) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 321, 324, [Sch. 22 Pt. 4](#); S.I. 2010/630, [art. 3\(b\)](#); S.I. 2011/556, [art. 2\(2\)\(o\)](#)

[^{F185}35B An inshore fisheries and conservation authority for a district established under section 149 of the Marine and Coastal Access Act 2009.]

Annotations:

Amendments (Textual)

F185 Sch. 1 para. 35B inserted (1.10.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 184, 324, [Sch. 14 para. 19](#); S.I. 2010/2195, [art. 3\(2\)\(l\)](#)

[^{F186}35C An urban development corporation established under section 135 of the Local Government, Planning and Land Act 1980.]

Annotations:

Amendments (Textual)

F186 Sch. 1 para. 35C inserted (1.10.2010) by [The Freedom of Information \(Additional Public Authorities\) Order 2010 \(S.I. 2010/937\)](#), [art. 2](#)

[^{F187}35D A Mayoral development corporation established under section 198 of the Localism Act 2011.]

Annotations:

Amendments (Textual)

F187 Sch. 1 para. 35D inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(1)(l), [Sch. 22 para. 53](#)

[^{F188}35E A Local Healthwatch organisation, in respect of information held in connection with—
(a) arrangements made under section 221(1) of the Local Government and Public Involvement in Health Act 2007, or
(b) arrangements made in pursuance of arrangements made under section 221(1) of that Act.]

Annotations:

Amendments (Textual)

F188 Sch. 1 para. 35E inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), ss. 189(4), 306(4); S.I. 2013/160, [art. 2\(2\)](#) (with arts. 7-9)

Northern Ireland

36 A district council within the meaning of the ^{M58}Local Government Act (Northern Ireland) 1972.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Marginal Citations

M58 1972 c. 9(N.I.).

PART III

THE NATIONAL HEALTH SERVICE

Annotations:

Modifications etc. (not altering text)

C82 By Care Act 2014 (c. 23), s. 127(1), **Sch. 5 para. 34**; S.I. 2014/3186, art. 2(f), it is provided (E.W.) (1.4.2015) that at the appropriate place in **Sch. 1 Pt. III** the words "Health Education England." shall be inserted

England and Wales

^{F189}36A

Annotations:

Amendments (Textual)

F189 Sch. 1 para. 36A omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 99(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

37 ^{F190}

Annotations:

Amendments (Textual)

F190 Sch. 1 para. 37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 4-6, 8, Sch. 1 para. 211(b), **Sch. 4** (with Sch.2 Pt. 1, Sch. 3 Pt. 1)

[^{F191}37A The National Health Service Commissioning Board.

Annotations:

Amendments (Textual)

F191 Sch. 1 paras. 37A, 37B inserted (1.10.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 99(b)**; S.I. 2012/1831, art. 2(2)

37B A clinical commissioning group established under section 14D of the National Health Service Act 2006.]

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F191 Sch. 1 paras. 37A, 37B inserted (1.10.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 99\(b\)](#); S.I. 2012/1831, art. 2(2)

38 A special health authority established under [^{F192}section 28 of the National Health Service Act 2006 or section 22 of the National Health Service (Wales) Act 2006].

Annotations:

Amendments (Textual)

F192 Words in Sch. 1 para. 38 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, [Sch. 1 para. 211\(c\)](#) (with Sch. 3 Pt. 1)

^{F193}39

Annotations:

Amendments (Textual)

F193 Sch. 1 para. 39 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 99\(c\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

[^{F194}39A A Local Health Board established under [^{F195}section 11 of the National Health Service (Wales) Act 2006].]

Annotations:

Amendments (Textual)

F194 Sch. 1 para. 39A inserted (10.10.2002 for W. and 1.3.2007 for E.) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), s. 6(2), [Sch. 5 para. 48](#); S.I. 2002/2532, [art. 2](#); S.I. 2006/1407, [art. 2](#), [Sch. 1 Pt. 2 para. 12](#)

F195 Words in Sch. 1 para. 39A substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, [Sch. 1 para. 211\(e\)](#) (with Sch. 3 Pt. 1)

40 A National Health Service trust established under [^{F196}section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006].

Annotations:

Amendments (Textual)

F196 Words in Sch. 1 para. 40 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, [Sch. 1 para. 211\(f\)](#) (with Sch. 3 Pt. 1)

[^{F197}40A An NHS foundation trust.]

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F197 Sch. 1 para. 40A inserted (1.4.2004 for E.W.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 199, **Sch. 4 para. 114**, S.I. 2004/759, {art. 2}

41 A Community Health Council [^{F198}established under section 182 of the National Health Service (Wales) Act 2006].

Annotations:

Amendments (Textual)

F198 Words in Sch. 1 para. 41 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, **Sch. 1 para. 211(g)** (with Sch. 3 Pt. 1)

[^{F199}41A ^{F200}]

Annotations:

Amendments (Textual)

F199 Sch. 1 para. 41A inserted (1.9.2003) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), ss. 19(7), 42(3); S.I. 2003/2246, **art. 2**

F200 Sch. 1 para. 41A repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 241, 245, **Sch. 18 Pt. 18**; S.I. 2008/461, **art. 2(3)**, Sch.

42 ^{F201}

Annotations:

Amendments (Textual)

F201 Sch. 1 para. 42 repealed (1.4.2006) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, **Sch. 14 Pt. 4**, S.I. 2005/2925, arts. 1(3)(4)(c), {11}

43 ^{F202}

Annotations:

Amendments (Textual)

F202 Sch. 1 para. 43 repealed (1.4.2005 for E.W.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 190, 196, 199, Sch. 13 para. 10, **Sch. 14 Pt. 7**; S.I. 2005/457, **art. 2(a)(b)**

[^{F203}43A Any person providing primary medical services [^{F204}, primary dental services or primary ophthalmic services]—

(a) in accordance with arrangements made under [^{F205}section 92 or 107 of the National Health Service Act 2006, or section 50 or 64 of the National Health Service (Wales) Act 2006]; or

(b) under a contract under [^{F206}section 84 or 100 of the National Health Service Act 2006 or section 42 or 57 of the National Health Service (Wales) Act 2006];

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

in respect of information relating to the provision of those services.]

Annotations:

Amendments (Textual)

- F203** Sch. 1 para. 43A inserted (17.1.2005 for E., 1.4.2006 for W. for certain purposes and 1.3.2007 otherwise) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 184, 199, **Sch. 11 para. 68**; S.I. 2005/38, **art. 2(c)** (with art. 3); S.I. 2006/345, **art. 6**; S.I. 2006/1407, arts. 1(1), 2, **Sch. 1 Pt. 2 para. 13(b)**
- F204** Words in Sch. 1 para. 43A substituted (1.8.2008) by [Health Act 2006 \(c. 28\)](#), ss. 80(1), 83, **Sch. 8 para. 45(2)(a)**; S.I. 2008/1972, **art. 2(b)**
- F205** Words in Sch. 1 para. 43A(a) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, **Sch. 1 para. 211(i)** (with Sch. 3 Pt. 1)
- F206** Words in Sch. 1 para. 43A(b) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, **Sch. 1 para. 211(j)** (with Sch. 3 Pt. 1)

- 44 Any person providing [^{F207}general medical services, general dental services,] general ophthalmic services or pharmaceutical services under [^{F208}the National Health Service Act 2006 or the National Health Service (Wales) Act 2006], in respect of information relating to the provision of those services.

Annotations:

Amendments (Textual)

- F207** Words in Sch. 1 para. 44 repealed (17.1.2005 for E., 1.4.2006 for W. for certain purposes and otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, **Sch. 14 Pt. 4**; S.I. 2005/38, **art. 2(d)(i)** (with art. 3); S.I. 2005/2925, arts. 1(3), **11**; S.I. 2006/345, **art. 7**
- F208** Words in Sch. 1 para. 44 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 5, 8, **Sch. 1 para. 211(k)** (with Sch. 3 Pt. 1)

- 45 [^{F209} Any person providing personal medical services or personal dental services under arrangements made under section 28C of the ^{M59}National Health Service Act 1977, in respect of information relating to the provision of those services.]

Annotations:

Amendments (Textual)

- F209** Sch. 1 para. 45 repealed (17.1.2005 for E. for certain purposes, 1.4.2006 for E. otherwise, 1.4.2006 for W. for certain purposes and otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, **Sch. 14 Pt. 4**; SI 2005/38, {art. 2(d)(ii)}; S.I. 2005/2925, arts. 1(3), **11**; SI 2006/345, {art. 7}

Marginal Citations

M59 1977 c. 49.

- [^{F210}45A Any person providing local pharmaceutical services under—
(a) a pilot scheme established under [^{F211}section 134 of the National Health Service Act 2006 or section 92 of the National Health Service (Wales) Act 2006]; or

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) an LPS scheme established under [^{F212} Schedule 12 to the National Health Service Act 2006 or Schedule 7 to the National Health Service (Wales) Act 2006],

in respect of information relating to the provision of those services.]

Annotations:

Amendments (Textual)

F210 Sch. 1 para. 45A inserted (1.7.2002 for W. and 1.1.2003 for E.) by 2001 c. 15, ss. 67, 70, Sch. 5 Pt. 1 para. 14 (with ss. 64(9), 65(4)); S.I. 2002/1475, **art. 2(1)**, Sch. Pt. 1; S.I. 2003/53, **art. 2(a)**

F211 Words in Sch. 1 para. 45A(a) substituted (1.3.2007) by **National Health Service (Consequential Provisions) Act 2006 (c. 43)**, ss. 2, 5, 8, **Sch. 1 para. 211(l)** (with Sch. 3 Pt. 1)

F212 Words in Sch. 1 para. 45A(b) substituted (1.3.2007) by virtue of **National Health Service (Consequential Provisions) Act 2006 (c. 43)**, ss. 2, 5, 8, **Sch. 1 para. 211(m)** (with Sch. 3 Pt. 1)

[^{F213}45B ^{F214}.....]

Annotations:

Amendments (Textual)

F213 Sch. 1 para. 45B inserted (1.1.2003 for E. and otherwise prosp.) by **National Health Service Reform and Health Care Professions Act 2002 (c. 17)**, s. 20(11), **Sch. 6 para. 19**; S. I. 2002/3190, **art. 2**

F214 Sch. 1 para. 45B repealed (30.6.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 241, 245, **Sch. 18 Pt. 18**; S.I. 2008/461, **art. 2(4)(b)(c)**

Northern Ireland

46

[^{F215A} Health and Social Services Board established under Article 16 of the ^{M60}Health and Personal Social Services (Northern Ireland) Order 1972.]

Annotations:

Amendments (Textual)

F215 Sch. 1 para. 46 repealed (N.I.) (1.4.2009) by **Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1)**, ss. 32, 33, 34, **Sch. 6 para. 17(2)(a)**, **Sch. 7**; S.R. 2009/114, **art. 2**

Marginal Citations

M60 S.I. 1972/1265 (N.I. 14).

47

A Health and Social Services Council established under Article 4 of the ^{M61}Health and Personal Social Services (Northern Ireland) Order 1991.

Annotations:

Marginal Citations

M61 S.I. 1991/194 (N.I. 1).

48

A Health and Social Services Trust established under Article 10 of the ^{M62}Health and Personal Social Services (Northern Ireland) Order 1991.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Marginal Citations

M62 [S.I. 1991/194 \(N.I. 1\)](#).

- 49 A special agency established under Article 3 of the ^{M63}Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990.

Annotations:

Marginal Citations

M63 [S.I. 1990/247 \(N.I. 3\)](#).

- 50 [^{F216}The Northern Ireland Central Services Agency for the Health and Social Services established under Article 26 of the ^{M64}Health and Personal Social Services (Northern Ireland) Order 1972.]

Annotations:

Amendments (Textual)

F216 Sch. 1 para. 50 repealed (N.I.) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 33, 34, Sch. 6 para. 17(2)(a), [Sch. 7](#); S.R. 2009/114, [art. 2](#)

Marginal Citations

M64 [S.I. 1972/1265 \(N.I. 14\)](#).

- 51 Any person providing [^{F217}primary medical services], general dental services, general ophthalmic services or pharmaceutical services under Part VI of the ^{M65}Health and Personal Social Services (Northern Ireland) Order 1972, in respect of information relating to the provision of those services.

Annotations:

Amendments (Textual)

F217 Words in Sch. 1 para. 51 substituted (N.I.) (1.4.2004) by [The Primary Medical Services \(Northern Ireland\) Order 2004 \(S.I. 2004/311 \(N.I. 2\)\)](#), art. 10, [Sch. 1 para. 18](#); S.R. 2004/123, [art. 2\(2\)](#)

Marginal Citations

M65 [S.I. 1972/1265 \(N.I. 14\)](#).

- [^{F218}51A The Regional Business Services Organisation established under section 14 of the Health and Social Services (Reform) Act (Northern Ireland) 2009.

Annotations:

Amendments (Textual)

F218 Sch. 1 paras. 51A-51D inserted (N.I.) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34, [Sch. 6 para. 17\(2\)\(b\)](#); S.R. 2009/114, [art. 2](#)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

51B The Patient and Client Council established under section 16 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Annotations:

Amendments (Textual)

F218 Sch. 1 paras. 51A-51D inserted (N.I.) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34, [Sch. 6 para. 17\(2\)\(b\)](#); S.R. 2009/114, [art. 2](#)

51C The Regional Health and Social Care Board established under section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Annotations:

Amendments (Textual)

F218 Sch. 1 paras. 51A-51D inserted (N.I.) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34, [Sch. 6 para. 17\(2\)\(b\)](#); S.R. 2009/114, [art. 2](#)

51D The Regional Agency for Public Health and Social Well-being established under section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.]

Annotations:

Amendments (Textual)

F218 Sch. 1 paras. 51A-51D inserted (N.I.) (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34, [Sch. 6 para. 17\(2\)\(b\)](#); S.R. 2009/114, [art. 2](#)

PART IV

MAINTAINED SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS

England and Wales

[^{F219}52 The governing body of—

- (a) a maintained school, as defined by section 20(7) of the School Standards and Framework Act 1998, or
- (b) a maintained nursery school, as defined by section 22(9) of that Act.]

Annotations:

Amendments (Textual)

F219 Sch. 1 para. 52 substituted (1.9.2003 except in relation to W. and otherwise 31.10.2005) by [Education Act 2002 \(c. 32\)](#), ss. 215(1), 216, [Sch. 21 para. 127](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, [art. 4](#); S.I. 2005/2910, [art. 4](#), Sch.

[^{F220}52(A) The proprietor of an Academy, in respect of information held for the purposes of the proprietor's functions under Academy arrangements.

(2) In sub-paragraph (1)—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“Academy arrangements” has the meaning given by section 1 of the Academies Act 2010;

“proprietor” has the meaning given by section 579(1) of the Education Act 1996.]

Annotations:

Amendments (Textual)

F220 Sch. 1 para. 52A inserted (1.9.2010 for certain purposes and 1.1.2011 otherwise) by Academies Act 2010 (c. 32), ss. 14, 19(2), Sch. 2 para. 10; S.I. 2010/1937, arts. 3, 4, Schs. 2, 3 (with transitional provisions in arts. 5, 6)

- 53 (1) The governing body of—
- (a) an institution within the further education sector,
 - (b) a university receiving financial support under section 65 of the ^{M66}Further and Higher Education Act 1992,
 - (c) an institution conducted by a higher education corporation,
 - (d) a designated institution for the purposes of Part II of the ^{M67}Further and Higher Education Act 1992 as defined by section 72(3) of that Act, or
 - (e) any college, school, hall or other institution of a university which falls within paragraph (b).
- (2) In sub-paragraph (1)—
- (a) “governing body” is to be interpreted in accordance with subsection (1) of section 90 of the Further and Higher Education Act 1992 but without regard to subsection (2) of that section,
 - (b) in paragraph (a), the reference to an institution within the further education sector is to be construed in accordance with section 91(3) of the Further and Higher Education Act 1992,
 - (c) in paragraph (c), “higher education corporation” has the meaning given by section 90(1) of that Act, and
 - (d) in paragraph (e) “college” includes any institution in the nature of a college.

Annotations:

Marginal Citations

M66 1992 c. 13.

M67 1992 c. 13.

Northern Ireland

- 54 (1) The managers of—
- (a) a controlled school, voluntary school or grant-maintained integrated school within the meaning of Article 2(2) of the ^{M68}Education and Libraries (Northern Ireland) Order 1986, or
 - (b) a pupil referral unit as defined by Article 87(1) of the ^{M69}Education (Northern Ireland) Order 1998.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(2) In sub-paragraph (1) “managers” has the meaning given by Article 2(2) of the ^{M70}Education and Libraries (Northern Ireland) Order 1986.

Annotations:

Marginal Citations

M68 S.I. 1986/594 (N.I. 3).

M69 S.I. 1998/1759 (N.I. 13).

M70 S.I. 1986/594 (N.I. 3).

- 55 (1) The governing body of—
- (a) a university receiving financial support under Article 30 of the ^{M71}Education and Libraries (Northern Ireland) Order 1993,
 - (b) a college of education ^{F221}. . . or in respect of which grants are paid under Article 66(2) or (3) of the ^{M72}Education and Libraries (Northern Ireland) Order 1986, or
 - (c) an institution of further education within the meaning of the ^{M73}Further Education (Northern Ireland) Order 1997.
- (2) In sub-paragraph (1) “governing body” has the meaning given by Article 30(3) of the ^{M74}Education and Libraries (Northern Ireland) Order 1993.

Annotations:

Amendments (Textual)

F221 Words in [Sch. 1 para. 55\(1\)\(b\)](#) repealed (N.I.) (1.10.2005 or such later date as the Department may by order appoint) by [The Colleges of Education \(Northern Ireland\) Order 2005 \(S.I. 2005/1963 \(N.I. 13\)\)](#), arts. 1(3), 2(2), 14, [Sch. 3 para. 4](#), [Sch. 4](#)

Marginal Citations

M71 S.I. 1993/2810 (N.I. 12).

M72 S.I. 1986/594 (N.I. 3).

M73 S.I. 1997/1772 (N.I. 15).

M74 S.I. 1993/2810 (N.I. 12).

- 56 Any person providing further education to whom grants, loans or other payments are made under Article 5(1)(b) of the ^{M75}Further Education (Northern Ireland) Order 1997.

Annotations:

Marginal Citations

M75 S.I. 1997/1772 (N.I. 15).

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART V

POLICE

Annotations:

Modifications etc. (not altering text)

- C83** Sch. 1 Pt. V modified (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), **ss. 50**, 183(1)(5)(e); S.I. 2017/399, reg. 2, Sch. para. 10

England and Wales

[^{F222}57 A police and crime commissioner.]

Annotations:

Amendments (Textual)

- F222** Sch. 1 para. 57 substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 249**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 61)

Modifications etc. (not altering text)

- C84** Sch. 1 para. 57 excluded (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 2 para. 18**

[^{F223}58 The Mayor's Office for Policing and Crime.]

Annotations:

Amendments (Textual)

- F223** Sch. 1 para. 58 substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 249**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 61)

59 A chief officer of police of a police force in England or Wales.

Northern Ireland

60 The [^{F224}Northern Ireland Policing Board].

Annotations:

Amendments (Textual)

- F224** Words in entry in Sch. 1 Pt. V para. 60 substituted (4.11.2001) by virtue of 2000 c. 32, s. 74, **Sch. 6 para. 25(2)(a)**; S.R. 2001/396, art. 2, **Sch.**

61 The Chief Constable of the [^{F225}Police Service of Northern Ireland].

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F225 Words in entry in Sch. 1 Pt. V para. 61 substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 25(2)(b)**; S.R. 2001/396, **art. 2, Sch.**

Miscellaneous

62 The British Transport Police.

63 The Ministry of Defence Police established by section 1 of the ^{M76}Ministry of Defence Police Act 1987.

Annotations:

Marginal Citations

M76 1987 c. 4.

[^{F226}63A The Civil Nuclear Police Authority.

Annotations:

Amendments (Textual)

F226 Sch. 1 paras. 63A, 63B inserted (E.W.S.) (1.3.2005) by Energy Act 2004 (c. 20), ss. 51(2), 198(2), **Sch. 10 para. 18**; S.I. 2005/442, **art. 2(1)**, Sch. 1

63B The chief constable of the Civil Nuclear Constabulary.]

Annotations:

Amendments (Textual)

F226 Sch. 1 paras. 63A, 63B inserted (E.W.S.) (1.3.2005) by Energy Act 2004 (c. 20), ss. 51(2), 198(2), **Sch. 10 para. 18**; S.I. 2005/442, **art. 2(1)**, Sch. 1

64 Any person who—

- (a) by virtue of any enactment has the function of nominating individuals who may be appointed as special constables by justices of the peace, and
- (b) is not a public authority by virtue of any other provision of this Act,

in respect of information relating to the exercise by any person appointed on his nomination of the functions of a special constable.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART VI

OTHER PUBLIC BODIES AND OFFICES: GENERAL

Annotations:

Modifications etc. (not altering text)

C85 Sch. 1 Pt. VI modified (temp.) (1.4.2015) by [The Local Audit and Accountability Act 2014 \(Commencement No. 7, Transitional Provisions and Savings\) Order 2015 \(S.I. 2015/841\)](#), **Sch. para. 8**

[^{F227}The Adjudication Panel for Wales.]

F228
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[^{F229}The adjudicators appointed under section 25 of the School Standards and Framework Act 1998.]

The Administration of Radioactive Substances Advisory Committee.

F230
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F231
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F232
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The Advisory Board on Restricted Patients.

The Advisory Board on the Registration of Homoeopathic Products.

F233
...

[^{F234}The Advisory Committee on Clinical Excellence Awards.]

The Advisory Committee for Disabled People in Employment and Training.

The Advisory Committee for the Public Lending Right.

...

...

The Advisory Committee on Animal Feedingstuffs.

The Advisory Committee on Borderline Substances.

The Advisory Committee on Business and the Environment.

The Advisory Committee on Business Appointments.

The Advisory Committee on Conscientious Objectors.

...

The Advisory Committee on Dangerous Pathogens.

F235
...

F236
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The Advisory Committee on the Government Art Collection

F237
...

The Advisory Committee on Historic Wreck Sites.

An Advisory Committee on Justices of the Peace in England and Wales.

The Advisory Committee on the Microbiological Safety of Food.

...

The Advisory Committee on Novel Foods and Processes.

[^{F238}The Advisory Committee on Organic Standards.]

The Advisory Committee on Overseas Economic and Social Research.

The Advisory Committee on Packaging.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F239

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The Advisory Committee on Releases to the Environment.

[^{F240}The Advisory Committee on Statute Law.]

[^{F241}The Advisory Committee on Telecommunications for the Disabled and Elderly.]

F242

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The Advisory Council on the Misuse of Drugs.

The Advisory Council on Public Records.

The Advisory Group on Hepatitis.

[^{F243}The Advisory Council on Historical Manuscripts.]

[^{F244}The Advisory Council on National Records and Archives.]

[^{F245}The Advisory Group on Medical Countermeasures.]

[^{F246}The Advisory Panel on Beacon Councils.]

[^{F247}The Advisory Panel on Public Sector Information.]

The Advisory Panel on Standards for the Planning Inspectorate.

The Aerospace Committee.

An Agricultural Dwelling House Advisory Committee.

F248

...

An Agricultural Wages Committee.

The Agriculture and Environment Biotechnology Commission.

[^{F249}The Agriculture and Horticulture Development Board.]

The Airborne Particles Expert Group.

[^{F250}The Air Quality Expert Group.]

F251

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[^{F252}The All-Wales Medicines Strategy Group.]

F253

...

The Animal Procedures Committee.

The Animal Welfare Advisory Committee.

...

F254

...

[^{F255}The Architects Registration Board.]

The Armed Forces Pay Review Body.

[^{F256}The Arts and Humanities Research Council.]

The Arts Council of England.

The Arts Council of Wales.

[^{F257}An assessor appointed for the purposes of section 133 of the Criminal Justice Act 1988 in its application to England and Wales.]

The Audit Commission for Local Authorities and the National Health Service in England and Wales.

The Auditor General for Wales.

F258

...

The Bank of England [^{F259}(including the Bank in its capacity as the Prudential Regulation Authority)] , in respect of information held for purposes other than those of its functions with respect to—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) monetary policy,
- (b) financial operations intended to support financial institutions for the purposes of maintaining stability, and
- (c) the provision of private banking services and related services.

The Better Regulation Task Force.

[^{F260}The Big Lottery Fund]

The Biotechnology and Biological Sciences Research Council.

[^{F261}The Board of the Pension Protection Fund.]

^{F262} ...

The Britain-Russia Centre and East-West Centre.

The British Association for Central and Eastern Europe.

The British Broadcasting Corporation, in respect of information held for purposes other than those of journalism, art or literature.

The British Coal Corporation.

The British Council.

The British Educational Communications and Technology Agency.

The British Hallmarking Council.

The British Library.

The British Museum.

The British Pharmacopoeia Commission.

^{F263} ...

^{F264} ...

The British Tourist Authority.

[^{F265}The British Transport Police Authority.]

^{F266} ...

The British Wool Marketing Board.

The Broadcasting Standards Commission.

^{F267} ...

[^{F268}The Building Regulations Advisory Committee for England.]

[^{F269}The Building Regulations Advisory Committee for Wales.]

^{F270} ...

[^{F271} Canal & River Trust, in respect of information held by it relating to functions exercisable by it by virtue of the British Waterways Board (Transfer of Functions) Order 2012 ([S.I. 2012/1659](#)).]

[^{F272}The Care Council for Wales.]

[^{F273}The Care Quality Commission.]

The Central Advisory Committee on War Pensions.

^{F274} ...

^{F275} ...

The Central Rail Users' Consultative Committee.

[^{F276}The Certification Officer.]

The Channel Four Television Corporation, in respect of information held for purposes other than those of journalism, art or literature.

^{F277} ...

Status: This version of this Act contains provisions that are prospective.

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[^{F278}The chief inspector of constabulary appointed under section 54(1) of the Police Act 1996.]

[^{F279} The Chief Inspector of the UK Border Agency.]

[^{F280}The Child Maintenance and Enforcement Commission.]

F281
...

The Children and Family Court Advisory and Support Service.

[^{F282}The Children's Commissioner.]

[^{F283}The Children's Commissioner for Wales.]

The Civil Aviation Authority.

The Civil Justice Council.

The Civil Procedure Rule Committee.

The Civil Service Appeal Board.

[^{F284}The Civil Service Commission]

The Coal Authority.

[^{F285}The College of Policing.]

[^{F286}Comisiynydd y Gymraeg (The Welsh Language Commissioner).]

The Commission for Architecture and the Built Environment.

[^{F287}The Commission for Equality and Human Rights.]

F288
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F289
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[^{F290}The Commission on Human Medicines.]

[^{F291}The Commission for Integrated Transport.]

The Commission for Local Administration in England.

F292
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[^{F296}The Commissioner for Older People in Wales]

The Commissioner for Public Appointments.

[^{F297}The Commissioner for Victims and Witnesses.]

[^{F298}The Commissioners of Northern Lighthouses.]

F299
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F300
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F301
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The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment.

...

[^{F302}The Committee on Climate Change.]

F303
...

The Committee on Medical Aspects of Radiation in the Environment.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment.

[^{F304}The Committee on Radioactive Waste Management.]

[^{F305}The Committee on Safety of Devices.]

The Committee on Standards in Public Life.

The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment.

The Committee on the Medical Effects of Air Pollutants.

F306
...

The Commonwealth Scholarship Commission in the United Kingdom.

[^{F307}Communications for Business.]

The Community Development Foundation.

F308
...

[^{F309}The Competition Service.]

[^{F310}Compliance Officer for the Independent Parliamentary Standards Authority.]

[^{F311}The Comptroller and Auditor General.]

[^{F312}A conservation board established under section 86 of the Countryside and Rights of Way Act 2000.]

The Construction Industry Training Board.

Consumer Communications for England.

[^{F313}The Consumer Council for Postal Services.]

[^{F314}The Consumer Council for Water]

...

[^{F315}The Consumer Panel established under section 16 of the Communications Act 2003.]

...

F316
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F317
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F318
...

The Council for Science and Technology.

F319
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F320
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F321
...

The Covent Garden Market Authority.

The Criminal Cases Review Commission.

F322
...

[^{F323}The Criminal Injuries Compensation Authority.]

The Criminal Justice Consultative Council.

[^{F324}The Criminal Procedure Rule Committee.]

F325
...

The Dartmoor Steering Group and Working Party.

The Darwin Advisory Committee.

The Defence Nuclear Safety Committee.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Defence Scientific Advisory Council.

The Design Council.

...

The Diplomatic Service Appeal Board.

[^{F326}The Director of Fair Access to Higher Education.]

[^{F327}The Director General of the Independent Office for Police Conduct.]

[^{F328}Director of Labour Market Enforcement]

[^{F329}The Disability Employment Advisory Committee.]

F330
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...

The Disabled Persons Transport Advisory Committee.

[^{F331}The Disclosure and Barring Service.]

[^{F332}The Distributed Generation Co-Ordinating Group.]

[^{F333}The East of England Industrial Development Board.]

The Economic and Social Research Council.

...

[^{F334}The Electoral Commission.]

...

The Engineering Construction Industry Training Board.

The Engineering and Physical Sciences Research Council.

F335
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...

The English Sports Council.

The English Tourist Board.

The Environment Agency.

F336
...

[^{F337}Equality 2025.]

[^{F338}The Ethnic Minority Business Forum.]

The Expert Advisory Group on AIDS.

F339
...

An Expert Panel on Air Quality Standards.

The Export Guarantees Advisory Council.

[^{F340}The Family Justice Council.]

[^{F341}The Family Procedure Rule Committee.]

The Family Proceedings Rules Committee.

The Farm Animal Welfare Council.

[^{F342}The Film Industry Training Board for England and Wales.]

[^{F343}The Financial Conduct Authority.]

[^{F344}The Financial Reporting Advisory Board.]

F345
...

The Fire Services Examination Board.

The Firearms Consultative Committee.

F346
...

Status: This version of this Act contains provisions that are prospective.

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F347

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F348

...

The Fuel Cell Advisory Panel.

[^{F349}The Fuel Poverty Advisory Group.]

...

[^{F350}The Gaelic Media Service, in respect of information held for purposes other than those of journalism, art or literature.]

[^{F351}Gambling Commission]

[^{F352}Gangmasters and Labour Abuse Authority]

[^{F353}The Gas and Electricity Consumer Council.]

...

The Gene Therapy Advisory Committee.

The General Chiropractic Council.

The General Dental Council.

The General Medical Council.

[^{F354}The General Optical Council.]

The General Osteopathic Council.

[^{F355}The General Pharmaceutical Council.]

F356

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F357

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[^{F358}The General Teaching Council for Wales.]

F359

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The Government Hospitality Advisory Committee for the Purchase of Wine.

The Government Chemist.

[^{F360}The Government-Industry Forum on Non-Food Use of Crops.]

The Great Britain-China Centre.

[^{F361}Groceries Code Adjudicator.]

F362

...

The Health and Safety Executive.

[^{F363}The Health and Care Professions Council]

[^{F364}The Health and Social Care Information Centre.]

F365

...

[^{F366}The Health Research Authority.]

The Health Service Commissioner for England.

...

F367

...

[^{F368}Her Majesty's Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru].

[^{F369}Her Majesty's Chief Inspector of Prisons.]

[^{F370}Her Majesty's Commissioners for Judicial Appointments.]

[^{F371}Her Majesty's Inspectorate of Probation for England and Wales.]

[^{F372}The Herbal Medicines Advisory Committee.]

Status: This version of this Act contains provisions that are prospective.

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The Higher Education Funding Council for England.

The Higher Education Funding Council for Wales.

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F373

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The Historic Buildings and Monuments Commission for England.

The Historic Royal Palaces Trust.

...

[^{F374}The Homes and Communities Agency.]

...

The Horserace Betting Levy Board.

The Horserace Totalisator Board.

...

Horticulture Research International.

The House of Lords Appointments Commission.

Any housing action trust established under Part III of the ^{M77}Housing Act 1988.

F375

...

The Human Fertilisation and Embryology Authority.

The Human Genetics Commission.

[^{F376}The Human Tissue Authority.]

The Immigration Services Commissioner.

The Imperial War Museum.

[^{F377}The Independent Advisory Committee on Development Impact.]

[^{F378}The Independent Advisory Group on Teenage Pregnancy.]

[^{F379}The Independent Anti-slavery Commissioner]

The Independent Board of Visitors for Military Corrective Training Centres.

The Independent Case Examiner for the Child Support Agency.

[^{F380}The Independent Groundwater Complaints Administrator.]

The Independent Living Funds.

[^{F381}Any Independent Monitoring Board established under section 6(2) of the Prison Act 1952.]

[^{F327}The Independent Office for Police Conduct.]

[^{F382}The Independent Parliamentary Standards Authority.]

F383

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F384

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[^{F385}The Independent Remuneration Panel for Wales.]

[^{F386}The Independent Review Panel for Advertising.]

[^{F387}The Independent Review Panel for Borderline Products.]

F388

...

[^{F389}The Independent Scientific Group on Cattle Tuberculosis.]

The Independent Television Commission.

...

The Industrial Development Advisory Board.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Industrial Injuries Advisory Council.
The Information Commissioner.
F390 ...
F391 ...
The Insolvency Rules Committee.
[^{F392}The Institute for Apprenticeships.]
[^{F393}The Insurance Brokers Registration Council.]
[^{F394}The Integrated Administration and Controls System Appeals Panel.]
[^{F395}The Intellectual Property Advisory Committee.]
Investors in People UK.
The Joint Committee on Vaccination and Immunisation.
The Joint Nature Conservation Committee.
The Joint Prison/Probation Accreditation Panel.
[^{F396}The Judicial Appointments and Conduct Ombudsman.]
[^{F397}The Judicial Appointments Commission.]
The Judicial Studies Board.
F398 ...
The Land Registration Rule Committee.
The Law Commission.
F399 ...
[^{F400}The Legal Deposit Advisory Panel]
[^{F401}The Legal Services Board.]
F402 ...
F403 ...
F404 ...
F405 ...
F406 ...
F407 ...
[^{F408}The Local Government Boundary Commission for England.]
The Local Government Boundary Commission for Wales.
F409 ...
A local probation board established under section 4 of the Criminal Justice and Court Services Act 2000.
[^{F410}The London and South East Industrial Development Board.]
The London Pensions Fund Authority.
The Low Pay Commission.
F411 ...
[^{F412}The Marine Management Organisation.]
The Marshall Aid Commemoration Commission.
The Measurement Advisory Committee.
...
...

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Medical Research Council.

...

F413 ...

[^{F414}The Migration Advisory Committee.]

...

F415 ...

[^{F416}Monitor.]

The Museum of London.

The National Army Museum.

[^{F417}The National Assembly for Wales Remuneration Board.]

[^{F418}The National Association of Citizens Advice [^{F419}Bureaux—

(a)] in respect of information relating to the function exercisable by virtue of article 2 of the Public Bodies (The Office of Fair Trading Transfer of Consumer Advice Scheme Function and Modification of Enforcement Functions) Order 2013 [S.I. 2013/783](#) .]

[^{F420} (b) in respect of information relating to the functions transferred to it by Article 3(1) (a), (b) or (c) of the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631).]

^{F421}The National Audit Office.

F422 ...

F423 ...

F424 ...

[^{F425}The National Consumer Council.]

F426 ...

F427 ...

[^{F428}The National DNA Database Ethics Group.]

The National Employers’ Liaison Committee.

[^{F429}The National Employment Panel.]

[^{F430}The National Employment Savings Trust Corporation.]

F431 ...

...

[^{F432}The National Forest Company.]

The National Gallery.

The National Heritage Memorial Fund.

F433 ...

F434 ...

[^{F435}The National Institute for Health and Care Excellence.]

The National Library of Wales.

...

F436 ...

The National Maritime Museum.

The National Museum of Science and Industry.

Status: This version of this Act contains provisions that are prospective.

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The National Museums and Galleries of Wales.
The National Museums and Galleries on Merseyside.
[^{F437}The National Non-Food Crops Centre.]
F438
...
The National Portrait Gallery.
F439
...
[^{F440}Natural England.]
The Natural Environment Research Council.
The Natural History Museum.
[^{F441}The Natural Resources Body for Wales.]
The New Deal Task Force.
F442
...
F443 [The NHS Pay Review Body.]
[^{F444}The North East Industrial Development Board.]
[^{F445}The Northern Ireland Judicial Appointments Ombudsman.]
[^{F446}The North West Industrial Development Board.]
[^{F447}The Nuclear Decommissioning Authority.]
[^{F448}The Nuclear Research Advisory Council.]
[^{F449}The Nursing and Midwifery Council.]
F450
...
[^{F451}The Office for Budget Responsibility.]
[^{F452}The Office of Communications.]
F453
...
F454
...
[^{F455}The Office for Legal Complaints.]
[^{F456}The Office of Manpower Economics.]
[^{F457}The Office for Nuclear Regulation.]
[^{F458}The Office of the Renewable Fuels Agency.]
[^{F459}The Office of Tax Simplification.]
F460
...
The Oil and Pipelines Agency.
F461
...
[^{F462}The Olympic Lottery Distributor]
[^{F463}The Olympic Park Legacy Company.]
[^{F464}The Ombudsman for the Board of the Pension Protection Fund.]
The OSO Board.
F465
...
The Panel on Standards for the Planning Inspectorate.
The Parliamentary Boundary Commission for England.
The Parliamentary Boundary Commission for Scotland.
The Parliamentary Boundary Commission for Wales.
The Parliamentary Commissioner for Administration.

Status: This version of this Act contains provisions that are prospective.

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The Parole Board.

F466
...

F467
...

[^{F468}The Passengers' Council.]

[^{F469}The Payment Systems Regulator established under section 40 of the Financial Services (Banking Reform) Act 2013.]

F470
...

The Pensions Ombudsman.

[^{F471}The Pensions Regulator.]

F472
...

[^{F473}The Pesticide Residues Committee.]

[^{F474}The Pesticides Forum.]

...

...

F475
...

[^{F476}The Police Advisory Board for England and Wales.]

F477
...

F478
...

[^{F480}The Police Remuneration Review Body.]

The Political Honours Scrutiny Committee.

F481
...

...

...

F482
...

[^{F483}The Prison Service Pay Review Body.]

[^{F484}The Prisons and Probation Ombudsman for England and Wales.]

[^{F485}A probation trust.]

[^{F486}The Professional Standards Authority for Health and Social Care]

...

F487
...

[^{F488}The Public Private Partnership Agreement Arbitrator.]

[^{F489}The Public Services Ombudsman for Wales]

[^{F490}Pubs Code Adjudicator.]

F491
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F492
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[^{F493}Qualifications Wales.]

The Race Education and Employment Forum.

The Race Relations Forum.

The Radio Authority.

The Radioactive Waste Management Advisory Committee.

F494
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F495
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Status: This version of this Act contains provisions that are prospective.

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A Regional Cultural Consortium.

F496 F497
... ..

[^{F498}Any Regional Flood and Coastal Committee.]

[^{F499}The Registrar of Consultant Lobbyists]

[^{F500}The Registrar General for England and Wales.]

...

F501
...

[^{F502}The Regulator of Community Interest Companies.]

Remploy Ltd.

The Renewable Energy Advisory Committee.

F503
...

Resource: The Council for Museums, Archives and Libraries.

F504
...

F505
...

The Review Body on Doctors and Dentists Remuneration.

The Reviewing Committee on the Export of Works of Art.

The Royal Air Force Museum.

The Royal Armouries.

The Royal Botanic Gardens, Kew.

[^{F506}The Royal College of Veterinary Surgeons, in respect of information held by it otherwise than as a tribunal.]

The Royal Commission on Ancient and Historical Monuments of Wales.

The Royal Commission on Environmental Pollution.

The Royal Commission on Historical Manuscripts.

[^{F507}The Royal Hospital at Chelsea.]

...

The Royal Mint Advisory Committee on the Design of Coins, Medals, Seals and Decorations.

F508
...

The School Teachers' Review Body.

[^{F509}The Science Advisory Council.]

[^{F510}The Science and Technology Facilities Council.]

[^{F511}The Scientific Advisory Committee on Nutrition.]

The Scientific Committee on Tobacco and Health.

F512
...

F513
...

F514
...

The Sea Fish Industry Authority.

[^{F515}The Security Industry Authority]

The Senior Salaries Review Body.

[^{F516}The Sentencing Council for England and Wales.]

F517
...

...

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F518

...

Sianel Pedwar Cymru, in respect of information held for purposes other than those of journalism, art or literature.

[^{F519}The Single Source Regulations Office.]

Sir John Soane's Museum.

...

[^{F520}Small Business Commissioner.]

[^{F521}The Small Business Council.]

[^{F522}The Small Business Investment Task Force.]

[^{F523}The Social Care Institute for Excellence.]

F524

...

[^{F525}The Social Mobility and Child Poverty Commission]

The Social Security Advisory Committee.

F526

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[^{F527}The South West Industrial Development Board.]

F528

...

The Spongiform Encephalopathy Advisory Committee.

The Sports Council for Wales.

[^{F529}The Sports Grounds Safety Authority.]

F530

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The Standing Advisory Committee on Industrial Property.

The Standing Advisory Committee on Trunk Road Assessment.

The Standing Dental Advisory Committee.

...

...

...

[^{F531}The Statistics Commission.]

The Steering Committee on Pharmacy Postgraduate Education.

[^{F532}The Strategic Investment Board.]

F533

...

The subsidence adviser appointed under section 46 of the ^{M78} Coal Industry Act 1994.

The Substance Misuse Advisory Panel.

The Sustainable Development Commission.

...

[^{F534}The Sustainable Energy Policy Advisory Board.]

The Tate Gallery.

[^{F535}The TB Advisory Group]

F536

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[^{F537}The Technical Advisory Board.]

[^{F538}The Technology Strategy Board.]

The Theatres Trust.

[^{F539}A traffic commissioner, in respect of information held by the commissioner otherwise than as a tribunal]

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F540

...

The Treasure Valuation Committee.

[^{F541}The Tribunal Procedure Committee.]

[^{F542}The trustee corporation established by section 75 of the Pensions Act 2008.]

The UK Advisory Panel for Health Care Workers Infected with Bloodborne Viruses.

[^{F543} The UK Chemicals Stakeholder Forum.]

[^{F544} The UK Commission for Employment and Skills]

The UK Sports Council.

The United Kingdom Atomic Energy Authority.

F545

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F546

...

[^{F547}The University for Industry.]

The Unlinked Anonymous Serosurveys Steering Group.

The Unrelated Live Transplant Regulatory Authority.

...

[^{F548}The Valuation Tribunal Service.]

[^{F549}The verderers of the New Forest, in respect of information held by them otherwise than as a tribunal.]

The Veterinary Products Committee.

[^{F550}The Veterinary Residues Committee.]

The Victoria and Albert Museum.

[^{F551}The Wales Audit Office.]

[^{F552}The Wales Centre for Health.]

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F553

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The Wallace Collection.

The War Pensions Committees.

F554

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F555

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F556

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The Welsh Committee for Professional Development of Pharmacy.

F557

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The Welsh Dental Committee.

F558

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The Welsh Industrial Development Advisory Board.

F559

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The Welsh Medical Committee.

F560

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The Welsh Nursing and Midwifery Committee.

The Welsh Optometric Committee.

The Welsh Pharmaceutical Committee.

The Welsh Scientific Advisory Committee.

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The Westminster Foundation for Democracy.

[^{F561}The West Midlands Industrial Development Board.]

The Wilton Park Academic Council.

F562

...

The Women's National Commission.

[^{F563}The Yorkshire and the Humber and the East Midlands Industrial Development Board.]

F564

...

The Youth Justice Board for England and Wales.

The Zoos Forum.

Annotations:

Amendments (Textual)

- F227** Sch. 1 Pt. VI: entry added (11.11.2002) by [The Freedom of Information \(Additional Public Authorities\) Order 2002 \(S.I. 2002/2623\)](#), art. 2, **Sch. 1**
- F228** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of [The Freedom of Information \(Removal of References to Public Authorities\) Order 2010 \(S.I. 2010/939\)](#), arts. 1(2), 2, **Sch. Pt. 1**
- F229** Sch. 1 Pt. 6: entry inserted (1.10.2011) by [The Freedom of Information \(Additional Public Authorities\) Order 2011 \(S.I. 2011/1041\)](#), art. 2(1), **Sch. 1 Pt. 1**
- F230** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of [The Public Bodies \(Abolition of Administrative Justice and Tribunals Council\) Order 2013 \(S.I. 2013/2042\)](#), art. 1(2), **Sch. para. 22(a)**
- F231** Sch. 1 Pt. VI: entry repealed (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 184, 188(3), Sch. 14 para. 69(3), **Sch. 18 Pt. 5**; S.I. 2007/935, **art. 5(w)(z)(gg)(ii)**
- F232** Sch. 1 Pt. VI: entry removed (11.8.2003) by virtue of [The Freedom of Information \(Removal of References to Public Authorities\) Order 2003 \(S.I. 2003/1883\)](#), **art. 2**, Sch.
- F233** Sch. 1 Pt. VI: entries removed (29.6.2004) by virtue of [The Freedom of Information \(Removal of References to Public Authorities\) Order 2004 \(S.I. 2004/1641\)](#), **art. 2**, Sch. 1
- F234** Sch. 1 Pt. 6: entry inserted (1.10.2011) by [The Freedom of Information \(Additional Public Authorities\) Order 2011 \(S.I. 2011/1041\)](#), art. 2(1), **Sch. 1 Pt. 1**
- F235** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of [The Freedom of Information \(Removal of References to Public Authorities\) Order 2011 \(S.I. 2011/1042\)](#), art. 2(1), **Sch. Pt. 1**
- F236** Sch. 1 Pt. 6: entry omitted (1.4.2009) by virtue of [The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 \(S.I. 2009/56\)](#), art. 3, **Sch. 1 para. 296(a)**
- F237** Words in Sch. 1 Pt. VI repealed (22.7.2012) by [The Advisory Committee on Hazardous Substances \(Abolition\) Order 2012 \(S.I. 2012/1923\)](#), art. 1(2), **Sch.**
- F238** Sch. 1 Pt. VI: entry added (19.4.2004) by [The Freedom of Information \(Additional Public Authorities\) Order 2004 \(S.I. 2004/938\)](#), art. 3, **Sch. 2**
- F239** Words in Sch. 1 Pt. VI repealed (27.3.2015) by [The Public Bodies \(Abolition of the Advisory Committees on Pesticides\) Order 2015 \(S.I. 2015/978\)](#), art. 1(2), **Sch. Pt. 1**
- F240** Sch. 1 Pt. VI: entry added (19.4.2004) by [The Freedom of Information \(Additional Public Authorities\) Order 2004 \(S.I. 2004/938\)](#), art. 3, **Sch. 2**
- F241** Sch. 1 Pt. VI: entry inserted (11.8.2003) by [The Freedom of Information \(Additional Public Authorities\) Order 2003 \(S.I. 2003/1882\)](#), art. 2, **Sch. 1**
- F242** Words in Sch. 1 Pt. VI omitted (17.3.2015) by virtue of [The Public Bodies \(Abolition of the Library Advisory Council for England\) Order 2015 \(S.I. 2015/850\)](#), arts. 1(2), **3(3)**
- F243** Sch. 1 Pt. VI: entry inserted (11.8.2003) by [The Freedom of Information \(Additional Public Authorities\) Order 2003 \(S.I. 2003/1882\)](#), art. 2, **Sch. 1**
- F244** Sch. 1 Pt. VI: entry inserted (11.8.2003) by [The Freedom of Information \(Additional Public Authorities\) Order 2003 \(S.I. 2003/1882\)](#), art. 2, **Sch. 1**
- F245** Sch. 1 Pt. VI: entry inserted (11.8.2003) by [The Freedom of Information \(Additional Public Authorities\) Order 2003 \(S.I. 2003/1882\)](#), art. 2, **Sch. 1**

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- F246** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F247** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F248** Words in Sch. 1 Pt. VI repealed (25.6.2013) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(2))
- F249** Sch. 1 Pt. VI: entry inserted (29.2.2008) by The Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/576), art. 18, **Sch. 5 para. 5**
- F250** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F251** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 1(b)** (with Sch. 20 para. 4); S.I. 2012/1319, art. 2(3)
- F252** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F253** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Ancient Monuments Board for Wales (Abolition) Order 2006 (S.I. 2006/64), **art. 3(1)(b)(iii)**
- F254** Words in Sch. 1 Pt. VI omitted (31.10.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 5(1)(c)**; S.I. 2012/1831, art. 2(3)
- F255** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F256** Sch. 1 Pt. VI: entry inserted (16.12.2004) by Higher Education Act 2004 (c. 8), ss. 49, 52(2), **Sch. 6 para. 10**; S.I. 2004/3255, **art. 2**
- F257** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F258** Sch. 1 Pt. VI: entry repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(f)(vii)**
- F259** Words in Sch. 1 Pt. VI inserted (1.3.2017) by The Bank of England and Financial Services (Consequential Amendments) Regulations 2017 (S.I. 2017/80), reg. 1, **Sch. para. 10(b)**
- F260** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F261** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, **art. 2(7)**, Sch. Pt. 7 (subject to art. 2(12))
- F262** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), **Sch. 5 Pt. 2**; S.I. 2007/3001, **art. 2(1)(p)(t)(v)**
- F263** Sch. 1 Pt. VI: entries repealed (1.4.2008) by The Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/576), art. 18, **Sch. 5 para. 7** (with Sch. 4 para. 10)
- F264** Sch. 1 Pt. VI: entry omitted (22.3.2013) by virtue of The Public Bodies (Abolition of British Shipbuilders) Order 2013 (S.I. 2013/687), art. 1(2), **Sch. 1 para. 14**
- F265** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F266** Sch. 1 Pt. VI: entry omitted (2.7.2012) by virtue of The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 15(2)(a)** (with arts. 4-6)
- F267** Sch. 1 Pt. 6: entry omitted (31.12.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(3), 2, **Sch. Pt. 2**
- F268** Sch. 1 Pt. 6: entry inserted (31.12.2011) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 2**
- F269** Sch. 1 Pt. 6: entry inserted (31.12.2011) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 2**
- F270** Sch. 1 Pt. VI: entry removed (7.2.2006) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2005 (S.I. 2005/3594), art. 2, **Sch. 1**
- F271** Words in Sch. 1 Pt. VI inserted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 15(2)(b)** (with arts. 4-6)

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- F272** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F273** Sch. 1 Pt. VI: entry inserted (1.10.2008) by Health and Social Care Act 2008 (c. 14), ss. 95, 170, **Sch. 5 para. 73(b)**; S.I. 2008/2497, art. 2(**q**)(viii)
- F274** Sch. 1 Pt. VI: entry repealed (1.4.2002) by The Abolition of the Central Council for Education and Training in Social Work Order 2002 (S.I. 2002/797), art. 2(**c**)
- F275** Sch. 1 Pt. VI: entry repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(**o**)(**q**) (subject to arts. 6, 7)
- F276** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F277** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F278** Words in Sch. 1 Pt. VI inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 87, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F279** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F280** Words in Sch. 1 Pt. VI inserted (10.6.2008 for specified purposes and 24.7.2008 otherwise) by Child Maintenance and Other Payments Act 2008 (c. 6), ss. 1, 62, **Sch. 1 para. 29**; S.I. 2008/1476, art. 2(**1**); S.I. 2008/2033, art. 2(**1**)
- F281** Words in Sch. 1 Pt. VI repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), s. 150(2)(j), **Sch. 13 para. 17(a)**
- F282** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F283** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F284** Sch. 1 Pt. 6: entry substituted (11.11.2010) by Constitutional Reform and Governance Act 2010 (c. 25), ss. 19, 52(2), **Sch. 2 para. 12**; S.I. 2010/2703, art. 2(**a**)
- F285** Words in Sch. 1 Pt. VI inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 92** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(g)
- F286** Words in Sch. 1 Pt. VI inserted (1.4.2012) by The Welsh Language (Wales) Measure 2011 (Transfer of functions, Transitional and Consequential Provisions) Order 2012 (S.I. 2012/990), arts. 1(2), **8**
- F287** Sch. 1 Pt. VI: entry inserted (18.4.2006) by Equality Act 2006 (c. 3), ss. 2, 93, **Sch. 1 para. 48** (with s. 92); S.I. 2006/1082, art. 2(**a**)(**l**)
- F288** Sch. 1 Pt. VI: entry repealed (1.4.2004 for E.W.) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 196, 199, **Sch. 14 Pt. 2**; S.I. 2004/759, art. 13
- F289** Sch. 1 Pt. VI: entry repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), ss. 95, 166, 170, Sch. 5 para. 73(a), **Sch. 15 Pt. 1**; S.I. 2009/462, art. 2, Sch. 1 para. 36
- F290** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F291** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F292** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, art. 5(**1**) (with art. 5(2), Sch. 2)
- F293** Sch. 1 Pt. 6: entry repealed (1.4.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 321(1), 325, Sch. 8 para. 77(3), **Sch. 16**; S.I. 2009/803, arts. 1(2), 3(2)(3), **10**
- F294** Sch. 1 Pt. VI: entry repealed (1.10.2007) by Equality Act 2006 (c. 3), ss. 40, 91, 93(1), Sch. 3 para. 60, **Sch. 4** (with s. 92); S.I. 2007/2603, art. 2(**a**)(**d**) (subject to art. 3)
- F295** Words in Sch. 1 Pt. VI repealed (1.4.2013) by The Public Bodies (Abolition of the Commission for Rural Communities) Order 2012 (S.I. 2012/2654), art. 1(4), **Sch.**
- F296** Sch. 1 Pt. VI: entry inserted (14.10.2006) by Commissioner for Older People (Wales) Act 2006 (c. 30), ss. 1(2), 23, **Sch. 1 para. 21(b)**; S.I. 2006/2699, art. 2
- F297** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**

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- F298** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F299** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F300** Sch. 1 Pt. VI: entry repealed (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105, 107, Sch. 11 para. 153(3), {Sch. 12}; S.I. 2006/2541, **art. 2**
- F301** Words in Sch. 1 Pt. VI repealed (23.4.2014) by The Public Bodies (Abolition of the Committee on Agricultural Valuation) Order 2014 (S.I. 2014/1068), arts. 1(2), **3(2)**
- F302** Sch. 1 Pt. VI: entry inserted (26.11.2008) by Climate Change Act 2008 (c. 27), ss. 32, 100, **Sch. 1 para. 33**
- F303** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F304** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F305** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F306** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F307** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F308** Words in Sch. 1 Pt. VI omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 147** (with art. 3)
- F309** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F310** Sch. 1 Pt. 6: entry inserted (19.4.2010) by Parliamentary Standards Act 2009 (c. 13), Sch. 2 para. 11 (as substituted by Constitutional Reform and Governance Act 2010 (c. 25), ss. 26, 52(2), **Sch. 3**; S.I. 2010/1277, **art. 2(c)**)
- F311** Words in Sch. 1 Pt. VI inserted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 23(1)(a)**; S.I. 2011/2576, art. 5
- F312** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F313** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F314** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F315** Sch. 1 Pt. VI: entry inserted (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(1)(7), 411(2), **Sch. 17 para. 164** (with Sch. 18); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F316** Sch. 1 Pt. VI: entry omitted by virtue of The Health Professions Order 2001 (S.I. 2002/254), art. 48(3), **Sch. 4 para. 9** (with art. 3(19)) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F317** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F318** Words in Sch. 1 Pt. VI omitted (1.12.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 69(1)(d)**; S.I. 2012/2657, art. 2(3)
- F319** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 146, 148, **Sch. 23 Pt. 1**; S.I. 2007/2709, **art. 3(d)(vii)**
- F320** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 399(2)** (with Sch. 7)
- F321** Words in Sch. 1 Pt. VI repealed (2.5.2012) by The Public Bodies (Abolition of Courts Boards) Order 2012 (S.I. 2012/1206), art. 1(2), **Sch. para. 2**
- F322** Sch. 1 Pt. VI: entry omitted (3.11.2008) by virtue of The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 188**

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- F323** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F324** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F325** Sch. 1 Pt. VI: entry repealed (18.9.2012) by The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012 (S.I. 2012/2398), art. 1(2), **Sch. 1 para. 8**
- F326** Sch. 1 Pt. VI: entry inserted (1.7.2004) by Higher Education Act 2004 (c. 8), ss. 49, 52(1), **Sch. 6 para. 10**
- F327** Words in Sch. 1 Pt. VI inserted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 66**
- F328** Words in Sch. 1 Pt. VI inserted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 9(a)**; S.I. 2016/603, reg. 3(u)
- F329** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F330** Words in Sch. 1 Pt. VI repealed (7.2.2013) by The Public Bodies (Abolition of the Disability Living Allowance Advisory Board) Order 2013 (S.I. 2013/252), art. 1(2), **Sch. Pt. 1**
- F331** Words in Sch. 1 Pt. VI inserted (15.10.2012) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 133** (with s. 97); S.I. 2012/2521, art. 2(e)
- F332** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F333** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F334** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F335** Sch. 1 Pt. VI: entry omitted (coming into force in accordance with art. 1(2)(3)) by virtue of The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(a)** (with art. 3(18))
- F336** Sch. 1 Pt. VI: entry repealed (1.10.2007) by Equality Act 2006 (c. 3), ss. 40, 91, 93(1), Sch. 3 para. 60, **Sch. 4** (with s. 92); S.I. 2007/2603, **art. 2(a)(d)** (subject to art. 3)
- F337** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F338** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F339** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F340** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F341** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F342** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F343** Sch. 1 Pt. VI: entries inserted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 91(b)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F344** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F345** Sch. 1 Pt. VI entry omitted (1.4.2013) by virtue of Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 91(a)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F346** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F347** Sch. 1 Pt. VI: entry repealed (18.7.2014) by The Public Bodies (Abolition of Food from Britain) Order 2014 (S.I. 2014/1924), art. 1(3), **Sch.**
- F348** Sch. 1 Pt. 6: entry repealed (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), ss. 6, 8(1), Sch. 2 para. 8, **Sch. 3**; S.I. 2011/2597, **art. 2**

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- F349** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F350** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F351** Sch. 1 Pt. VI: entry for "Gambling Commission" substituted (1.10.2005) for entry for "Gaming Board of Great Britain" by Gambling Act 2005 (c. 19), ss. 356(1), 358(1), **Sch. 16 para. 16** (with ss. 352, 354, Sch. 16 para. 21); S.I. 2005/2455, **art. 2(1)**, Sch.
- F352** Words in Sch. 1 Pt. VI substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 9(b)**; S.I. 2016/603, reg. 3(u)
- F353** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F354** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F355** Sch. 1 Pt. 6: entry inserted (27.9.2010) by The Pharmacy Order 2010 (S.I. 2010/231), arts. 1(5), 68, **Sch. 4 para. 9(a)**; S.I. 2010/1621, **art. 2(1)**, Sch.
- F356** Words in Sch. 1 Pt. VI omitted (1.8.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 50(e)**; S.I. 2012/1319, art. 2(4)
- F357** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 2 para. 25**; S.I. 2012/924, art. 2
- F358** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F359** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F360** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F361** Words in Sch. 1 Pt. VI inserted (25.6.2013) by Groceries Code Adjudicator Act 2013 (c. 19), **ss. 21(3), 25**; S.I. 2013/1236, art. 2
- F362** Sch. 1 Pt. VI: entry omitted (1.4.2008) by virtue of The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 22, **Sch. 3**
- F363** Words in Sch. 1 Pt. VI substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 56(a)**; S.I. 2012/1319, art. 2(4)
- F364** Words in Sch. 1 Pt. VI inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 19 para. 8**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F365** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 7 para. 10**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F366** Words in Sch. 1 Pt. VI inserted (1.1.2015) by Care Act 2014 (c. 23), s. 127(1), **Sch. 7 para. 26**; S.I. 2014/2473, art. 5(m)
- F367** Sch. 1 Pt. VI: entry repealed (1.8.2010) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 2**; S.I. 2010/708, **art. 4(2)(d)(vii)**
- F368** Sch. 1 Pt. VI: entry substituted (1.1.2001) by virtue of 2000 c. 21, s. 73(3)(a); S.I. 2000/3230, art. 2, **Sch.**
- F369** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F370** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F371** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F372** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F373** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Historic Buildings Council for Wales (Abolition) Order 2006 (S.I. 2006/63), **art. 3(1)(c)(iii)**
- F374** Sch. 1 Pt. VI: entry inserted (8.9.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325, **Sch. 8 para. 77(2)**; S.I. 2008/2358, **art. 2(1)(2)**

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- F375** Sch. 1 Pt. 6: entry repealed (1.4.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 277, 321(1), 325, Sch. 9 para. 28(3), **Sch. 16**; S.I. 2009/803, arts. 1(2), 8(1)(2), **10**
- F376** Sch. 1 Pt. VI: entry inserted (1.4.2005) by Human Tissue Act 2004 (c. 30), ss. 13(2), 60(2), **Sch. 2 para. 27** (with s. 37(7)); S.I. 2005/919, **art. 3**, Sch. (with art. 2)
- F377** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F378** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F379** Words in Sch. 1 Pt. VI inserted (31.7.2015) by Modern Slavery Act 2015 (c. 30), **ss. 40(9)**, 61(1); S.I. 2015/1476, reg. 2(c)
- F380** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F381** Sch. 1 Pt. VI: entry inserted (1.11.2007) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), **Sch. 3 para. 10**; S.I. 2007/3001, **art. 2(1)(p)(r)**
- F382** Sch. 1 Pt. VI: entry inserted (12.10.2009) by Parliamentary Standards Act 2009 (c. 13), ss. 3, 14(2)(3), **Sch. 1 para. 27(1)** (with ss. 1, 2(1)); S.I. 2009/2500, **art. 2(d)**
- F383** Words in Sch. 1 Pt. VI omitted (31.1.2017 for specified purposes) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 66**
- F384** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 13 para. 7(b)**; S.I. 2012/1319, art. 2(3)
- F385** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F386** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F387** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F388** Words in Sch. 1 Pt. VI omitted (1.12.2012) by virtue of The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **17** (with Pt. 4)
- F389** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F390** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 13 para. 78, **Sch. 25 Pt. 20**; S.I. 2012/628, art. 7
- F391** Words in Sch. 1 Pt. VI repealed (2.7.2012) by The Inland Waterways Advisory Council (Abolition) Order 2012 (S.I. 2012/1658), arts. 1(b), 5, **Sch.**
- F392** Words in Sch. 1 Pt. VI inserted (1.4.2017) by Enterprise Act 2016 (c. 12), s. 44(5), **Sch. 4 para. 11**; S.I. 2017/346, reg. 2(a)
- F393** Sch. 1 Pt. VI: entry omitted (30.4.2001) by virtue of S.I. 2001/1283, **art. 3(7)**
- F394** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F395** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F396** Sch. 1 Pt. VI: entry inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 62(2), 148, **Sch. 13 para. 17(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 16
- F397** Sch. 1 Pt. VI: entry inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 61(2), 148, **Sch. 12 para. 36(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 15
- F398** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F399** Sch. 1 Pt. 6: entry repealed (1.4.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), arts. 1(2)(a), 2, Sch. 1 para. 43(a), **Sch. 2 Pt. 1**
- F400** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**

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- F401** Sch. 1 Pt. VI: entry inserted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 2(2), 211(2), **Sch. 1 para. 31** (with ss. 29, 192, 193); S.I. 2008/222, **art. 2(h)**
- F402** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 para. 55**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)
- F403** Sch. 1 Pt. VI: entry repealed (6.4.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 2(e)(viii)**
- F404** Sch. 1 Pt. VI: entry repealed (6.10.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 2(e)(viii)**
- F405** Sch. 1 Pt. VI: entry repealed (31.12.2011) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 4(b)(vii)**
- F406** Sch. 1 Pt. VI: entry repealed (W.) (1.4.2004) by The Library Advisory Council for Wales Abolition and Consequential Amendments Order 2004 (S.I. 2004/803), **art. 3(3)**
- F407** Words in Sch. 1 Pt. VI repealed (2.2.2012) by The Local Better Regulation Office (Dissolution and Transfer of Functions, Etc.) Order 2012 (S.I. 2012/246), arts. 1(2), 2, 4(2), **Sch. 1 para. 20** (with Sch. 2)
- F408** Sch. 1 Pt. 6: entry inserted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 55, 148, **Sch. 1 para. 21**; S.I. 2009/3318, **art. 4(d)(dd)**
- F409** Sch. 1 Pt. 6: entry repealed (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 146, 148, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(hh)**
- F410** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F411** Words in Sch. 1 Pt. VI repealed (18.9.2012) by The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012 (S.I. 2012/2398), art. 1(2), **Sch. 2 para. 3**
- F412** Sch. 1 Pt. 6: entry inserted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 1, 324, **Sch. 2 para. 6**; S.I. 2009/3345, **art. 2**, Sch. para. 1
- F413** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F414** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F415** Sch. 1 Pt. VI: entry repealed (1.12.2006) by National Lottery Act 2006 (c. 23), ss. 21, 22, **Sch. 3**; S.I. 2006/3201, **art. 2(e)**
- F416** Word in Sch. 1 Pt. VI inserted (1.7.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 13 para. 7(a)**; S.I. 2012/1319, art. 2(3)
- F417** Sch. 1 Pt. VI: entry inserted (22.7.2010) by National Assembly for Wales (Remuneration) Measure 2010 (nawm 4), ss. 17(2), 20(2)
- F418** Words in Sch. 1 Pt. VI inserted (28.3.2013) by The Public Bodies (The Office of Fair Trading Transfer of Consumer Advice Scheme Function and Modification of Enforcement Functions) Order 2013 (S.I. 2013/783), arts. 1(2), 7
- F419** Words in Sch. 1 Pt. VI substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(2)(a)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F420** Words in Sch. 1 Pt. VI inserted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(2)(b)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F421** Sch. 1 Pt. VI: reference to old NAO to be read as a reference to NAO (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 23(1)(b)**; S.I. 2011/2576, art. 5
- F422** Sch. 1 Pt. VI: entry repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 7**; S.I. 2009/270, **art. 2(2)(b)**
- F423** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**

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- F424** Words in Sch. 1 Pt. VI omitted (1.4.2014) by virtue of The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(3)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F425** Sch. 1 Pt. VI: entry inserted (21.12.2007) by Consumers, Estate Agents and Redress Act 2007 (c. 17), ss. 1(4), 66(2), **Sch. 1 para. 35** (with s. 6(9)); S.I. 2007/3546, **art. 3**, Sch. and expressed to be inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F426** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238), art. 9(1), **Sch. 1 para. 85** (with art. 7)
- F427** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178, Sch. 4 para. 160, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. para. 13(kk) (subject to art. 4(2)-(7))
- F428** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F429** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F430** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F431** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of The Public Bodies (Abolition of the National Endowment for Science, Technology and the Arts) Order 2012 (S.I. 2012/964), arts. 1(2), 3(1), **Sch.**
- F432** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F433** Sch. 1 Pt. 6: entry omitted (21.1.2011) by virtue of Identity Documents Act 2010 (c. 40), ss. 12, 14(2), **Sch. para. 11**
- F434** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 9(1)(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F435** Words in Sch. 1 Pt. VI inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 17 para. 8**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F436** Sch. 1 Pt. VI: entry omitted (1.10.2013) by virtue of The Public Bodies (Merger of the Gambling Commission and the National Lottery Commission) Order 2013 (S.I. 2013/2329), art. 1(2), **Sch. para. 26** (with art. 8, Sch. para. 43)
- F437** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F438** Words in Sch. 1 Pt. VI omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 104**; S.I. 2013/1682, art. 3(v)
- F439** Sch. 1 Pt. VI: entry repealed (1.4.2005) by Health Protection Agency Act 2004 (c. 17), ss. 11(2), 12, **Sch. 4**; S.I. 2005/121, **art. 2(2)**
- F440** Sch. 1 Pt. VI: entry inserted (2.5.2006 for E.W. and 1.10.2006 otherwise) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1), 107, **Sch. 11 para. 153(2)**; S.I. 2006/1176, **art. 4**; S.I. 2006/2541, **art. 2**
- F441** Words in Sch. 1 Pt. VI inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 399(3)** (with Sch. 7)
- F442** Sch. 1 Pt. VI: entry repealed (1.12.2006) by National Lottery Act 2006 (c. 23), ss. 21, 22, **Sch. 3**; S.I. 2006/3201, **art. 2(e)**
- F443** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F444** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F445** Sch. 1 Pt. VI: entry inserted by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 3A para. 17(3) (as inserted (25.9.2006) by Constitutional Reform Act 2005 (c. 4), ss. 124(3), 148, **Sch. 15**; S.I. 2006/1537, **art. 3(d)**)

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- F446** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F447** Sch. 1 Pt. VI: entry inserted (27.7.2004) by Energy Act 2004 (c. 20), ss. 2(10), 198(2), **Sch. 1 para. 18**; S.I. 2004/1973, **art. 2**, **Sch.**
- F448** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F449** Sch. 1 Pt. VI: entry inserted (coming into force in accordance with art. 1(2)(3)) by The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(b)** (with art. 3(18))
- F450** Sch. 1 Pt. VI: entry repealed (6.4.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13 Pt. 1**; S.I. 2005/275, **art. 2(7)**, **Sch. Pt. 7** (subject to art. 2(12))
- F451** Sch. 1 Pt. 6: entry inserted (4.4.2011) by Budget Responsibility and National Audit Act 2011 (c. 4), ss. 3(2), 29(3), **Sch. 1 para. 27**; S.I. 2011/892, **art. 3**, **Sch. 2 para. 1**
- F452** Sch. 1 Pt. VI: entry inserted (1.7.2002) by Office of Communications Act 2002 (c. 11), s. 1(10), **Sch. para. 22**; S.I. 2002/1483, **art. 2**
- F453** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 71(1)(c)**; S.I. 2012/1319, art. 2(3)
- F454** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F455** Sch. 1 Pt. VI: entry inserted (1.1.2009) by Legal Services Act 2007 (c. 29), ss. 114(2), 211(2), **Sch. 15 para. 32** (with ss. 29, 192, 193); S.I. 2008/3149, **art. 2(e)(ii)**
- F456** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F457** Words in Sch. 1 Pt. VI inserted (10.3.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 75**; S.I. 2014/251, art. 3(f)(iv)
- F458** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F459** Words in Sch. 1 Pt. VI inserted (28.11.2016) by Finance Act 2016 (c. 24), s. 189, **Sch. 25 para. 14**; S.I. 2016/1133, reg. 2
- F460** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 16 para. 58, **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 9, 11, 14, 15, 17)
- F461** Words in Sch. 1 Pt. VI omitted (2.12.2014) by virtue of The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 14**
- F462** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F463** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F464** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, **art. 2(7)**, **Sch. Pt. 7** (subject to art. 2(12))
- F465** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F466** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F467** Sch. 1 Pt. VI: entry repealed (1.1.2009) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 6**; S.I. 2008/2497, **art. 7(2)(d)**
- F468** Words in Sch. 1 Pt. VI inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), ss. 9(8), 57(1); S.I. 2015/481, reg. 2(a)
- F469** Words in Sch. 1 Pt. VI inserted (1.3.2014) by Financial Services (Banking Reform) Act 2013 (c. 33), s. 148(5), **Sch. 4 para. 15**; S.I. 2014/377, art. 2(1)(a), **Sch. Pt. 1**
- F470** Sch. 1 Pt. VI: entry repealed (1.9.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13 Pt. 1**; S.I. 2005/1720, **art. 2(16)**, **Sch. Pt. 3** (with arts. 4, 5)
- F471** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, **art. 2(7)**, **Sch. Pt. 7** (subject to art. 2(12))

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- F472** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F473** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F474** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F475** Words in Sch. 1 Pt. VI omitted (26.3.2015 for specified purposes, 20.4.2015 for specified purposes, 26.5.2015 in so far as not already in force) by virtue of Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 21 para. 1(2)(b)**; S.I. 2015/994, arts. 5, 6(p)
- F476** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F477** Sch. 1 Pt. VI: entry repealed (1.4.2004) by Police Reform Act 2002 (c. 30), ss. 107, 108(2), Sch. 7 para. 23(b), **Sch. 8**; S.I. 2004/913, art. 2(c)(e)(f)(ix)
- F478** Sch. 1 Pt. VI: entry repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(o)(q) (subject to arts. 6, 7)
- F479** Sch. 1 Pt. VI: entry repealed (1.9.2014 for E.W.N.I.) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 102** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2125, art. 4(d)(i)
- F480** Words in Sch. 1 Pt. VI inserted (1.9.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 92** (with ss. 21, 33, 42, 58, 75, 93); ; S.I. 2014/2125, art. 2(f)(v)
- F481** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of Postal Services Act 2011 (c. 5), ss. 91(1), 93(3), **Sch. 12 para. 157**; S.I. 2011/2329, art. 3(1)
- F482** Sch. 1 Pt. 6: entry omitted (1.4.2010) by virtue of The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 (S.I. 2010/234), arts. 1(4), 7(1), **Sch. 3 para. 1(2)(c)**; S.I. 2010/478, art. 2(c)
- F483** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F484** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F485** Sch. 1 Pt. VI: entry inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 3, **Sch. 1 para. 17(2)**
- F486** Words in Sch. 1 Pt. VI inserted (1.12.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 69(2)**; S.I. 2012/2657, art. 2(3)
- F487** Sch. 1 Pt. VI entry omitted (1.3.2017) by virtue of The Bank of England and Financial Services (Consequential Amendments) Regulations 2017 (S.I. 2017/80), reg. 1, **Sch. para. 10(a)**
- F488** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F489** Sch. 1 Pt. VI: entry inserted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39(1), 40, **Sch. 6 para. 71(b)**; S.I. 2005/2800, art. 5(1) (with art. 5(2), Sch. 2)
- F490** Words in Sch. 1 Pt. VI inserted (2.5.2016) by Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), **Sch. 1 para. 25**; S.I. 2016/532, reg. 2(a)
- F491** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 9(1), **Sch. 1 para. 31** (with art. 7)
- F492** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 10**; S.I. 2012/924, art. 2
- F493** Words in Sch. 1 Pt. VI inserted (6.8.2015) by Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 1 para. 37**; S.I. 2015/1591, art. 2(d)
- F494** Sch. 1 Pt. VI: entry repealed (24.7.2005) by Railways Act 2005 (c. 14), ss. 59(6)(7), 60, **Sch. 13** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch.
- F495** Sch. 1 Pt. VI: entry repealed (1.4.2013) by The Public Bodies (Abolition of the Railway Heritage Committee) Order 2013 (S.I. 2013/64), arts. 1(2), 4 (with art. 8)
- F496** Words in Sch. 1 Pt. VI repealed (1.7.2012 at 0.02 a.m.) by Public Bodies Act 2011 (c. 24), s. 38(3), **Sch. 6** (with Sch. 6 Note 1); S.I. 2012/1662, art. 2(2)(b)

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- F497** Words in Sch. 1 Pt. VI repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)
- F498** Words in Sch. 1 Pt. VI substituted (14.7.2014) by Water Act 2014 (c. 21), s. 94(2)(r), **Sch. 10 para. 17**
- F499** Words in Sch. 1 Pt. VI inserted (23.5.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), s. 45(1)(a), **Sch. 2 para. 13**; S.I. 2014/1236, art. 2(1)(k)
- F500** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F501** Words in Sch. 1 Pt. VI omitted (1.10.2013) by virtue of The Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 (S.I. 2013/2352), art. 1(2), **Sch. 1 para. 13** (with art. 8)
- F502** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F503** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F504** Words in Sch. 1 Pt. VI omitted (31.3.2015) by virtue of Defence Reform Act 2014 (c. 20), s. 50(1), **Sch. 4 para. 21(b)**; S.I. 2015/791, art. 3
- F505** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F506** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F507** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F508** Sch. 1 Pt. 6: entry omitted (27.9.2010) by virtue of The Pharmacy Order 2010 (S.I. 2010/231), arts. 1(5), 68, **Sch. 4 para. 9(b)**; S.I. 2010/1621, **art. 2(1)**, Sch.
- F509** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F510** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F511** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F512** Sch. 1 Pt. VI: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F513** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042), art. 1(2), **Sch. para. 22(b)**
- F514** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 146, 148(5), **Sch. 23 Pt. 1**; S.I. 2007/2709, **art. 3(d)(vii)**
- F515** Sch. 1 Pt. VI: entry inserted (1.4.2003) by 2001 c. 12, ss. 1, 26, Sch. 1 para. 23; S.I. 2002/3125, **art. 3(d)**
- F516** Sch. 1 Pt. 6: entry inserted (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 177, 182, **Sch. 21 para. 82**; S.I. 2010/816, **art. 2**, Sch. para. 20(b)
- F517** Sch. 1 Pt. 6: entry repealed (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 178, 182, **Sch. 23 Pt. 4**; S.I. 2010/816, **art. 2**, Sch. para. 22(b)(iii)
- F518** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178, Sch. 4 para. 160, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. para. 13(kk) (subject to art. 4(2)-(7))
- F519** Words in Sch. 1 Pt. VI inserted (14.7.2014) by Defence Reform Act 2014 (c. 20), s. 50(1), **Sch. 4 para. 21(a)**; S.I. 2014/1751, art. 3(g)
- F520** Words in Sch. 1 Pt. VI inserted (6.4.2017) by Enterprise Act 2016 (c. 12), s. 44(5), **Sch. 1 para. 21**; S.I. 2017/473, reg. 2
- F521** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F522** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**

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- F523** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F524** Words in Sch. 1 Pt. VI repealed (1.8.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 14 Pt. 8**; S.I. 2012/3090, art. 2(2)(c)
- F525** Words in Sch. 1 Pt. VI inserted (8.5.2012) by Welfare Reform Act 2012 (c. 5), s. 150(2)(j), **Sch. 13 para. 17(b)**
- F526** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F527** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F528** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F529** Sch. 1 Pt. 6: entry inserted (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), ss. 6(1), 8(1), **Sch. 2 para. 8**; S.I. 2011/2597, **art. 2**
- F530** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 54, **Sch. 25 Pt. 5**; S.I. 2012/628, art. 6(h) (with arts. 9, 11, 14, 15, 17)
- F531** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F532** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F533** Sch. 1 Pt. VI: entry repealed (1.12.2006) by Railways Act 2005 (c. 14), ss. 59(6)(7), 60, **Sch. 13** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2006/2911, **art. 2**, Sch. (subject to arts. 3-7)
- F534** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F535** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F536** Sch. 1 Pt. VI: entry repealed (1.9.2005) by Education Act 2005 (c. 18), ss. 123, 125(3)(b), **Sch. 19 Pt. 3**
- F537** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F538** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F539** Words in Sch. 1 Pt. VI substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F540** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 5 para. 16**; S.I. 2012/924, art. 2
- F541** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F542** Sch. 1 Pt. VI: entry inserted (5.7.2010) by Pensions Act 2008 (c. 30), ss. 75, 149, **Sch. 1 para. 24**; S.I. 2010/10, **art. 2(a)**
- F543** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F544** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F545** Sch. 1 Pt. VI: entry omitted by virtue of The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(b)** (with art. 3(18)) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F546** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F547** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F548** Sch. 1 Pt. VI: entry inserted (1.4.2004) by Local Government Act 2003 (c. 26), ss. 105(9), 128, **Sch. 4 para. 24**; S.I. 2003/2938, **art. 6(a)** (subject to art. 8, Sch.)

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- F549** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F550** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F551** Words in Sch. 1 Pt. VI inserted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 19** (with Sch. 3 para. 3); S.I. 2013/1466, art. 3(1)
- F552** Sch. 1 Pt. VI: entry inserted (1.4.2005) by Health (Wales) Act 2003 (c. 4), ss. 7(1), 10(2), **Sch. 3 para. 15**; S.I. 2003/2660, **art. 3(2)**
- F553** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The Wales Tourist Board (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3225), arts. 1(2), 2, 6(2), **Sch. 2 Pt. 1 para. 5** (with art. 3(1))
- F554** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F555** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F556** Sch. 1 Pt. VI: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F557** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042), art. 1(2), **Sch. para. 22(c)**
- F558** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3226), arts. 1(2), 2, 7(1)(b), **Sch. 2 Pt. 1 para. 13** (with art. 3(1))
- F559** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of The Welsh Language (Wales) Measure 2011 (Transfer of functions, Transitional and Consequential Provisions) Order 2012 (S.I. 2012/990), arts. 1(2), **8**
- F560** Sch. 1 Pt. VI: entry omitted by virtue of The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17** (with art. 3(18)) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F561** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F562** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F563** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F564** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 16 para. 17**; S.I. 2012/924, art. 2

Marginal Citations

- M77** 1988 c. 50.
M78 1994 c. 21.

Annotations:

Amendments (Textual)

- F227** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F228** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F229** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**

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- F230** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042), art. 1(2), **Sch. para. 22(a)**
- F231** Sch. 1 Pt. VI: entry repealed (1.4.2007) by Education and Inspections Act 2006 (c. 40), ss. 157, 184, 188(3), Sch. 14 para. 69(3), **Sch. 18 Pt. 5**; S.I. 2007/935, art. 5(w)(z)(gg)(ii)
- F232** Sch. 1 Pt. VI: entry removed (11.8.2003) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2003 (S.I. 2003/1883), art. 2, Sch.
- F233** Sch. 1 Pt. VI: entries removed (29.6.2004) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2004 (S.I. 2004/1641), art. 2, Sch. 1
- F234** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F235** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F236** Sch. 1 Pt. 6: entry omitted (1.4.2009) by virtue of The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 (S.I. 2009/56), art. 3, **Sch. 1 para. 296(a)**
- F237** Words in Sch. 1 Pt. VI repealed (22.7.2012) by The Advisory Committee on Hazardous Substances (Abolition) Order 2012 (S.I. 2012/1923), art. 1(2), **Sch.**
- F238** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F239** Words in Sch. 1 Pt. VI repealed (27.3.2015) by The Public Bodies (Abolition of the Advisory Committees on Pesticides) Order 2015 (S.I. 2015/978), art. 1(2), **Sch. Pt. 1**
- F240** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F241** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F242** Words in Sch. 1 Pt. VI omitted (17.3.2015) by virtue of The Public Bodies (Abolition of the Library Advisory Council for England) Order 2015 (S.I. 2015/850), arts. 1(2), **3(3)**
- F243** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F244** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F245** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F246** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F247** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F248** Words in Sch. 1 Pt. VI repealed (25.6.2013) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(2))
- F249** Sch. 1 Pt. VI: entry inserted (29.2.2008) by The Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/576), art. 18, **Sch. 5 para. 5**
- F250** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F251** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 1(b)** (with Sch. 20 para. 4); S.I. 2012/1319, art. 2(3)
- F252** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F253** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Ancient Monuments Board for Wales (Abolition) Order 2006 (S.I. 2006/64), art. 3(1)(b)(iii)
- F254** Words in Sch. 1 Pt. VI omitted (31.10.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 5(1)(c)**; S.I. 2012/1831, art. 2(3)
- F255** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**

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- F256** Sch. 1 Pt. VI: entry inserted (16.12.2004) by Higher Education Act 2004 (c. 8), ss. 49, 52(2), **Sch. 6 para. 10**; S.I. 2004/3255, **art. 2**
- F257** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F258** Sch. 1 Pt. VI: entry repealed (31.3.2009) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(f)(vii)**
- F259** Words in Sch. 1 Pt. VI inserted (1.3.2017) by The Bank of England and Financial Services (Consequential Amendments) Regulations 2017 (S.I. 2017/80), reg. 1, **Sch. para. 10(b)**
- F260** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F261** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, **art. 2(7)**, **Sch. Pt. 7** (subject to art. 2(12))
- F262** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), **Sch. 5 Pt. 2**; S.I. 2007/3001, **art. 2(1)(p)(t)(v)**
- F263** Sch. 1 Pt. VI: entries repealed (1.4.2008) by The Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/576), art. 18, **Sch. 5 para. 7** (with Sch. 4 para. 10)
- F264** Sch. 1 Pt. VI: entry omitted (22.3.2013) by virtue of The Public Bodies (Abolition of British Shipbuilders) Order 2013 (S.I. 2013/687), art. 1(2), **Sch. 1 para. 14**
- F265** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F266** Sch. 1 Pt. VI: entry omitted (2.7.2012) by virtue of The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 15(2)(a)** (with arts. 4-6)
- F267** Sch. 1 Pt. 6: entry omitted (31.12.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(3), 2, **Sch. Pt. 2**
- F268** Sch. 1 Pt. 6: entry inserted (31.12.2011) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 2**
- F269** Sch. 1 Pt. 6: entry inserted (31.12.2011) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 2**
- F270** Sch. 1 Pt. VI: entry removed (7.2.2006) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2005 (S.I. 2005/3594), art. 2, **Sch. 1**
- F271** Words in Sch. 1 Pt. VI inserted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 15(2)(b)** (with arts. 4-6)
- F272** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F273** Sch. 1 Pt. VI: entry inserted (1.10.2008) by Health and Social Care Act 2008 (c. 14), ss. 95, 170, **Sch. 5 para. 73(b)**; S.I. 2008/2497, **art. 2(q)(viii)**
- F274** Sch. 1 Pt. VI: entry repealed (1.4.2002) by The Abolition of the Central Council for Education and Training in Social Work Order 2002 (S.I. 2002/797), **art. 2(c)**
- F275** Sch. 1 Pt. VI: entry repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 15 Pt. 1(A)**; S.I. 2007/709, **art. 3(o)(q)** (subject to arts. 6, 7)
- F276** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F277** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F278** Words in Sch. 1 Pt. VI inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 87, 157(1); S.I. 2011/3019, art. 3, **Sch. 1**
- F279** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F280** Words in Sch. 1 Pt. VI inserted (10.6.2008 for specified purposes and 24.7.2008 otherwise) by Child Maintenance and Other Payments Act 2008 (c. 6), ss. 1, 62, **Sch. 1 para. 29**; S.I. 2008/1476, **art. 2(1)**; S.I. 2008/2033, **art. 2(1)**
- F281** Words in Sch. 1 Pt. VI repealed (8.5.2012) by Welfare Reform Act 2012 (c. 5), s. 150(2)(j), **Sch. 13 para. 17(a)**

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- F282** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F283** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F284** Sch. 1 Pt. 6: entry substituted (11.11.2010) by Constitutional Reform and Governance Act 2010 (c. 25), ss. 19, 52(2), **Sch. 2 para. 12**; S.I. 2010/2703, **art. 2(a)**
- F285** Words in Sch. 1 Pt. VI inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 92** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(g)
- F286** Words in Sch. 1 Pt. VI inserted (1.4.2012) by The Welsh Language (Wales) Measure 2011 (Transfer of functions, Transitional and Consequential Provisions) Order 2012 (S.I. 2012/990), arts. 1(2), **8**
- F287** Sch. 1 Pt. VI: entry inserted (18.4.2006) by Equality Act 2006 (c. 3), ss. 2, 93, **Sch. 1 para. 48** (with s. 92); S.I. 2006/1082, **art. 2(a)(i)**
- F288** Sch. 1 Pt. VI: entry repealed (1.4.2004 for E.W.) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 196, 199, **Sch. 14 Pt. 2**; S.I. 2004/759, **art. 13**
- F289** Sch. 1 Pt. VI: entry repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), ss. 95, 166, 170, Sch. 5 para. 73(a), **Sch. 15 Pt. 1**; S.I. 2009/462, **art. 2**, Sch. 1 para. 36
- F290** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F291** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F292** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F293** Sch. 1 Pt. 6: entry repealed (1.4.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 321(1), 325, Sch. 8 para. 77(3), **Sch. 16**; S.I. 2009/803, arts. 1(2), 3(2)(3), **10**
- F294** Sch. 1 Pt. VI: entry repealed (1.10.2007) by Equality Act 2006 (c. 3), ss. 40, 91, 93(1), Sch. 3 para. 60, **Sch. 4** (with s. 92); S.I. 2007/2603, **art. 2(a)(d)** (subject to art. 3)
- F295** Words in Sch. 1 Pt. VI repealed (1.4.2013) by The Public Bodies (Abolition of the Commission for Rural Communities) Order 2012 (S.I. 2012/2654), art. 1(4), **Sch.**
- F296** Sch. 1 Pt. VI: entry inserted (14.10.2006) by Commissioner for Older People (Wales) Act 2006 (c. 30), ss. 1(2), 23, **Sch. 1 para. 21(b)**; S.I. 2006/2699, **art. 2**
- F297** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F298** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F299** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F300** Sch. 1 Pt. VI: entry repealed (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105, 107, Sch. 11 para. 153(3), {Sch. 12}; S.I. 2006/2541, **art. 2**
- F301** Words in Sch. 1 Pt. VI repealed (23.4.2014) by The Public Bodies (Abolition of the Committee on Agricultural Valuation) Order 2014 (S.I. 2014/1068), arts. 1(2), **3(2)**
- F302** Sch. 1 Pt. VI: entry inserted (26.11.2008) by Climate Change Act 2008 (c. 27), ss. 32, 100, **Sch. 1 para. 33**
- F303** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F304** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F305** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F306** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F307** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**

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- F308** Words in Sch. 1 Pt. VI omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 147** (with art. 3)
- F309** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F310** Sch. 1 Pt. 6: entry inserted (19.4.2010) by Parliamentary Standards Act 2009 (c. 13), Sch. 2 para. 11 (as substituted by Constitutional Reform and Governance Act 2010 (c. 25), ss. 26, 52(2), **Sch. 3**; S.I. 2010/1277, **art. 2(c)**)
- F311** Words in Sch. 1 Pt. VI inserted (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 23(1)(a)**; S.I. 2011/2576, art. 5
- F312** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F313** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F314** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F315** Sch. 1 Pt. VI: entry inserted (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(1)(7), 411(2), **Sch. 17 para. 164** (with Sch. 18); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F316** Sch. 1 Pt. VI: entry omitted by virtue of The Health Professions Order 2001 (S.I. 2002/254), art. 48(3), **Sch. 4 para. 9** (with art. 3(19)) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F317** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F318** Words in Sch. 1 Pt. VI omitted (1.12.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 69(1)(d)**; S.I. 2012/2657, art. 2(3)
- F319** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 146, 148, **Sch. 23 Pt. 1**; S.I. 2007/2709, **art. 3(d)(vii)**
- F320** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 399(2)** (with Sch. 7)
- F321** Words in Sch. 1 Pt. VI repealed (2.5.2012) by The Public Bodies (Abolition of Courts Boards) Order 2012 (S.I. 2012/1206), art. 1(2), **Sch. para. 2**
- F322** Sch. 1 Pt. VI: entry omitted (3.11.2008) by virtue of The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 188**
- F323** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F324** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F325** Sch. 1 Pt. VI: entry repealed (18.9.2012) by The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012 (S.I. 2012/2398), art. 1(2), **Sch. 1 para. 8**
- F326** Sch. 1 Pt. VI: entry inserted (1.7.2004) by Higher Education Act 2004 (c. 8), ss. 49, 52(1), **Sch. 6 para. 10**
- F327** Words in Sch. 1 Pt. VI inserted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 66**
- F328** Words in Sch. 1 Pt. VI inserted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 9(a)**; S.I. 2016/603, reg. 3(u)
- F329** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F330** Words in Sch. 1 Pt. VI repealed (7.2.2013) by The Public Bodies (Abolition of the Disability Living Allowance Advisory Board) Order 2013 (S.I. 2013/252), art. 1(2), **Sch. Pt. 1**
- F331** Words in Sch. 1 Pt. VI inserted (15.10.2012) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 133** (with s. 97); S.I. 2012/2521, art. 2(e)
- F332** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**

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- F333** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F334** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F335** Sch. 1 Pt. VI: entry omitted (coming into force in accordance with art. 1(2)(3)) by virtue of The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(a)** (with art. 3(18))
- F336** Sch. 1 Pt. VI: entry repealed (1.10.2007) by Equality Act 2006 (c. 3), ss. 40, 91, 93(1), Sch. 3 para. 60, **Sch. 4** (with s. 92); S.I. 2007/2603, **art. 2(a)(d)** (subject to art. 3)
- F337** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F338** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F339** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F340** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F341** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F342** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F343** Sch. 1 Pt. VI: entries inserted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 91(b)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F344** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F345** Sch. 1 Pt. VI entry omitted (1.4.2013) by virtue of Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 91(a)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F346** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F347** Sch. 1 Pt. VI: entry repealed (18.7.2014) by The Public Bodies (Abolition of Food from Britain) Order 2014 (S.I. 2014/1924), art. 1(3), **Sch.**
- F348** Sch. 1 Pt. 6: entry repealed (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), ss. 6, 8(1), Sch. 2 para. 8, **Sch. 3**; S.I. 2011/2597, **art. 2**
- F349** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F350** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F351** Sch. 1 Pt. VI: entry for "Gambling Commission" substituted (1.10.2005) for entry for "Gaming Board of Great Britain" by Gambling Act 2005 (c. 19), ss. 356(1), 358(1), **Sch. 16 para. 16** (with ss. 352, 354, Sch. 16 para. 21); S.I. 2005/2455, **art. 2(1)**, Sch.
- F352** Words in Sch. 1 Pt. VI substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 9(b)**; S.I. 2016/603, reg. 3(u)
- F353** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**
- F354** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F355** Sch. 1 Pt. 6: entry inserted (27.9.2010) by The Pharmacy Order 2010 (S.I. 2010/231), arts. 1(5), 68, **Sch. 4 para. 9(a)**; S.I. 2010/1621, **art. 2(1)**, Sch.
- F356** Words in Sch. 1 Pt. VI omitted (1.8.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 50(e)**; S.I. 2012/1319, art. 2(4)
- F357** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 2 para. 25**; S.I. 2012/924, art. 2
- F358** Sch. 1 Pt. VI: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 2, **Sch. 1**

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- F359** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F360** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F361** Words in Sch. 1 Pt. VI inserted (25.6.2013) by Groceries Code Adjudicator Act 2013 (c. 19), **ss. 21(3), 25**; S.I. 2013/1236, art. 2
- F362** Sch. 1 Pt. VI: entry omitted (1.4.2008) by virtue of The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 22, **Sch. 3**
- F363** Words in Sch. 1 Pt. VI substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 56(a)**; S.I. 2012/1319, art. 2(4)
- F364** Words in Sch. 1 Pt. VI inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 19 para. 8**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F365** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 7 para. 10**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F366** Words in Sch. 1 Pt. VI inserted (1.1.2015) by Care Act 2014 (c. 23), s. 127(1), **Sch. 7 para. 26**; S.I. 2014/2473, art. 5(m)
- F367** Sch. 1 Pt. VI: entry repealed (1.8.2010) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 2**; S.I. 2010/708, **art. 4(2)(d)(vii)**
- F368** Sch. 1 Pt. VI: entry substituted (1.1.2001) by virtue of 2000 c. 21, **s. 73(3)(a)**; S.I. 2000/3230, art. 2, **Sch.**
- F369** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F370** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F371** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F372** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F373** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Historic Buildings Council for Wales (Abolition) Order 2006 (S.I. 2006/63), **art. 3(1)(c)(iii)**
- F374** Sch. 1 Pt. VI: entry inserted (8.9.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325, **Sch. 8 para. 77(2)**; S.I. 2008/2358, **art. 2(1)(2)**
- F375** Sch. 1 Pt. 6: entry repealed (1.4.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 277, 321(1), 325, **Sch. 9 para. 28(3), Sch. 16**; S.I. 2009/803, arts. 1(2), 8(1)(2), **10**
- F376** Sch. 1 Pt. VI: entry inserted (1.4.2005) by Human Tissue Act 2004 (c. 30), ss. 13(2), 60(2), **Sch. 2 para. 27** (with s. 37(7)); S.I. 2005/919, **art. 3**, Sch. (with art. 2)
- F377** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F378** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F379** Words in Sch. 1 Pt. VI inserted (31.7.2015) by Modern Slavery Act 2015 (c. 30), **ss. 40(9)**, 61(1); S.I. 2015/1476, reg. 2(c)
- F380** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F381** Sch. 1 Pt. VI: entry inserted (1.11.2007) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), **Sch. 3 para. 10**; S.I. 2007/3001, **art. 2(1)(p)(r)**
- F382** Sch. 1 Pt. VI: entry inserted (12.10.2009) by Parliamentary Standards Act 2009 (c. 13), ss. 3, 14(2)(3), **Sch. 1 para. 27(1)** (with ss. 1, 2(1)); S.I. 2009/2500, **art. 2(d)**
- F383** Words in Sch. 1 Pt. VI omitted (31.1.2017 for specified purposes) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 66**
- F384** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 13 para. 7(b)**; S.I. 2012/1319, art. 2(3)
- F385** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**

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- F386** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F387** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F388** Words in Sch. 1 Pt. VI omitted (1.12.2012) by virtue of The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **17** (with Pt. 4)
- F389** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F390** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 13 para. 78, **Sch. 25 Pt. 20**; S.I. 2012/628, art. 7
- F391** Words in Sch. 1 Pt. VI repealed (2.7.2012) by The Inland Waterways Advisory Council (Abolition) Order 2012 (S.I. 2012/1658), arts. 1(b), 5, **Sch.**
- F392** Words in Sch. 1 Pt. VI inserted (1.4.2017) by Enterprise Act 2016 (c. 12), s. 44(5), **Sch. 4 para. 11**; S.I. 2017/346, reg. 2(a)
- F393** Sch. 1 Pt. VI: entry omitted (30.4.2001) by virtue of S.I. 2001/1283, **art. 3(7)**
- F394** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F395** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F396** Sch. 1 Pt. VI: entry inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 62(2), 148, **Sch. 13 para. 17(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 16
- F397** Sch. 1 Pt. VI: entry inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 61(2), 148, **Sch. 12 para. 36(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 15
- F398** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F399** Sch. 1 Pt. 6: entry repealed (1.4.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), arts. 1(2)(a), 2, Sch. 1 para. 43(a), **Sch. 2 Pt. 1**
- F400** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F401** Sch. 1 Pt. VI: entry inserted (7.3.2008) by Legal Services Act 2007 (c. 29), ss. 2(2), 211(2), **Sch. 1 para. 31** (with ss. 29, 192, 193); S.I. 2008/222, **art. 2(h)**
- F402** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 para. 55**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)
- F403** Sch. 1 Pt. VI: entry repealed (6.4.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 2(e)(viii)**
- F404** Sch. 1 Pt. VI: entry repealed (6.10.2010) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 2(e)(viii)**
- F405** Sch. 1 Pt. VI: entry repealed (31.12.2011) by Legal Services Act 2007 (c. 29), ss. 210, 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2010/2089, **art. 4(b)(vii)**
- F406** Sch. 1 Pt. VI: entry repealed (W.) (1.4.2004) by The Library Advisory Council for Wales Abolition and Consequential Amendments Order 2004 (S.I. 2004/803), **art. 3(3)**
- F407** Words in Sch. 1 Pt. VI repealed (2.2.2012) by The Local Better Regulation Office (Dissolution and Transfer of Functions, Etc.) Order 2012 (S.I. 2012/246), arts. 1(2), 2, 4(2), **Sch. 1 para. 20** (with Sch. 2)
- F408** Sch. 1 Pt. 6: entry inserted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 55, 148, **Sch. 1 para. 21**; S.I. 2009/3318, **art. 4(d)(dd)**
- F409** Sch. 1 Pt. 6: entry repealed (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 146, 148, **Sch. 7 Pt. 3**; S.I. 2009/3318, **art. 4(hh)**
- F410** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**

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- F411** Words in Sch. 1 Pt. VI repealed (18.9.2012) by The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012 (S.I. 2012/2398), art. 1(2), **Sch. 2 para. 3**
- F412** Sch. 1 Pt. 6: entry inserted (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), ss. 1, 324, **Sch. 2 para. 6**; S.I. 2009/3345, **art. 2**, Sch. para. 1
- F413** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F414** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F415** Sch. 1 Pt. VI: entry repealed (1.12.2006) by National Lottery Act 2006 (c. 23), ss. 21, 22, **Sch. 3**; S.I. 2006/3201, **art. 2(e)**
- F416** Word in Sch. 1 Pt. VI inserted (1.7.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 13 para. 7(a)**; S.I. 2012/1319, art. 2(3)
- F417** Sch. 1 Pt. VI: entry inserted (22.7.2010) by National Assembly for Wales (Remuneration) Measure 2010 (nawm 4), ss. 17(2), 20(2)
- F418** Words in Sch. 1 Pt. VI inserted (28.3.2013) by The Public Bodies (The Office of Fair Trading Transfer of Consumer Advice Scheme Function and Modification of Enforcement Functions) Order 2013 (S.I. 2013/783), arts. 1(2), 7
- F419** Words in Sch. 1 Pt. VI substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(2)(a)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F420** Words in Sch. 1 Pt. VI inserted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(2)(b)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F421** Sch. 1 Pt. VI: reference to old NAO to be read as a reference to NAO (1.4.2012) by Budget Responsibility and National Audit Act 2011 (c. 4), s. 29, **Sch. 5 para. 23(1)(b)**; S.I. 2011/2576, art. 5
- F422** Sch. 1 Pt. VI: entry repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 7**; S.I. 2009/270, **art. 2(2)(b)**
- F423** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F424** Words in Sch. 1 Pt. VI omitted (1.4.2014) by virtue of The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 10(3)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F425** Sch. 1 Pt. VI: entry inserted (21.12.2007) by Consumers, Estate Agents and Redress Act 2007 (c. 17), ss. 1(4), 66(2), **Sch. 1 para. 35** (with s. 6(9)); S.I. 2007/3546, **art. 3**, Sch. and expressed to be inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F426** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238), art. 9(1), **Sch. 1 para. 85** (with art. 7)
- F427** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178, Sch. 4 para. 160, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. para. 13(kk) (subject to art. 4(2)-(7))
- F428** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F429** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F430** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F431** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of The Public Bodies (Abolition of the National Endowment for Science, Technology and the Arts) Order 2012 (S.I. 2012/964), arts. 1(2), 3(1), **Sch.**
- F432** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**

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- F433** Sch. 1 Pt. 6: entry omitted (21.1.2011) by virtue of Identity Documents Act 2010 (c. 40), ss. 12, 14(2), **Sch. para. 11**
- F434** Words in Sch. 1 Pt. VI omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 20 para. 9(1)(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F435** Words in Sch. 1 Pt. VI inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 17 para. 8**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F436** Sch. 1 Pt. VI: entry omitted (1.10.2013) by virtue of The Public Bodies (Merger of the Gambling Commission and the National Lottery Commission) Order 2013 (S.I. 2013/2329), art. 1(2), **Sch. para. 26** (with art. 8, Sch. para. 43)
- F437** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F438** Words in Sch. 1 Pt. VI omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 104**; S.I. 2013/1682, art. 3(v)
- F439** Sch. 1 Pt. VI: entry repealed (1.4.2005) by Health Protection Agency Act 2004 (c. 17), ss. 11(2), 12, **Sch. 4**; S.I. 2005/121, **art. 2(2)**
- F440** Sch. 1 Pt. VI: entry inserted (2.5.2006 for E.W. and 1.10.2006 otherwise) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1), 107, **Sch. 11 para. 153(2)**; S.I. 2006/1176, **art. 4**; S.I. 2006/2541, **art. 2**
- F441** Words in Sch. 1 Pt. VI inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 399(3)** (with Sch. 7)
- F442** Sch. 1 Pt. VI: entry repealed (1.12.2006) by National Lottery Act 2006 (c. 23), ss. 21, 22, **Sch. 3**; S.I. 2006/3201, **art. 2(e)**
- F443** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F444** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F445** Sch. 1 Pt. VI: entry inserted by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 3A para. 17(3) (as inserted (25.9.2006) by Constitutional Reform Act 2005 (c. 4), ss. 124(3), 148, **Sch. 15**; S.I. 2006/1537, **art. 3(d)**)
- F446** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F447** Sch. 1 Pt. VI: entry inserted (27.7.2004) by Energy Act 2004 (c. 20), ss. 2(10), 198(2), **Sch. 1 para. 18**; S.I. 2004/1973, **art. 2**, Sch.
- F448** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F449** Sch. 1 Pt. VI: entry inserted (coming into force in accordance with art. 1(2)(3)) by The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(b)** (with art. 3(18))
- F450** Sch. 1 Pt. VI: entry repealed (6.4.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13 Pt. 1**; S.I. 2005/275, **art. 2(7)**, Sch. Pt. 7 (subject to art. 2(12))
- F451** Sch. 1 Pt. 6: entry inserted (4.4.2011) by Budget Responsibility and National Audit Act 2011 (c. 4), ss. 3(2), 29(3), **Sch. 1 para. 27**; S.I. 2011/892, **art. 3**, Sch. 2 para. 1
- F452** Sch. 1 Pt. VI: entry inserted (1.7.2002) by Office of Communications Act 2002 (c. 11), s. 1(10), **Sch. para. 22**; S.I. 2002/1483, **art. 2**
- F453** Words in Sch. 1 Pt. VI omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 71(1)(c)**; S.I. 2012/1319, art. 2(3)
- F454** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F455** Sch. 1 Pt. VI: entry inserted (1.1.2009) by Legal Services Act 2007 (c. 29), ss. 114(2), 211(2), **Sch. 15 para. 32** (with ss. 29, 192, 193); S.I. 2008/3149, **art. 2(e)(ii)**
- F456** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F457** Words in Sch. 1 Pt. VI inserted (10.3.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 75**; S.I. 2014/251, art. 3(f)(iv)

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- F458** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F459** Words in Sch. 1 Pt. VI inserted (28.11.2016) by Finance Act 2016 (c. 24), s. 189, **Sch. 25 para. 14**; S.I. 2016/1133, reg. 2
- F460** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 16 para. 58, **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 9, 11, 14, 15, 17)
- F461** Words in Sch. 1 Pt. VI omitted (2.12.2014) by virtue of The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 14**
- F462** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F463** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F464** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, art. 2(7), **Sch. Pt. 7** (subject to art. 2(12))
- F465** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F466** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F467** Sch. 1 Pt. VI: entry repealed (1.1.2009) by Health and Social Care Act 2008 (c. 14), ss. 166, 170, **Sch. 15 Pt. 6**; S.I. 2008/2497, art. 7(2)(d)
- F468** Words in Sch. 1 Pt. VI inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), ss. 9(8), 57(1); S.I. 2015/481, reg. 2(a)
- F469** Words in Sch. 1 Pt. VI inserted (1.3.2014) by Financial Services (Banking Reform) Act 2013 (c. 33), s. 148(5), **Sch. 4 para. 15**; S.I. 2014/377, art. 2(1)(a), Sch. Pt. 1
- F470** Sch. 1 Pt. VI: entry repealed (1.9.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13 Pt. 1**; S.I. 2005/1720, art. 2(16), **Sch. Pt. 3** (with arts. 4, 5)
- F471** Sch. 1 Pt. VI: entry inserted (6.4.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322, **Sch. 12 para. 79**; S.I. 2005/275, art. 2(7), **Sch. Pt. 7** (subject to art. 2(12))
- F472** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F473** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F474** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F475** Words in Sch. 1 Pt. VI omitted (26.3.2015 for specified purposes, 20.4.2015 for specified purposes, 26.5.2015 in so far as not already in force) by virtue of Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 21 para. 1(2)(b)**; S.I. 2015/994, arts. 5, 6(p)
- F476** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F477** Sch. 1 Pt. VI: entry repealed (1.4.2004) by Police Reform Act 2002 (c. 30), ss. 107, 108(2), Sch. 7 para. 23(b), **Sch. 8**; S.I. 2004/913, art. 2(c)(e)(f)(ix)
- F478** Sch. 1 Pt. VI: entry repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(o)(q) (subject to arts. 6, 7)
- F479** Sch. 1 Pt. VI: entry repealed (1.9.2014 for E.W.N.I.) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 102** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2125, art. 4(d)(i)
- F480** Words in Sch. 1 Pt. VI inserted (1.9.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 92** (with ss. 21, 33, 42, 58, 75, 93); ; S.I. 2014/2125, art. 2(f)(v)
- F481** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of Postal Services Act 2011 (c. 5), ss. 91(1), 93(3), **Sch. 12 para. 157**; S.I. 2011/2329, art. 3(1)
- F482** Sch. 1 Pt. 6: entry omitted (1.4.2010) by virtue of The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 (S.I. 2010/234), arts. 1(4), 7(1), **Sch. 3 para. 1(2)(e)**; S.I. 2010/478, art. 2(e)

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- F483** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F484** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F485** Sch. 1 Pt. VI: entry inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 3, **Sch. 1 para. 17(2)**
- F486** Words in Sch. 1 Pt. VI inserted (1.12.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 69(2)**; S.I. 2012/2657, art. 2(3)
- F487** Sch. 1 Pt. VI entry omitted (1.3.2017) by virtue of The Bank of England and Financial Services (Consequential Amendments) Regulations 2017 (S.I. 2017/80), reg. 1, **Sch. para. 10(a)**
- F488** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F489** Sch. 1 Pt. VI: entry inserted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39(1), 40, **Sch. 6 para. 71(b)**; S.I. 2005/2800, **art. 5(1)** (with art. 5(2), Sch. 2)
- F490** Words in Sch. 1 Pt. VI inserted (2.5.2016) by Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), **Sch. 1 para. 25**; S.I. 2016/532, reg. 2(a)
- F491** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 9(1), **Sch. 1 para. 31** (with art. 7)
- F492** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 8 para. 10**; S.I. 2012/924, art. 2
- F493** Words in Sch. 1 Pt. VI inserted (6.8.2015) by Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 1 para. 37**; S.I. 2015/1591, art. 2(d)
- F494** Sch. 1 Pt. VI: entry repealed (24.7.2005) by Railways Act 2005 (c. 14), ss. 59(6)(7), 60, **Sch. 13** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, **art. 2**, Sch.
- F495** Sch. 1 Pt. VI: entry repealed (1.4.2013) by The Public Bodies (Abolition of the Railway Heritage Committee) Order 2013 (S.I. 2013/64), arts. 1(2), 4 (with art. 8)
- F496** Words in Sch. 1 Pt. VI repealed (1.7.2012 at 0.02 a.m.) by Public Bodies Act 2011 (c. 24), s. 38(3), **Sch. 6** (with Sch. 6 Note 1); S.I. 2012/1662, art. 2(2)(b)
- F497** Words in Sch. 1 Pt. VI repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)
- F498** Words in Sch. 1 Pt. VI substituted (14.7.2014) by Water Act 2014 (c. 21), s. 94(2)(r), **Sch. 10 para. 17**
- F499** Words in Sch. 1 Pt. VI inserted (23.5.2014) by Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (c. 4), s. 45(1)(a), **Sch. 2 para. 13**; S.I. 2014/1236, art. 2(1)(k)
- F500** Sch. 1 Pt. VI: entry inserted (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 2, **Sch. 1**
- F501** Words in Sch. 1 Pt. VI omitted (1.10.2013) by virtue of The Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 (S.I. 2013/2352), art. 1(2), **Sch. 1 para. 13** (with art. 8)
- F502** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F503** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F504** Words in Sch. 1 Pt. VI omitted (31.3.2015) by virtue of Defence Reform Act 2014 (c. 20), s. 50(1), **Sch. 4 para. 21(b)**; S.I. 2015/791, art. 3
- F505** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F506** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F507** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F508** Sch. 1 Pt. 6: entry omitted (27.9.2010) by virtue of The Pharmacy Order 2010 (S.I. 2010/231), arts. 1(5), 68, **Sch. 4 para. 9(b)**; S.I. 2010/1621, **art. 2(1)**, Sch.

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- F509** Sch. 1 Pt. 6: entry inserted (1.10.2010) by The Freedom of Information (Additional Public Authorities) Order 2010 (S.I. 2010/937), arts. 1(2), 3, **Sch. Pt. 1**
- F510** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F511** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F512** Sch. 1 Pt. VI: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F513** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042), art. 1(2), **Sch. para. 22(b)**
- F514** Sch. 1 Pt. VI: entry repealed (1.11.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 146, 148(5), **Sch. 23 Pt. 1**; S.I. 2007/2709, **art. 3(d)(vii)**
- F515** Sch. 1 Pt. VI: entry inserted (1.4.2003) by 2001 c. 12, ss. 1, 26, Sch. 1 para. 23; S.I. 2002/3125, **art. 3(d)**
- F516** Sch. 1 Pt. 6: entry inserted (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 177, 182, **Sch. 21 para. 82**; S.I. 2010/816, **art. 2**, Sch. para. 20(b)
- F517** Sch. 1 Pt. 6: entry repealed (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 178, 182, **Sch. 23 Pt. 4**; S.I. 2010/816, **art. 2**, Sch. para. 22(b)(iii)
- F518** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178, Sch. 4 para. 160, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. para. 13(kk) (subject to art. 4(2)-(7))
- F519** Words in Sch. 1 Pt. VI inserted (14.7.2014) by Defence Reform Act 2014 (c. 20), s. 50(1), **Sch. 4 para. 21(a)**; S.I. 2014/1751, art. 3(g)
- F520** Words in Sch. 1 Pt. VI inserted (6.4.2017) by Enterprise Act 2016 (c. 12), s. 44(5), **Sch. 1 para. 21**; S.I. 2017/473, reg. 2
- F521** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F522** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F523** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F524** Words in Sch. 1 Pt. VI repealed (1.8.2013) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 14 Pt. 8**; S.I. 2012/3090, art. 2(2)(c)
- F525** Words in Sch. 1 Pt. VI inserted (8.5.2012) by Welfare Reform Act 2012 (c. 5), s. 150(2)(j), **Sch. 13 para. 17(b)**
- F526** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F527** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**
- F528** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F529** Sch. 1 Pt. 6: entry inserted (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), ss. 6(1), 8(1), **Sch. 2 para. 8**; S.I. 2011/2597, **art. 2**
- F530** Sch. 1 Pt. VI: entry repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 4 para. 54, **Sch. 25 Pt. 5**; S.I. 2012/628, art. 6(h) (with arts. 9, 11, 14, 15, 17)
- F531** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F532** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F533** Sch. 1 Pt. VI: entry repealed (1.12.2006) by Railways Act 2005 (c. 14), ss. 59(6)(7), 60, **Sch. 13** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2006/2911, **art. 2**, Sch. (subject to arts. 3-7)
- F534** Sch. 1 Pt. VI: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 3, **Sch. 2**

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- F535** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F536** Sch. 1 Pt. VI: entry repealed (1.9.2005) by Education Act 2005 (c. 18), ss. 123, 125(3)(b), **Sch. 19 Pt. 3**
- F537** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F538** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F539** Words in Sch. 1 Pt. VI substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F540** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), **Sch. 5 para. 16**; S.I. 2012/924, art. 2
- F541** Sch. 1 Pt. 6: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(1), **Sch. 1 Pt. 1**
- F542** Sch. 1 Pt. VI: entry inserted (5.7.2010) by Pensions Act 2008 (c. 30), ss. 75, 149, **Sch. 1 para. 24**; S.I. 2010/10, art. 2(a)
- F543** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F544** Sch. 1 Pt. VI: entry inserted (2.6.2008) by The Freedom of Information (Additional Public Authorities) Order 2008 (S.I. 2008/1271), art. 2, **Sch.**
- F545** Sch. 1 Pt. VI: entry omitted by virtue of The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 17(b)** (with art. 3(18)) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F546** Sch. 1 Pt. 6: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), **Sch. Pt. 1**
- F547** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F548** Sch. 1 Pt. VI: entry inserted (1.4.2004) by Local Government Act 2003 (c. 26), ss. 105(9), 128, **Sch. 4 para. 24**; S.I. 2003/2938, art. 6(a) (subject to art. 8, Sch.)
- F549** Sch. 1 Pt. VI: entry inserted (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 3, **Sch. 2**
- F550** Sch. 1 Pt. VI: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 2, **Sch. 1**
- F551** Words in Sch. 1 Pt. VI inserted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 19** (with Sch. 3 para. 3); S.I. 2013/1466, art. 3(1)
- F552** Sch. 1 Pt. VI: entry inserted (1.4.2005) by Health (Wales) Act 2003 (c. 4), ss. 7(1), 10(2), **Sch. 3 para. 15**; S.I. 2003/2660, art. 3(2)
- F553** Sch. 1 Pt. VI: entry omitted (1.4.2006) by virtue of The Wales Tourist Board (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3225), arts. 1(2), 2, 6(2), **Sch. 2 Pt. 1 para. 5** (with art. 3(1))
- F554** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), arts. 1(2), 2, **Sch. Pt. 1**
- F555** Sch. 1 Pt. VI: entry repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 6 para. 71(a), **Sch. 7**; S.I. 2005/2800, art. 5(1) (with art. 5(2), Sch. 2)
- F556** Sch. 1 Pt. VI: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, art. 3(1), Sch. 1 (subject to art. 3(3) and with art. 11)
- F557** Sch. 1 Pt. VI: entry omitted (19.9.2013) by virtue of The Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042), art. 1(2), **Sch. para. 22(e)**
- F558** Sch. 1 Pt. VI: entry repealed (1.4.2006) by The Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3226), arts. 1(2), 2, 7(1)(b), **Sch. 2 Pt. 1 para. 13** (with art. 3(1))

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- F559** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of [The Welsh Language \(Wales\) Measure 2011 \(Transfer of functions, Transitional and Consequential Provisions\) Order 2012 \(S.I. 2012/990\)](#), arts. 1(2), **8**
- F560** Sch. 1 Pt. VI: entry omitted by virtue of [The Nursing and Midwifery Order 2001 \(S.I. 2002/253\)](#), art. 54(3), **Sch. 5 para. 17** (with art. 3(18)) (the amendment coming into force in accordance with art. 1(2) (3) of the amending S.I.)
- F561** Sch. 1 Pt. VI: entry added (19.4.2004) by [The Freedom of Information \(Additional Public Authorities\) Order 2004 \(S.I. 2004/938\)](#), art. 3, **Sch. 2**
- F562** Sch. 1 Pt. 6: entry omitted (1.10.2010) by virtue of [The Freedom of Information \(Removal of References to Public Authorities\) Order 2010 \(S.I. 2010/939\)](#), arts. 1(2), 2, **Sch. Pt. 1**
- F563** Sch. 1 Pt. VI: entry added (19.4.2004) by [The Freedom of Information \(Additional Public Authorities\) Order 2004 \(S.I. 2004/938\)](#), art. 3, **Sch. 2**
- F564** Words in Sch. 1 Pt. VI omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 16 para. 17**; S.I. 2012/924, art. 2

Marginal Citations

M77 1988 c. 50.

M78 1994 c. 21.

PART VII

OTHER PUBLIC BODIES AND OFFICES: NORTHERN IRELAND

[^{F565}An advisory committee established under paragraph 25 of the Health and Personal Social Services (Northern Ireland) Order 1972.]

F566
...

The Advisory Committee on Justices of the Peace in Northern Ireland.

F567
...

F568
...

F569
...

The Agricultural Wages Board for Northern Ireland.

[^{F570}The Agri-food and Biosciences Institute]

The Arts Council of Northern Ireland.

The Assembly Ombudsman for Northern Ireland.

[^{F571}The Attorney General for Northern Ireland.]

[^{F572}The Belfast Harbour Commissioners.]

The Board of Trustees of National Museums and Galleries of Northern Ireland.

F573
...

The Boundary Commission for Northern Ireland.

[^{F574}A central advisory committee established under paragraph 24 of the Health and Personal Social Services (Northern Ireland) Order 1972.]

[^{F575}The Certification Officer for Northern Ireland.]

The Charities Advisory Committee.

[^{F576}The Charity Commission for Northern Ireland]

The Chief Electoral Officer for Northern Ireland.

[^{F577}The Chief Inspector of Criminal Justice in Northern Ireland.]

The Civil Service Commissioners for Northern Ireland.

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[^{F578}Comhairle na Gaelscolaíochta.]

[^{F579}The Commission for Victims and Survivors for Northern Ireland]

[^{F580}The Commissioner for Children and Young People for Northern Ireland]

[^{F581}The Commissioner for Older People for Northern Ireland]

The Commissioner for Public Appointments for Northern Ireland.

^{F582} ...

The Construction Industry Training Board.

The consultative Civic Forum referred to in section 56(4) of the ^{M79}Northern Ireland Act 1998.

The Council for Catholic Maintained Schools.

The Council for Nature Conservation and the Countryside.

The County Court Rules Committee (Northern Ireland).

[^{F583}The Criminal Injuries Compensation Appeals Panel for Northern Ireland, in relation to information held by it otherwise than as a tribunal.]

[^{F584}A development corporation established under Part III of the Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003]

^{F585} ...

The Distinction and Meritorious Service Awards Committee.

^{F586} ...

The Drainage Council for Northern Ireland.

[^{F587}The Education Authority]

^{F588} ...

The Equality Commission for Northern Ireland.

The Family Proceedings Rules Committee (Northern Ireland).

^{F589} ...

^{F590} ...

The General Consumer Council for Northern Ireland.

[^{F591}The General Teaching Council for Northern Ireland.]

[^{F592}The Governors of the Armagh Observatory and Planetarium.]

[^{F593}The Harbour of Donaghadee Commissioners.]

The Health and Safety Agency for Northern Ireland.

The Historic Buildings Council.

The Historic Monuments Council.

The Independent Assessor of Military Complaints Procedures in Northern Ireland.

The Independent Commissioner for Holding Centres.

[^{F594}The Independent Financial Review Panel]

[^{F595}An independent monitoring board appointed under section 10 of the Prison Act (Northern Ireland) 1953.]

The Independent Reviewer of the Northern Ireland (Emergency Provisions) Act.

^{F596} ...

...

[^{F597}Invest Northern Ireland]

^{F598} ...

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The Labour Relations Agency.

F599

...

F600

...

The Lay Observer for Northern Ireland.

...

F601

...

F602

...

The Livestock & Meat Commission for Northern Ireland.

...

The Local Government Staff Commission.

[^{F603}The Londonderry Port and Harbour Commissioners.]

The Magistrates' Courts Rules Committee (Northern Ireland).

F604

...

F605

...

The Northern Ireland Audit Office.

[^{F606}The Northern Ireland Authority for Utility Regulation.]

The Northern Ireland Building Regulations Advisory Committee.

The Northern Ireland Civil Service Appeal Board.

The Northern Ireland Commissioner for Complaints.

The Northern Ireland Community Relations Council.

...

The Northern Ireland Council for the Curriculum, Examinations and Assessment.

...

[^{F607}The Northern Ireland Court of Judicature Rules Committee.]

The Northern Ireland Crown Court Rules Committee.

F608

...

[^{F609}The Northern Ireland Events Company.]

[^{F610}The Northern Ireland Fire and Rescue Service Board]

The Northern Ireland Fishery Harbour Authority.

[^{F611}The Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.]

The Northern Ireland Higher Education Council.

The Northern Ireland Housing Executive.

The Northern Ireland Human Rights Commission.

The Northern Ireland Insolvency Rules Committee.

[^{F612}The Northern Ireland Judicial Appointments Commission.]

[^{F613}The Northern Ireland Law Commission.]

F614

...

[^{F615}The Northern Ireland Library Authority]

The Northern Ireland Local Government Officers' Superannuation Committee.

The Northern Ireland Museums Council.

F616

...

[^{F617}The Northern Ireland Practice and Education Council for Nursing and Midwifery.]

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[^{F618}The Northern Ireland Social Care Council.]

^{F619} ...

The Northern Ireland Tourist Board.

The Northern Ireland Transport Holding Company.

^{F620} ...

...

The Parades Commission.

[^{F621}Parole Commissioners for Northern Ireland]

[^{F622}The Pharmaceutical Society of Northern Ireland, in respect of information held by it otherwise than as a tribunal.]

[^{F623}The Poisons Board (Northern Ireland).]

The Police Ombudsman for Northern Ireland.

[^{F624}A policing and community safety partnership or a district policing and community safety partnership established under Part 3 of the Justice (Northern Ireland) Act 2011.]

[^{F625}The Prisoner Ombudsman for Northern Ireland.]

The Probation Board for Northern Ireland.

[^{F626}The Royal Ulster Constabulary George Cross Foundation.]

The Rural Development Council for Northern Ireland.

[^{F627}The Safeguarding Board for Northern Ireland]

The Sentence Review Commissioners appointed under section 1 of the ^{M80}Northern Ireland (Sentences) Act 1998.

[^{F628}The social fund Commissioner appointed under Article 37 of the ^{M81}Social Security (Northern Ireland) Order 1998.]

[^{F629}The discretionary support Commissioner appointed under Article 136 of the Welfare Reform (Northern Ireland) Order 2015.]

The Sports Council for Northern Ireland.

The Staff Commission for Education and Library Boards.

The Statistics Advisory Committee.

The Statute Law Committee for Northern Ireland.

...

Ulster Supported Employment Ltd.

[^{F630}The Warrenpoint Harbour Authority.]

[^{F631}The Waste Management Advisory Board.]

The Youth Council for Northern Ireland.

Annotations:

Amendments (Textual)

F565 Sch. 1 Pt. VII: entry added (19.4.2004) by [The Freedom of Information \(Additional Public Authorities\) Order 2004 \(S.I. 2004/938\)](#), art. 4, **Sch. 3**

F566 Sch. 1 Pt. VII: entry omitted (1.4.2009) by virtue of [The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 \(S.I. 2009/56\)](#), art. 3, **Sch. 1 para. 296(b)**

F567 Sch. 1 Pt. VII: entry repealed (1.4.2005) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\)](#), ss. 86, 87(1), **Sch. 13**; [S.R. 2005/109](#), art. 2, Sch.

F568 Words in Sch. 1 Pt. VII repealed (27.3.2015) by [The Public Bodies \(Abolition of the Advisory Committees on Pesticides\) Order 2015 \(S.I. 2015/978\)](#), art. 1(2), **Sch. Pt. 1**

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- F569** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2006) by The Agriculture (Northern Ireland) Order 2004 (S.I. 2004/3327 (N.I. 23)), arts. 1(3), 13, **Sch. 4**; S.R. 2006/172, **art. 2**
- F570** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2006) by The Agriculture (Northern Ireland) Order 2004 (S.I. 2004/3327 (N.I. 23)), arts. 1(3), 3(5), **Sch. 1 para. 21**; S.R. 2006/172, **art. 2**
- F571** Sch. 1 Pt. VII: entry inserted (12.4.2010) by Justice (Northern Ireland) Act 2002 (c. 26), **ss. 23(9)**, 87(1); S.R. 2010/113, **art. 2**, Sch. para. 3
- F572** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F573** Sch. 1 Pt. VII: entry repealed (19.8.2005) by The Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(4), 10(2), 27, **Sch. 1 para. 10(a)**, **Sch. 2**
- F574** Sch. 1 Pt. VII: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 4, **Sch. 3**
- F575** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F576** Sch. 1 Pt. VII: entry inserted (N.I.) (27.3.2009) by Charities Act (Northern Ireland) 2008 (c. 12), **ss. 6(7)**, 185, **Sch. 1 para. 14**; S.R. 2009/138, **art. 2**, Sch.
- F577** Sch. 1 Pt. VII: entry inserted (26.5.2003) by Justice (Northern Ireland) Act 2002 (c. 26), **ss. 45(3)**, 87, Sch. 8 para. 16; S.R. 2003/265, **art. 2**
- F578** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F579** Sch. 1 Pt. VII: entry inserted (N.I.) by The Victims and Survivors (Northern Ireland) Order 2006 (S.I. 2006/2953 (N.I. 17)), Sch. para. 19 (as substituted (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1(2), **Sch. 1**)
- F580** Sch. 1 Pt. VII: entry inserted (N.I.) (14.3.2003) by The Commissioner for Children and Young People (Northern Ireland) Order 2003 (S.I. 2003/439 (N.I. 11)), arts. 1(2)(b), 5(3), **Sch. 2 para. 15**
- F581** Sch. 1 Pt. 7: entry inserted (9.2.2011) by Commissioner for Older People Act (Northern Ireland) 2011 (c. 1 (N.I.)), s. 28(1)(a), **Sch. 1 para. 15**
- F582** Sch. 1 Pt. VII: entry repealed (N.I.) (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1, **Sch. 2**
- F583** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F584** Sch. 1 Pt. VII: entry inserted (N.I.) (7.3.2003) by The Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003 (S.I. 2003/410 (N.I. 1)), arts. 1(2), 15(3), **Sch. 1 para. 23**
- F585** Words in Sch. 1 Pt. VII repealed (1.5.2015) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), s. 7(1), Sch. 3 (with Sch. 1 para. 4(3)); S.R. 2015/230, art. 2(c)
- F586** Words in Sch. 1 Pt. VII repealed (1.4.2012) by Justice Act (Northern Ireland) 2011 (c. 24), s. 111(3), **Sch. 8 Pt. 2**; S.R. 2012/142, art. 2(e)
- F587** Words in Sch. 1 Pt. VII substituted (12.12.2014) by Education Act (Northern Ireland) 2014 (c. 12), s. 7, **Sch. 1 para. 19** (with Sch. 2 para. 4(3))
- F588** Sch. 1 Pt. VII: entry repealed (N.I.) (prosp.) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), **ss. 6**, 7, **Sch. 3**; and omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), art. 3, **Sch. Pt. 3**
- F589** Sch. 1 Pt. VII: entry repealed (N.I.) (1.7.2006) by The Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 63(2), **Sch. 4** (with art. 49); S.R. 2006/257, **art. 2(b)(e)(v)**
- F590** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), **ss. 1**, 7, Sch. 1 para. 13, **Sch. 3**; S.R. 2009/172, **art. 2(e)**
- F591** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F592** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F593** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**

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- F594** Sch. 1 Pt. 7: entry inserted (N.I.) (29.3.2011) by Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (c. 17), ss. 36, 38(1)(c), **Sch. 5 para. 3**
- F595** Sch. 1Pt. VII: entry inserted (19.8.2005) by The Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(4), 10(2), **Sch. 1 para. 10(b)**
- F596** Sch. 1 Pt. VII: entries repealed (N.I.) (1.4.2002) by Industrial Development Act (Northern Ireland) 2002 (c. 1 (N.I.)), s. 5(4), **Sch. 4** (with Sch. 2 paras. 1(4), 4(4), 6(4)); S.R. 2002/134, **art. 2**
- F597** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2002) by Industrial Development Act (Northern Ireland) 2002 (c. 1 (N.I.)), s. 1(2), **Sch. 1 para. 21** (with Sch. 2 paras. 1(4), 4(4), 6(4)); S.R. 2002/134, **art. 2**
- F598** Sch. 1 Pt. VII: entries removed (29.6.2004) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2004 (S.I. 2004/1641), **art. 3**, Sch. 2
- F599** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 5(1)(a)(iii), 6, 7, **Sch. 3**; S.R. 2009/172, **art. 2(e)**
- F600** Sch. 1 Pt. 7: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(2), **Sch. Pt. 2**
- F601** Sch. 1 Pt. 7: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(2), **Sch. Pt. 2**
- F602** Sch. 1 Pt. VII: entry omitted (15.5.2008) by virtue of The Criminal Justice (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1241), **art. 4(a)**
- F603** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F604** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 33, 34, Sch. 6 para. 17(3), **Sch. 7**; S.R. 2009/114, **art. 2**
- F605** Sch. 1 Pt. VII: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F606** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 43** (with art. 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. 2 (subject to art. 3)
- F607** Sch. 1 Pt. VII: entry inserted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 34(b)**; S.I. 2009/1604, **art. 2(d)**
- F608** Sch. 1 Pt. VII: entries removed (7.2.2006) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2005 (S.I. 2005/3594), **art. 2**, Sch. 1
- F609** Sch. 1 Pt. VII: entry added (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 5, **Sch. 4**
- F610** Sch. 1 Pt. VII: entry inserted (N.I.) (1.7.2006) by The Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 3(3), **Sch. 1 para. 19** (with art. 49); S.R. 2006/257, **art. 2(a)(c)**
- F611** Sch. 1 Pt. VII: entry added (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 4, **Sch. 3**
- F612** Sch. 1 Pt. VII: entry inserted (15.6.2005) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 3(3), 87(1), **Sch. 2 para. 20**; S.R. 2005/281, **art. 3(1)**, Sch. 2 paras. 2, 6 (subject to art. 3(2)(3))
- F613** Sch. 1 Pt. VII: entry inserted (16.4.2007) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 50(7), 87(1), **Sch. 9 para. 15**; S.R. 2007/237, **art. 2**, Sch. paras. 1, 5
- F614** Words in Sch. 1 Pt. VII repealed (1.4.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(1), Sch. 2 para. 3, **Sch. 3 Pt. 1** (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e)(f)
- F615** Sch. 1 Pt. VII: entry inserted (N.I.) (1.10.2008) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10, 12, **Sch. 3 para. 6**; S.R. 2008/396, **art. 2(h)**
- F616** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 6, 7, **Sch. 3**; S.R. 2009/172, **art. 2(e)**; and expressed to be omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), art. 3, **Sch. Pt. 3**
- F617** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**

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- F618** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F619** Sch. 1 Pt. VII: entry repealed (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 34(a)**, **Sch. 18 Pt. 5**; S.I. 2009/1604, **art. 2(f)**
- F620** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(2), **Sch. 13** (with art. 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. 2 (subject to art. 3)
- F621** Sch. 1 Pt. VII: entry inserted (15.5.2008) by virtue of The Criminal Justice (Northern Ireland) Consequential Amendments) Order 2008 (S.I. 2008/1241), **art. 4(b)**
- F622** Sch. 1 Pt. VII: entry added (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 5, **Sch. 4**
- F623** Sch. 1 Pt. VII: entry added (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 4, **Sch. 3**
- F624** Words in Sch. 1 Pt. VII inserted (1.4.2012) by Justice Act (Northern Ireland) 2011 (c. 24), s. 111(3), **Sch. 7 para. 9**; S.R. 2012/142, art. 2(d)
- F625** Sch. 1 Pt. 7: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(2), **Sch. 1 Pt. 2**
- F626** Sch. 1 Pt. 7: entry inserted (1.10.2011) by The Freedom of Information (Additional Public Authorities) Order 2011 (S.I. 2011/1041), art. 2(2), **Sch. 1 Pt. 2**
- F627** Words in Sch. 1 Pt. VII inserted (14.9.2012) by Safeguarding Board Act (Northern Ireland) 2011 (c. 7), ss. **13(3)**, 17(2); S.R. 2012/338, art. 2(1)
- F628** Words in Sch. 1 Pt. VII repealed (N.I.) (31.3.2017) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 12 Pt. 7**; S.R. 2016/411, art. 3(3)(c)
- F629** Words in Sch. 1 Pt. VII inserted (17.2.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), arts. 2(2), **136(9)**; S.R. 2016/46, art. 3(5)(f)
- F630** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F631** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**

Marginal Citations

- M79** 1998 c. 47.
M80 1998 c. 35.
M81 S.I. 1998/1506 (N.I.10).

Annotations:

Amendments (Textual)

- F565** Sch. 1 Pt. VII: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 4, **Sch. 3**
- F566** Sch. 1 Pt. VII: entry omitted (1.4.2009) by virtue of The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 (S.I. 2009/56), art. 3, **Sch. 1 para. 296(b)**
- F567** Sch. 1 Pt. VII: entry repealed (1.4.2005) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 86, 87(1), **Sch. 13**; S.R. 2005/109, **art. 2**, Sch.
- F568** Words in Sch. 1 Pt. VII repealed (27.3.2015) by The Public Bodies (Abolition of the Advisory Committees on Pesticides) Order 2015 (S.I. 2015/978), art. 1(2), **Sch. Pt. 1**
- F569** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2006) by The Agriculture (Northern Ireland) Order 2004 (S.I. 2004/3327 (N.I. 23)), arts. 1(3), 13, **Sch. 4**; S.R. 2006/172, **art. 2**
- F570** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2006) by The Agriculture (Northern Ireland) Order 2004 (S.I. 2004/3327 (N.I. 23)), arts. 1(3), 3(5), **Sch. 1 para. 21**; S.R. 2006/172, **art. 2**
- F571** Sch. 1 Pt. VII: entry inserted (12.4.2010) by Justice (Northern Ireland) Act 2002 (c. 26), ss. **23(9)**, 87(1); S.R. 2010/113, **art. 2**, Sch. para. 3

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- F572** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F573** Sch. 1Pt. VII: entry repealed (19.8.2005) by The Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(4), 10(2), 27, **Sch. 1 para. 10(a)**, **Sch. 2**
- F574** Sch. 1 Pt. VII: entry added (19.4.2004) by The Freedom of Information (Additional Public Authorities) Order 2004 (S.I. 2004/938), art. 4, **Sch. 3**
- F575** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F576** Sch. 1 Pt. VII: entry inserted (N.I.) (27.3.2009) by Charities Act (Northern Ireland) 2008 (c. 12), ss. 6(7), 185, **Sch. 1 para. 14**; S.R. 2009/138, **art. 2**, **Sch.**
- F577** Sch. 1 Pt. VII: entry inserted (26.5.2003) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 45(3), 87, **Sch. 8 para. 16**; S.R. 2003/265, **art. 2**
- F578** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F579** Sch. 1 Pt. VII: entry inserted (N.I.) by The Victims and Survivors (Northern Ireland) Order 2006 (S.I. 2006/2953 (N.I. 17)), **Sch. para. 19** (as substituted (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1(2), **Sch. 1**)
- F580** Sch. 1 Pt. VII: entry inserted (N.I.) (14.3.2003) by The Commissioner for Children and Young People (Northern Ireland) Order 2003 (S.I. 2003/439 (N.I. 11)), arts. 1(2)(b), 5(3), **Sch. 2 para. 15**
- F581** Sch. 1 Pt. 7: entry inserted (9.2.2011) by Commissioner for Older People Act (Northern Ireland) 2011 (c. 1 (N.I.)), s. 28(1)(a), **Sch. 1 para. 15**
- F582** Sch. 1 Pt. VII: entry repealed (N.I.) (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1, **Sch. 2**
- F583** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F584** Sch. 1 Pt. VII: entry inserted (N.I.) (7.3.2003) by The Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003 (S.I. 2003/410 (N.I. 1)), arts. 1(2), 15(3), **Sch. 1 para. 23**
- F585** Words in Sch. 1 Pt. VII repealed (1.5.2015) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), s. 7(1), **Sch. 3** (with **Sch. 1 para. 4(3)**); S.R. 2015/230, **art. 2(c)**
- F586** Words in Sch. 1 Pt. VII repealed (1.4.2012) by Justice Act (Northern Ireland) 2011 (c. 24), s. 111(3), **Sch. 8 Pt. 2**; S.R. 2012/142, **art. 2(e)**
- F587** Words in Sch. 1 Pt. VII substituted (12.12.2014) by Education Act (Northern Ireland) 2014 (c. 12), s. 7, **Sch. 1 para. 19** (with **Sch. 2 para. 4(3)**)
- F588** Sch. 1 Pt. VII: entry repealed (N.I.) (prosp.) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 6, 7, **Sch. 3**; and omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), art. 3, **Sch. Pt. 3**
- F589** Sch. 1 Pt. VII: entry repealed (N.I.) (1.7.2006) by The Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 63(2), **Sch. 4** (with art. 49); S.R. 2006/257, **art. 2(b)(e)(v)**
- F590** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 1, 7, **Sch. 1 para. 13**, **Sch. 3**; S.R. 2009/172, **art. 2(e)**
- F591** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F592** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F593** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F594** Sch. 1 Pt. 7: entry inserted (N.I.) (29.3.2011) by Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (c. 17), ss. 36, 38(1)(c), **Sch. 5 para. 3**
- F595** Sch. 1Pt. VII: entry inserted (19.8.2005) by The Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(4), 10(2), **Sch. 1 para. 10(b)**
- F596** Sch. 1 Pt. VII: entries repealed (N.I.) (1.4.2002) by Industrial Development Act (Northern Ireland) 2002 (c. 1 (N.I.)), s. 5(4), **Sch. 4** (with **Sch. 2 paras. 1(4), 4(4), 6(4)**); S.R. 2002/134, **art. 2**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F597** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2002) by Industrial Development Act (Northern Ireland) 2002 (c. 1 (N.I.)), s. 1(2), **Sch. 1 para. 21** (with Sch. 2 paras. 1(4), 4(4), 6(4)); S.R. 2002/134, **art. 2**
- F598** Sch. 1 Pt. VII: entries removed (29.6.2004) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2004 (S.I. 2004/1641), **art. 3**, Sch. 2
- F599** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 5(1)(a)(iii), 6, 7, **Sch. 3**; S.R. 2009/172, **art. 2(e)**
- F600** Sch. 1 Pt. 7: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(2), **Sch. Pt. 2**
- F601** Sch. 1 Pt. 7: entry omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(2), **Sch. Pt. 2**
- F602** Sch. 1 Pt. VII: entry omitted (15.5.2008) by virtue of The Criminal Justice (Northern Ireland) Consequential Amendments) Order 2008 (S.I. 2008/1241), **art. 4(a)**
- F603** Sch. 1 Pt. VII: entry added (11.11.2002) by The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623), art. 3, **Sch. 2**
- F604** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 33, 34, Sch. 6 para. 17(3), **Sch. 7**; S.R. 2009/114, **art. 2**
- F605** Sch. 1 Pt. VII: entry repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406(6)(7), 411(2), **Sch. 19(1)** (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, **art. 3(1)**, Sch. 1 (subject to art. 3(3) and with art. 11)
- F606** Sch. 1 Pt. VII: entry inserted (N.I.) (1.4.2007) by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 43** (with art. 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. 2 (subject to art. 3)
- F607** Sch. 1 Pt. VII: entry inserted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 34(b)**; S.I. 2009/1604, **art. 2(d)**
- F608** Sch. 1 Pt. VII: entries removed (7.2.2006) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2005 (S.I. 2005/3594), **art. 2**, Sch. 1
- F609** Sch. 1 Pt. VII: entry added (1.6.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 5, **Sch. 4**
- F610** Sch. 1 Pt. VII: entry inserted (N.I.) (1.7.2006) by The Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 3(3), **Sch. 1 para. 19** (with art. 49); S.R. 2006/257, **art. 2(a)(c)**
- F611** Sch. 1 Pt. VII: entry added (7.2.2006) by The Freedom of Information (Additional Public Authorities) Order 2005 (S.I. 2005/3593), art. 4, **Sch. 3**
- F612** Sch. 1 Pt. VII: entry inserted (15.6.2005) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 3(3), 87(1), **Sch. 2 para. 20**; S.R. 2005/281, **art. 3(1)**, Sch. 2 paras. 2, 6 (subject to art. 3(2)(3))
- F613** Sch. 1 Pt. VII: entry inserted (16.4.2007) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 50(7), 87(1), **Sch. 9 para. 15**; S.R. 2007/237, **art. 2**, Sch. paras. 1, 5
- F614** Words in Sch. 1 Pt. VII repealed (1.4.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(1), Sch. 2 para. 3, **Sch. 3 Pt. 1** (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e)(f)
- F615** Sch. 1 Pt. VII: entry inserted (N.I.) (1.10.2008) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10, 12, **Sch. 3 para. 6**; S.R. 2008/396, **art. 2(h)**
- F616** Sch. 1 Pt. VII: entry repealed (N.I.) (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 6, 7, **Sch. 3**; S.R. 2009/172, **art. 2(e)**; and expressed to be omitted (1.10.2010) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2010 (S.I. 2010/939), art. 3, **Sch. Pt. 3**
- F617** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F618** Sch. 1 Pt. VII: entry inserted (11.8.2003) by The Freedom of Information (Additional Public Authorities) Order 2003 (S.I. 2003/1882), art. 3, **Sch. 2**
- F619** Sch. 1 Pt. VII: entry repealed (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 34(a)**, **Sch. 18 Pt. 5**; S.I. 2009/1604, **art. 2(f)**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F620** Sch. 1 Pt. VII: entry repealed (N.I.) (1.4.2007) by [The Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(2), [Sch. 13](#) (with art. 307); S.R. 2007/194, [art. 2\(2\)](#), Sch. 1 Pt. 2 (subject to art. 3)
- F621** Sch. 1 Pt. VII: entry inserted (15.5.2008) by virtue of [The Criminal Justice \(Northern Ireland\) Consequential Amendments\) Order 2008 \(S.I. 2008/1241\)](#), [art. 4\(b\)](#)
- F622** Sch. 1 Pt. VII: entry added (1.6.2006) by [The Freedom of Information \(Additional Public Authorities\) Order 2005 \(S.I. 2005/3593\)](#), art. 5, [Sch. 4](#)
- F623** Sch. 1 Pt. VII: entry added (7.2.2006) by [The Freedom of Information \(Additional Public Authorities\) Order 2005 \(S.I. 2005/3593\)](#), art. 4, [Sch. 3](#)
- F624** Words in Sch. 1 Pt. VII inserted (1.4.2012) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#), s. 111(3), [Sch. 7 para. 9](#); S.R. 2012/142, art. 2(d)
- F625** Sch. 1 Pt. 7: entry inserted (1.10.2011) by [The Freedom of Information \(Additional Public Authorities\) Order 2011 \(S.I. 2011/1041\)](#), art. 2(2), [Sch. 1 Pt. 2](#)
- F626** Sch. 1 Pt. 7: entry inserted (1.10.2011) by [The Freedom of Information \(Additional Public Authorities\) Order 2011 \(S.I. 2011/1041\)](#), art. 2(2), [Sch. 1 Pt. 2](#)
- F627** Words in Sch. 1 Pt. VII inserted (14.9.2012) by [Safeguarding Board Act \(Northern Ireland\) 2011 \(c. 7\)](#), [ss. 13\(3\)](#), 17(2); S.R. 2012/338, art. 2(1)
- F628** Words in Sch. 1 Pt. VII repealed (N.I.) (31.3.2017) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 12 Pt. 7](#); S.R. 2016/411, art. 3(3)(c)
- F629** Words in Sch. 1 Pt. VII inserted (17.2.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006 \(N.I. 1\)\)](#), arts. 2(2), [136\(9\)](#); S.R. 2016/46, art. 3(5)(f)
- F630** Sch. 1 Pt. VII: entry added (11.11.2002) by [The Freedom of Information \(Additional Public Authorities\) Order 2002 \(S.I. 2002/2623\)](#), art. 3, [Sch. 2](#)
- F631** Sch. 1 Pt. VII: entry inserted (11.8.2003) by [The Freedom of Information \(Additional Public Authorities\) Order 2003 \(S.I. 2003/1882\)](#), art. 3, [Sch. 2](#)

Marginal Citations

- M79** 1998 c. 47.
M80 1998 c. 35.
M81 S.I. 1998/1506 (N.I.10).

SCHEDULE 2

Section 18(4).

THE COMMISSIONER AND THE TRIBUNAL

PART I

PROVISION CONSEQUENTIAL ON S. 18(1) AND (2)

General

- 1 (1) Any reference in any enactment, instrument or document to the Data Protection Commissioner or the Data Protection Registrar shall be construed, in relation to any time after the commencement of section 18(1), as a reference to the Information Commissioner.
- (2) ^{F632}

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

F632 Sch. 2 para. 1(2) repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), [Sch. 4 Pt. 1](#)

Commencement Information

I31 Sch. 2 para. 1 wholly in force at 14.5.2001; [Sch. 2 para. 1\(1\)](#) in force at 30.1.2001, see [s. 87\(2\)\(c\)\(3\)](#); [Sch. 1 para. 1\(2\)](#) in force at 14.5.2001 by [S.I. 2001/1637](#), [art. 2\(b\)](#)

[^{F633}1A The Office for Standards in Education, Children's Services and Skills, in respect of information held for purposes other than those of the functions exercisable by Her Majesty's Chief Inspector of Education, Children's Services and Skills by virtue of section 5(1)(a)(iii) of the Care Standards Act 2000.]

Annotations:

Amendments (Textual)

F633 Sch. 1 Pt. 1 para. 1A inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 188, [Sch. 14 para. 69\(2\)\(b\)](#); [S.I. 2007/935](#), [art. 5\(gg\)](#)

2 (1) Any reference in this Act or in any instrument under this Act to the Commissioner shall be construed, in relation to any time before the commencement of section 18(1), as a reference to the Data Protection Commissioner.

(2) ^{F634}

Annotations:

Amendments (Textual)

F634 Sch. 2 para. 2(2) repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), [Sch. 4 Pt. 1](#)

Public Records Act 1958 (c. 51)

3 (1) In Part II of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (definition of public records), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner.”

(2) ^{F635}

Annotations:

Amendments (Textual)

F635 Sch. 2 para. 3(2) repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), [Sch. 4 Pt. 1](#)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I32 Sch. 2 para. 3 wholly in force at 14.5.2001; Sch. 2 para. 3(1) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 3(2) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Parliamentary Commissioner Act 1967 (c. 13)

4 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner”.

5 ^{F636}

Annotations:

Amendments (Textual)

F636 Sch. 2 para. 5 repealed (18.1.2010) by The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(3), Sch. 4 Pt. 1

Superannuation Act 1972 (c. 11)

6 In Schedule 1 to the Superannuation Act 1972 (employment with superannuation scheme), for “Data Protection Commissioner” there is substituted “ Information Commissioner ”.

Consumer Credit Act 1974 (c. 39)

7 In section 159 of the Consumer Credit Act 1974 (correction of wrong information), in subsections (7) and (8)(b), for “Data Protection Commissioner”, in both places where it occurs, there is substituted “ Information Commissioner ”.

House of Commons Disqualification Act 1975 (c. 24)

8 (1) In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

(2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

Annotations:

Commencement Information

I33 Sch. 2 para. 8 wholly in force at 14.5.2001; Sch. 2 para. 8(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 8(1) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 9 (1) In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

- (2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

Annotations:

Commencement Information

- I34** Sch. 2 para. 9 wholly in force at 14.5.2001; Sch. 2 para. 9(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 9(1) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Tribunals and Inquiries Act 1992 (c. 53)

- 10 In paragraph 14 of Part I of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals)—

(a) in sub-paragraph (a), for “The Data Protection Commissioner” there is substituted “The Information Commissioner”, and

(b) ^{F637}

Annotations:

Amendments (Textual)

- F637** Sch. 2 para. 10(b) repealed (18.1.2010) by The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(3), Sch. 4 Pt. 1

Commencement Information

- I35** Sch. 2 para. 10 wholly in force at 30.11.2002; Sch. 2 para. 10(a) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 10(b) in force at 30.11.2002 by S.I. 2002/2812, art. 2(h)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 11 ^{F638}

Annotations:

Amendments (Textual)

- F638** Sch. 2 para. 11 repealed (18.1.2010) by The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(3), Sch. 4 Pt. 1

- 12 In Schedule 7 to that Act (retirement dates: transitional provisions), in paragraph 5(5)(xxvi) for “the Data Protection Tribunal” there is substituted “the Information Tribunal”.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Data Protection Act 1998 (c. 29)

13 (1) Section 6 of the Data Protection Act 1998 (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.

(2) For subsection (1) there is substituted—

“(1) For the purposes of this Act and of the Freedom of Information Act 2000 there shall be an officer known as the Information Commissioner (in this Act referred to as “the Commissioner”).”

(3) ^{F639}

Annotations:

Amendments (Textual)

F639 Sch. 2 para. 13(3) repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), **Sch. 4 Pt. 1**

Commencement Information

I36 Sch. 2 para. 13 wholly in force at 14.5.2001; Sch. 2 para. 13(1)(2) in force at 30.1.2001, see s. 87(2)(c) (3); Sch. 2 para. 13(3) in force at 14.5.2001 by S.I. 2001/1637, **art. 2(b)**

14 In section 70(1) of that Act (supplementary definitions)—

(a) in the definition of “the Commissioner”, for “the Data Protection Commissioner” there is substituted “the Information Commissioner”, and

(b) ^{F640}

Annotations:

Amendments (Textual)

F640 Sch. 2 para. 14(b) repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), **Sch. 4 Pt. 1**

Commencement Information

I37 Sch. 2 para. 14 wholly in force at 14.5.2001; Sch. 2 para. 14(a) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 14(b) in force at 14.5.2001 by S.I. 2001/1637, **art. 2(b)**

15 (1) Schedule 5 to that Act (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.

(2) In paragraph 1(1), for “Data Protection Commissioner” there is substituted “Information Commissioner”.

(3) Part III shall cease to have effect.

Annotations:

Commencement Information

I38 Sch. 2 para. 15 wholly in force at 14.5.2001; Sch. 2 para. 15(1)(2) in force at 30.1.2001, see s. 87(2)(c) (3); Sch. 2 para. 15(3) in force at 14.5.2001 by S.I. 2001/1637, **art. 2(b)**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART II

AMENDMENTS RELATING TO EXTENSION OF FUNCTIONS OF COMMISSIONER AND TRIBUNAL

Interests represented by lay members of Tribunal

16 F641

Annotations:

Amendments (Textual)

F641 Sch. 2 para. 16 repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), **Sch. 4 Pt. 1**

Expenses incurred under this Act excluded in calculating fees

17 F642

Annotations:

Amendments (Textual)

F642 Sch. 2 para. 17 repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), **Sch. 4 Pt. 1**

Information provided to Commissioner or Tribunal

18 In section 58 of that Act (disclosure of information to Commissioner or Tribunal), after “this Act” there is inserted “ or the Freedom of Information Act 2000 ”.

19 (1) Section 59 of that Act (confidentiality of information) is amended as follows.

(2) In subsections (1) and (2), for “this Act”, wherever occurring, there is substituted “ the information Acts ”.

(3) After subsection (3) there is inserted—

“(4) In this section “the information Acts” means this Act and the Freedom of Information Act 2000.”

Deputy commissioners

20 (1) Paragraph 4 of Schedule 5 to that Act (officers and staff) is amended as follows.

(2) In sub-paragraph (1)(a), after “a deputy commissioner” there is inserted “ or two deputy commissioners ”.

(3) After sub-paragraph (1) there is inserted—

“(1A) The Commissioner shall, when appointing any second deputy commissioner, specify which of the Commissioner’s functions are to be performed, in the circumstances referred to in paragraph 5(1), by each of the deputy commissioners.”

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Exercise of Commissioner's functions by others

- 21 (1) Paragraph 5 of Schedule 5 to that Act (exercise of functions of Commissioner during vacancy etc.) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) after “deputy commissioner” there is inserted “ or deputy commissioners ”, and
- (b) after “this Act” there is inserted “ or the Freedom of Information Act 2000 ”.
- (3) In sub-paragraph (2) after “this Act” there is inserted “ or the Freedom of Information Act 2000 ”.

Money

- 22 In paragraph 9(1) of Schedule 5 to that Act (money) for “or section 159 of the Consumer Credit Act 1974” there is substituted “ , under section 159 of the Consumer Credit Act 1974 or under the Freedom of Information Act 2000 ”.

SCHEDULE 3

Section 55.

POWERS OF ENTRY AND INSPECTION

Annotations:

Modifications etc. (not altering text)

C86 Sch. 3 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}

Issue of warrants

- 1 (1) If a circuit judge [^{F643}or a District Judge (Magistrates' Courts)] is satisfied by information on oath supplied by the Commissioner that there are reasonable grounds for suspecting—
- (a) that a public authority has failed or is failing to comply with—
- (i) any of the requirements of Part I of this Act,
- (ii) so much of a decision notice as requires steps to be taken, or
- (iii) an information notice or an enforcement notice, or
- (b) that an offence under section 77 has been or is being committed, and that evidence of such a failure to comply or of the commission of the offence is to be found on any premises specified in the information, he may, subject to paragraph 2, grant a warrant to the Commissioner.
- (2) A warrant issued under sub-paragraph (1) shall authorise the Commissioner or any of his officers or staff at any time within seven days of the date of the warrant—
- (a) to enter and search the premises,
- (b) to inspect and seize any documents or other material found there which may be such evidence as is mentioned in that sub-paragraph, and

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- (c) to inspect, examine, operate and test any equipment found there in which information held by the public authority may be recorded.

Annotations:

Amendments (Textual)

F643 Words in [Sch. 3 para. 1\(1\)](#) inserted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 65(2), 110(1), [Sch. 4 para. 13](#); S.I. 2005/910, [art. 3\(u\)](#)

Modifications etc. (not altering text)

C87 [Sch. 3 para. 1](#): powers of seizure extended (1.4.2003) by [2001 c. 16](#), ss. 50, 52-54, 68, 138(2), [Sch. 1 Pt. 1 para. 73](#); S.I. 2003/708, [art. 2](#)

Commencement Information

I39 [Sch. 3 para. 1](#) wholly in force at 1.1.2005; [Sch. 3 para. 1](#) not in force at Royal Assent, see s. 87(3); [Sch. 3 para. 1](#) in force for certain purposes at 30.11.2002 by S.I. 2002/2812, [art. 2\(d\)\(e\)](#); [Sch. 3 para. 1](#) in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, [art. 2](#) and otherwise in force at 1.1.2005 by S.I. 2004/3122, [art. 2](#)

- 2 (1) A judge shall not issue a warrant under this Schedule unless he is satisfied—
- (a) that the Commissioner has given seven days' notice in writing to the occupier of the premises in question demanding access to the premises, and
- (b) that either—
- (i) access was demanded at a reasonable hour and was unreasonably refused, or
- (ii) although entry to the premises was granted, the occupier unreasonably refused to comply with a request by the Commissioner or any of the Commissioner's officers or staff to permit the Commissioner or the officer or member of staff to do any of the things referred to in paragraph 1(2), and
- (c) that the occupier, has, after the refusal, been notified by the Commissioner of the application for the warrant and has had an opportunity of being heard by the judge on the question whether or not it should be issued.

- (2) Sub-paragraph (1) shall not apply if the judge is satisfied that the case is one of urgency or that compliance with those provisions would defeat the object of the entry.

Annotations:

Commencement Information

I40 [Sch. 3 para. 2](#) wholly in force at 1.1.2005; [Sch. 3 para. 2](#) not in force at Royal Assent, see s. 87(3); [Sch. 3 para. 2](#) in force for certain purposes at 30.11.2002 by S.I. 2002/2812, [art. 2\(d\)\(e\)](#); [Sch. 3 para. 2](#) in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, [art. 2](#) and otherwise in force at 1.1.2005 by S.I. 2004/3122, [art. 2](#)

- 3 A judge who issues a warrant under this Schedule shall also issue two copies of it and certify them clearly as copies.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Commencement Information

- I41** Sch. 3 para. 3 wholly in force at 1.1.2005; Sch. 3 para. 3 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 3 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 3 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Execution of warrants

- 4 A person executing a warrant issued under this Schedule may use such reasonable force as may be necessary.

Annotations:

Commencement Information

- I42** Sch. 3 para. 4 wholly in force at 1.1.2005; Sch. 3 para. 4 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 4 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 4 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

- 5 A warrant issued under this Schedule shall be executed at a reasonable hour unless it appears to the person executing it that there are grounds for suspecting that the evidence in question would not be found if it were so executed.

Annotations:

Commencement Information

- I43** Sch. 3 para. 5 wholly in force at 1.1.2005; Sch. 3 para. 5 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 5 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 5 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

- 6 (1) If the premises in respect of which a warrant is issued under this Schedule are occupied by a public authority and any officer or employee of the authority is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if no such officer or employee is present a copy of the warrant shall be left in a prominent place on the premises.
- (2) If the premises in respect of which a warrant is issued under this Schedule are occupied by a person other than a public authority and he is present when the warrant is executed, he shall be shown the warrant and supplied with a copy of it; and if that person is not present a copy of the warrant shall be left in a prominent place on the premises.

Annotations:

Commencement Information

- I44** Sch. 3 para. 6 wholly in force at 1.1.2005; Sch. 3 para. 6 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 6 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 6 in

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force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

- 7 (1) A person seizing anything in pursuance of a warrant under this Schedule shall give a receipt for it if asked to do so.
- (2) Anything so seized may be retained for so long as is necessary in all the circumstances but the person in occupation of the premises in question shall be given a copy of anything that is seized if he so requests and the person executing the warrant considers that it can be done without undue delay.

Annotations:

Modifications etc. (not altering text)

C88 [Sch. 3 para. 7\(2\)](#) applied (1.4.2003) by 2001 c. 16, ss. 57(1)(p), 138(2) (with s. 57(2)-(4)); [S.I. 2003/708](#), [art. 2](#)

Commencement Information

I45 [Sch. 3 para. 7](#) wholly in force at 1.1.2005; [Sch. 3 para. 7](#) not in force at Royal Assent, see s. 87(3); [Sch. 3 para. 7](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(e\)](#); [Sch. 3 para. 7](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

Matters exempt from inspection and seizure

- 8 The powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of information which is exempt information by virtue of section 23(1) or 24(1).

Annotations:

Commencement Information

I46 [Sch. 3 para. 8](#) wholly in force at 1.1.2005; [Sch. 3 para. 8](#) not in force at Royal Assent, see s. 87(3); [Sch. 3 para. 8](#) in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), [art. 2\(d\)\(e\)](#); [Sch. 3 para. 8](#) in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

- 9 (1) Subject to the provisions of this paragraph, the powers of inspection and seizure conferred by a warrant issued under this Schedule shall not be exercisable in respect of—
- (a) any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or
- (b) any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.
- (2) Sub-paragraph (1) applies also to—
- (a) any copy or other record of any such communication as is there mentioned, and

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- (b) any document or article enclosed with or referred to in any such communication if made in connection with the giving of any advice or, as the case may be, in connection with or in contemplation of and for the purposes of such proceedings as are there mentioned.
- (3) This paragraph does not apply to anything in the possession of any person other than the professional legal adviser or his client or to anything held with the intention of furthering a criminal purpose.
- (4) In this paragraph references to the client of a professional legal adviser include references to any person representing such a client.

Annotations:

Commencement Information

I47 Sch. 3 para. 9 wholly in force at 1.1.2005; Sch. 3 para. 9 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 9 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 9 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

- 10 If the person in occupation of any premises in respect of which a warrant is issued under this Schedule objects to the inspection or seizure under the warrant of any material on the grounds that it consists partly of matters in respect of which those powers are not exercisable, he shall, if the person executing the warrant so requests, furnish that person with a copy of so much of the material in relation to which the powers are exercisable.

Annotations:

Commencement Information

I48 Sch. 3 para. 10 wholly in force at 1.1.2005; Sch. 3 para. 10 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 10 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 10 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Return of warrants

- 11 A warrant issued under this Schedule shall be returned to the court from which it was issued—
- (a) after being executed, or
- (b) if not executed within the time authorised for its execution;
- and the person by whom any such warrant is executed shall make an endorsement on it stating what powers have been exercised by him under the warrant.

Annotations:

Commencement Information

I49 Sch. 3 para. 11 wholly in force at 1.1.2005; Sch. 3 para. 11 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 11 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 11 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Status: This version of this Act contains provisions that are prospective.

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Offences

- 12 Any person who—
- (a) intentionally obstructs a person in the execution of a warrant issued under this Schedule, or
 - (b) fails without reasonable excuse to give any person executing such a warrant such assistance as he may reasonably require for the execution of the warrant,
- is guilty of an offence.

Annotations:

Modifications etc. (not altering text)

C89 Sch. 3 para. 12 extended (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), **reg. 11(13)**

Commencement Information

I50 Sch. 3 para. 12 wholly in force at 1.1.2005; Sch. 3 para. 12 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 12 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; Sch. 3 para. 12 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Vessels, vehicles etc.

- 13 In this Schedule “premises” includes any vessel, vehicle, aircraft or hovercraft, and references to the occupier of any premises include references to the person in charge of any vessel, vehicle, aircraft or hovercraft.

Annotations:

Commencement Information

I51 Sch. 3 para. 13 wholly in force at 1.1.2005; Sch. 3 para. 13 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 13 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; Sch. 3 para. 13 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Scotland and Northern Ireland

- 14 In the application of this Schedule to Scotland—
- (a) for any reference to a circuit judge there is substituted a reference to the sheriff, and
 - (b) for any reference to information on oath there is substituted a reference to evidence on oath.

Annotations:

Commencement Information

I52 Sch. 3 para. 14 wholly in force at 1.1.2005; Sch. 3 para. 14 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 14 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; Sch. 3 para. 14 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 15 In the application of this Schedule to Northern Ireland—
- (a) for any reference to a circuit judge there is substituted a reference to a county court judge, and
 - (b) for any reference to information on oath there is substituted a reference to a complaint on oath.

Annotations:

Commencement Information

I53 Sch. 3 para. 15 wholly in force at 1.1.2005; Sch. 3 para. 15 not in force at Royal Assent, see s. 87(3); Sch. 3 para. 15 in force for certain purposes at 30.11.2002 by S.I. 2002/2812, art. 2(d)(e); Sch. 3 para. 15 in force for certain further purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

^{F644}SCHEDULE 4

Annotations:

Amendments (Textual)

F644 Sch. 4 omitted (18.1.2010) by virtue of The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(1), Sch. 2 para. 72

SCHEDULE 5

Section 67.

AMENDMENTS OF PUBLIC RECORDS LEGISLATION

PART I

AMENDMENTS OF PUBLIC RECORDS ACT 1958

Functions of Advisory Council on Public Records

- 1 In section 1 of the ^{M83}Public Records Act 1958 (general responsibility of the Lord Chancellor for public records), after subsection (2) there is inserted—
- “(2A) The matters on which the Advisory Council on Public Records may advise the Lord Chancellor include matters relating to the application of the Freedom of Information Act 2000 to information contained in public records which are historical records within the meaning of Part VI of that Act.”

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Marginal Citations

M83 1958 c. 51.

Access to public records

- 2 (1) Section 5 of that Act (access to public records) is amended in accordance with this paragraph.
- (2) Subsections (1) and (2) are omitted.
- (3) For subsection (3) there is substituted—
- “(3) It shall be the duty of the Keeper of Public Records to arrange that reasonable facilities are available to the public for inspecting and obtaining copies of those public records in the Public Record Office which fall to be disclosed in accordance with the Freedom of Information Act 2000.”
- (4) Subsection (4) and, in subsection (5), the words from “and subject to” to the end are omitted.
- 3 Schedule 2 of that Act (enactments prohibiting disclosure of information obtained from the public) is omitted.

Power to extend meaning of “public records”

- 4 In Schedule 1 to that Act (definition of public records) after the Table at the end of paragraph 3 there is inserted—
- “3A (1) Her Majesty may by Order in Council amend the Table at the end of paragraph 3 of this Schedule by adding to either Part of the Table an entry relating to any body or establishment—
- (a) which, at the time when the Order is made, is specified in Schedule 2 to the Parliamentary Commissioner Act 1967 (departments, etc. subject to investigation), or
- (b) in respect of which an entry could, at that time, be added to Schedule 2 to that Act by an Order in Council under section 4 of that Act (which confers power to amend that Schedule).
- (2) An Order in Council under this paragraph may relate to a specified body or establishment or to bodies or establishments falling within a specified description.
- (3) An Order in Council under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

PART II

AMENDMENT OF PUBLIC RECORDS ACT (NORTHERN IRELAND) 1923

- 5 After section 5 of the ^{M84}Public Records Act (Northern Ireland) 1923 (deposit of documents in Record Office by trustees or other persons) there is inserted—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“5A Access to public records

It shall be the duty of the Deputy Keeper of the Records of Northern Ireland to arrange that reasonable facilities are available to the public for inspecting and obtaining copies of those public records in the Public Record Office of Northern Ireland which fall to be disclosed in accordance with the Freedom of Information Act 2000.”

Annotations:

Marginal Citations

M84 1923 c.20(N.I.).

SCHEDULE 6

Section 73.

FURTHER AMENDMENTS OF DATA PROTECTION ACT 1998

Request by data controller for further information

- 1 In section 7 of the ^{M85}Data Protection Act 1998 (right of access to personal data), for subsection (3) there is substituted—

“(3) Where a data controller—

- (a) reasonably requires further information in order to satisfy himself as to the identity of the person making a request under this section and to locate the information which that person seeks, and
- (b) has informed him of that requirement,

the data controller is not obliged to comply with the request unless he is supplied with that further information.”

Annotations:

Marginal Citations

M85 1998 c. 29.

Parliament

- 2 After section 35 of that Act there is inserted—

“35A Parliamentary privilege.

Personal data are exempt from—

- (a) the first data protection principle, except to the extent to which it requires compliance with the conditions in Schedules 2 and 3,
- (b) the second, third, fourth and fifth data protection principles,
- (c) section 7, and
- (d) sections 10 and 14(1) to (3),

Status: This version of this Act contains provisions that are prospective.

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if the exemption is required for the purpose of avoiding an infringement of the privileges of either House of Parliament.”

Annotations:

Commencement Information

I55 Sch. 6 para. 2 wholly in force at 1.1.2005; Sch. 6 para. 2 not in force at Royal Assent, see s. 87(3); Sch. 6 para. 2 in force for certain purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

3 After section 63 of that Act there is inserted—

“63A Application to Parliament.

- (1) Subject to the following provisions of this section and to section 35A, this Act applies to the processing of personal data by or on behalf of either House of Parliament as it applies to the processing of personal data by other persons.
- (2) Where the purposes for which and the manner in which any personal data are, or are to be, processed are determined by or on behalf of the House of Commons, the data controller in respect of those data for the purposes of this Act shall be the Corporate Officer of that House.
- (3) Where the purposes for which and the manner in which any personal data are, or are to be, processed are determined by or on behalf of the House of Lords, the data controller in respect of those data for the purposes of this Act shall be the Corporate Officer of that House.
- (4) Nothing in subsection (2) or (3) is to be taken to render the Corporate Officer of the House of Commons or the Corporate Officer of the House of Lords liable to prosecution under this Act, but section 55 and paragraph 12 of Schedule 9 shall apply to a person acting on behalf of either House as they apply to any other person.”

Annotations:

Commencement Information

I56 Sch. 6 para. 3 wholly in force at 1.1.2005; Sch. 6 para. 3 not in force at Royal Assent, see s. 87(3); Sch. 6 para. 3 in force for certain purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

4 In Schedule 2 to that Act (conditions relevant for the purposes of the first data protection principle: processing of any personal data) in paragraph 5 after paragraph (a) there is inserted—

“(aa) for the exercise of any functions of either House of Parliament.”.

Annotations:

Commencement Information

I57 Sch. 6 para. 4 wholly in force at 1.1.2005; Sch. 6 para. 4 not in force at Royal Assent, see s. 87(3); Sch. 6 para. 4 in force for certain purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

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- 5 In Schedule 3 to that Act (conditions relevant for the purposes of the first data protection principle: processing of sensitive personal data) in paragraph 7 after paragraph (a) there is inserted—
“(aa) for the exercise of any functions of either House of Parliament.”.

Annotations:

Commencement Information

I58 Sch. 6 para. 5 wholly in force at 1.1.2005; Sch. 6 para. 5 not in force at Royal Assent, see s. 87(3); Sch. 6 para. 5 in force for certain purposes at 1.1.2005 by S.I. 2004/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Honours

- 6 In Schedule 7 to that Act (miscellaneous exemptions) in paragraph 3(b) (honours) after “honour” there is inserted “ or dignity ”.

Legal professional privilege

- 7 In paragraph 10 of that Schedule (legal professional privilege), for the words “or, in Scotland, to confidentiality as between client and professional legal adviser,” there is substituted “ or, in Scotland, to confidentiality of communications ”.

Extension of transitional exemption

- 8 In Schedule 14 to that Act (transitional provisions), in paragraph 2(1) (which confers transitional exemption from the prohibition on processing without registration on those registered under the Data Protection Act 1984) the words “or, if earlier, 24th October 2001” are omitted.

SCHEDULE 7

Section 76(2).

DISCLOSURE OF INFORMATION BY OMBUDSMEN

The Parliamentary Commissioner for Administration

- 1 At the end of section 11 of the ^{M86}Parliamentary Commissioner Act 1967 (provision for secrecy of information) there is inserted—
“(5) Information obtained from the Information Commissioner by virtue of section 76(1) of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) of this section as obtained for the purposes of an investigation under this Act and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Marginal Citations

M86 1967 c. 13.

2 After section 11A of that Act there is inserted—

“11AA Disclosure of information by Parliamentary Commissioner to Information Commissioner.

- (1) The Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Commissioner under or for the purposes of this Act if the information appears to the Commissioner to relate to—
- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
 - (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (2) Nothing in section 11(2) of this Act shall apply in relation to the disclosure of information in accordance with this section.”

The Commissions for Local Administration in England and Wales

3 In section 32 of the ^{M87}Local Government Act 1974 (law of defamation, and disclosure of information) after subsection (6) there is inserted—

“(7) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) above as obtained for the purposes of an investigation under this Part of this Act and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

Annotations:

Marginal Citations

M87 1974 c. 7.

4 After section 33 of that Act there is inserted—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“33A Disclosure of information by Local Commissioner to Information Commissioner.

- (1) A Local Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Local Commissioner under or for the purposes of this Part of this Act if the information appears to the Local Commissioner to relate to—
- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
- (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
- (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (2) Nothing in section 32(2) of this Act shall apply in relation to the disclosure of information in accordance with this section.”

The Health Service Commissioners

- 5 At the end of section 15 of the ^{M88}Health Service Commissioners Act 1993 (confidentiality of information) there is inserted—

“(4) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (1) as obtained for the purposes of an investigation and, in relation to such information, the reference in paragraph (a) of that subsection to the investigation shall have effect as a reference to any investigation.”

Annotations:

Marginal Citations

M88 1993 c. 46.

- 6 After section 18 of that Act there is inserted—

“18A Disclosure of information to Information Commissioner.

- (1) The Health Service Commissioner for England or the Health Service Commissioner for Wales may disclose to the Information Commissioner any information obtained by, or furnished to, the Health Service Commissioner under or for the purposes of this Act if the information appears to the Health Service Commissioner to relate to—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
 - (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (3) Nothing in section 15 (confidentiality of information) applies in relation to the disclosure of information in accordance with this section.”

The Welsh Administration Ombudsman

7 F645

Annotations:

Amendments (Textual)

F645 Sch. 7 para. 7 repealed (1.4.2006 for W.) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 7; S.I. 2005/2800, art. 5

8 F646

Annotations:

Amendments (Textual)

F646 Sch. 7 para. 8 repealed (1.4.2006 for W.) by Public Services Ombudsman (Wales) Act 2005 (c. 10), ss. 39, 40, Sch. 7; S.I. 2005/2800, art. 5

The Northern Ireland Commissioner for Complaints

9 At the end of Article 21 of the ^{M89}Commissioner for Complaints (Northern Ireland) Order 1996 (disclosure of information by Commissioner) there is inserted—

“(5) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of paragraph (1) as obtained for the purposes of an investigation under this Order and, in relation to such information, the reference in paragraph (1)(a) to the investigation shall have effect as a reference to any investigation.”

Annotations:

Marginal Citations

M89 S.I. 1996/1297 (N.I. 7).

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

10 After that Article there is inserted—

“21A Disclosure of information to Information Commissioner

- (1) The Commissioner may disclose to the Information Commissioner any information obtained by, or furnished to, the Commissioner under or for the purposes of this Order if the information appears to the Commissioner to relate to—
- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
 - (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
 - (b) the commission of an offence under—
 - (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (2) Nothing in Article 21(1) applies in relation to the disclosure of information in accordance with this Article.”

The Assembly Ombudsman for Northern Ireland

11 At the end of Article 19 of the ^{M90}Ombudsman (Northern Ireland) Order 1996 there is inserted—

- “(5) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of paragraph (1) as obtained for the purposes of an investigation under this Order and, in relation to such information, the reference in paragraph (1)(a) to the investigation shall have effect as a reference to any investigation.”

Annotations:

Marginal Citations

M90 S.I. 1996/1298 (N.I. 8).

12 After that Article there is inserted—

“19A Disclosure of information to Information Commissioner

- (1) The Ombudsman may disclose to the Information Commissioner any information obtained by, or furnished to, the Ombudsman under or for the purposes of this Order if the information appears to the Ombudsman to relate to—
- (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) Part V of the Data Protection Act 1998 (enforcement),
 - (ii) section 48 of the Freedom of Information Act 2000 (practice recommendations), or
 - (iii) Part IV of that Act (enforcement), or
- (b) the commission of an offence under—
- (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant), or
 - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (2) Nothing in Article 19(1) applies in relation to the disclosure of information in accordance with this Article.”

The Commissioner for Local Administration in Scotland

13

[^{F647}In section 30 of the ^{M91}Local Government (Scotland) Act 1975 (limitation on disclosure of information), after subsection (5) there is inserted—

“(5A) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act 2000 shall be treated for the purposes of subsection (2) as obtained for the purposes of an investigation under this Part of this Act and, in relation to such information, the reference in subsection (2)(a) to the investigation shall have effect as a reference to any investigation.”]

Annotations:

Amendments (Textual)

F647 Sch. 7 para. 13 repealed (S.) (23.10.2002) by [Scottish Public Services Ombudsman Act 2002 \(asp 11\)](#), s. 26, [Sch. 6 para. 23\(3\)](#); S.S.I. 2002/467, [art. 2](#)

Marginal Citations

M91 1975 c. 30.

SCHEDULE 8

Section 86.

REPEALS

PART I

REPEAL COMING INTO FORCE ON PASSING OF ACT

Chapter	Short title	Extent of repeal
1998 c. 29.	The Data Protection Act 1998.	In Schedule 14, in paragraph 2(1), the words “or, if earlier, 24th October 2001”.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART II

REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 87(2)

Chapter	Short title	Extent of repeal
1958 c. 51.	The Public Records Act 1958.	In Schedule 1, in Part II of the Table in paragraph 3, the entry relating to the Data Protection Commissioner.
1967 c. 13.	The Parliamentary Commissioner Act 1967.	In Schedule 2, the entry relating to the Data Protection Commissioner.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to the Data Protection Commissioner.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to the Data Protection Commissioner.
1998 c. 29.	The Data Protection Act 1998.	In Schedule 5, Part III. In Schedule 15, paragraphs 1(1), 2, 4, 5(2) and 6(2)

PART III

REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 87(3)

Chapter	Short title	Extent of repeal
1958 c. 51.	The Public Records Act 1958.	In section 5, subsections (1), (2) and (4) and, in subsection (5), the words from “and subject to” to the end. Schedule 2.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Data Protection Tribunal.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Data Protection Tribunal.
1998 c. 29.	The Data Protection Act 1998.	In section 1(1), in the definition of “data”, the word “or” at the end of paragraph (c). In Schedule 15, paragraphs 1(2) and (3), 3, 5(1) and 6(1).

Status:

This version of this Act contains provisions that are prospective.

Changes to legislation:

Freedom of Information Act 2000 is up to date with all changes known to be in force on or before 17 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 71 repealed by 2017 c. 30 s. 111(9)(a)
- s. 76(1) entry inserted by 2016 c. 21 (N.I.) Sch. 3 para. 14(1)
- Sch. 1 Pt. 6 entry repealed by 2000 c. 38 Sch. 31 Pt. 4
- Sch. 1 Pt. 7 entry substituted by 2016 c. 21 (N.I.) Sch. 3 para. 14(2)
- Sch. 1 Pt. 6 words inserted by 2016 anaw 3 Sch. 2 para. 23
- Sch. 1 Pt. 7 words inserted by 2016 c. 14 (N.I.) Sch. 1 para. 17
- Sch. 1 Pt. 6 words inserted by 2009 c. 13 Sch. 2 para. 10 (This amendment not applied to legislation.gov.uk. Sch. 2 para. 10 substituted (19.4.2010) by 2010 c. 25, Sch. 3; S.I. 2010/1277, art. 2(c))
- Sch. 1 Pt. 6 words inserted by 2009 c. 26 s. 2(4)
- Sch. 1 Pt. 6 words inserted by 2017 c. 15 Sch. 2 para. 3
- Sch. 1 Pt. 6 words inserted by 2017 c. 16 Sch. 3 para. 24
- Sch. 1 Pt. 6 words inserted by 2017 c. 19 s. 1(4)(b)
- Sch. 1 Pt. 6 words inserted by 2017 c. 29 Sch. 1 para. 20
- Sch. 1 Pt. 6 words inserted by 2017 c. 29 Sch. 9 para. 22
- Sch. 1 Pt. 4 para. 53(1)(c) words inserted by 2017 c. 29 Sch. 11 para. 29(2)(b)
- Sch. 1 Pt. 4 para. 53(1)(e) words inserted by 2017 c. 29 Sch. 11 para. 29(2)(c)
- Sch. 1 Pt. 4 para. 53(2)(c) words inserted by 2017 c. 29 Sch. 11 para. 29(3)(b)
- Sch. 1 Pt. 6 words omitted by 2011 c. 21 Sch. 5 para. 16 (This amendment not applied to legislation.gov.uk. Entry for Teacher Training Agency already repealed (1.9.2005) by Education Act 2005 (c. 18), ss. 123, 125(3)(b), Sch. 19 Pt. 3)
- Sch. 1 para. 40 words omitted by 2012 c. 7 Sch. 14 para. 81
- Sch. 1 Pt. 6 words omitted by 2014 c. 2 Sch. 12 para. 45
- Sch. 1 Pt. 6 words omitted by 2017 c. 29 Sch. 11 para. 29(4)(a)
- Sch. 1 Pt. 6 words omitted by 2017 c. 29 Sch. 11 para. 29(4)(b)
- Sch. 1 Pt. 6 words omitted by 2017 c. 29 Sch. 12 para. 18
- Sch. 1 Pt. 7 words repealed by 2016 c. 14 (N.I.) Sch. 4 para. 7 Sch. 5
- Sch. 1 Pt. 6 words repealed by 2013 c. 2 Sch. 1 Pt. 10 Group 3 (This amendment not applied to legislation.gov.uk. Entry for The Personal Accounts Delivery Authority already omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), Sch. Pt. 1)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 Pt. 4 para. 53(1)(aa) inserted by 2017 c. 29 Sch. 11 para. 29(2)(a)
- Sch. 1 Pt. 4 para. 53(2)(aa) inserted by 2017 c. 29 Sch. 11 para. 29(3)(a)

Annexure G

Printout of the transfer schedule of the UK Foreign and Commonwealth Office's retained records to the UK National Archives, available at <https://www.gov.uk/government/publications/fcos-transferred-material-to-the-national-archives>, last updated 2 August 2017, last accessed 4 December 2017; and

Copy of the FCO's retained records transferred to the UK National Archives, January to June 2017.

[Home](#)

Transparency data

FCO retained records now transferred to The National Archives

From: Foreign & Commonwealth Office
Published: 31 July 2014
Last updated: 2 August 2017, see all updates

A table of FCO's transferred material with effect from 1 January 2014.

Documents



FCO's retained records now transferred to The National Archives

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FCO's retained records now transferred to The National Archives, January to June 2017

PDF, 275KB, 9 pages

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FCO's previously retained now transferred to The National Archives 2016

PDF, 244KB, 7 pages

This file may not be suitable for users of assistive technology. [Request an accessible format.](#)



FCO's retained records now transferred to the National Archives 2015

PDF, 309KB, 14 pages

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FCO's retained records now transferred to the National Archives 2014

PDF, 367KB, 17 pages

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Details

Recent transfers from the FCO to The National Archives of formerly retained information.

Published: **31 July 2014**

From: **Foreign & Commonwealth Office**

Updated: **2 August 2017**

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Piece Number	Extract/ Whole piece	Sent open or Redacted to TNA	Date sent to TNA	Title	Folio No where known	Year
FCO 141/4626	Whole Piece	Redacted	30/01/2017	Cyprus constitution: demarcation of Sovereign Base Areas and condition of lands	10 folios closed	1959-1960
CO 537/5135	Whole Piece	Open	30/01/2017	Measures to counteract adverse effect of UN voting against the UK over the Colonies		1949
FO 1005/1726	Whole Piece	Redacted	30/01/2017	Berlin (Weekly) (BIS): 2-56	17 Folios remain retained	1947-1948
FO 371/77609	Extract	Open	17/03/2017	Soviet propaganda against the Western Powers: Stalin's interview with an American journalist, articles on Soviet intentions by Lt Col Tokaev; analysis of Stalin's alleged peace proposal. Code 38, file 1024 (papers to 1021)	Jacket N241 jacket cover released	1949
FO 371/77612	Extract	Open	17/03/2017	Soviet propaganda against the Western Powers: Stalin's interview with an American journalist, articles on Soviet intentions by Lt Col Tokaev; analysis of Stalin's alleged peace proposal. Code 38, file 1024 (papers 2255 - 4920)	Jacket N3430 jacket cover released	1949
FCO 56/1184	Whole Piece	Open	17/03/2017	Role of UK armed forces in Northern Ireland		1974
FO 1015/526	Whole Piece	Open	17/03/2017	Periodic reports on the internal political situation in Eritrea, including activities of the Shifta insurgents		1950

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FO 1093/548	Extract	Redacted	17/03/2017	Defector from Berlin: Lieutenant Colonel Gregory Tokaev (codename EXCISE); reports and information	Released except for 2 folios released with redaction	1947-1948
FO 1093/549	Extract	Redacted	17/03/2017	Defector from Berlin: Lieutenant Colonel Gregory Tokaev (codename EXCISE); reports and information	Released except for 1 folio released with redaction	1949
FO 935/451	Whole Piece	Open	24/03/2017	Intelligence Division: staffing		1951
FCO 936/610	Whole Piece	Open	24/03/2017	Intelligence Division: O and M reports		1947
FO 936/835	Whole Piece	Open	24/03/2017	Establishment: Intelligence Division HQ		1949
FO 898/19	Extract	Redacted	28/03/2017	Ministry of Information	Letter of 14/12/1940 and unnumbered folio released with redaction. Letter dated 13/7/1941 released in full	1941
FO 369/2548	Extract	Full	22/05/2017	War: German internees in British possessions. Code 248 file 14916 (papers 16469 - end)	Folios 74-79	1939

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FO 369/2549	Extract	Full	22/05/2017	War: French arrangement for internees. Code 248 file 14921; Question of exchanging British and German internees. Code 248 file 14958; Question of reciprocal treatment for correspondence of internees. Code 248 file 14960; Treatment of prisoners of war. Code 248 file 15139; Currency regulations in regard to ex-internees. Code 248 file 15164; Treatment of British subjects on board German ship 'Altmark'. Code 248 file 17889; Question of allowing wives to visit prisoners of war. Code 248 file 18330; Welfare of German crew of s.s. 'Parana'. Code 248 file 18551	Folios 227-228	1939
FO 369/2718	Extract	Full	22/05/2017	Expulsion of Consul-General from Syria by Vichy Government: disposal of consular staff in Syrian posts. Code 289 file 5310	Folio 289	1941
FO 369/2736	Extract	Full	22/05/2017	Arrangements for evacuation of British subjects from various countries. Code 250 file 10 (papers 10162-11365)	Folio 250	1942
FO 369/2768	Extract	Full	22/05/2017	Staff leave, emoluments, pensions, etc.. Code 210 file 433 (papers 12467-end)	Folio 210	1943
FO 369/2827	Extract	Full	22/05/2017	British refugees - evacuation and repatriation of. Code 250 file 286 (to paper 2484)	Folio 286	1943
FO 369/2958	Extract	Full	22/05/2017	Opening of British consular posts in France. Code 217 file 8973 (to paper 12540)	Folio 217	1944
FO 369/2960	Extract	Full	22/05/2017	Repatriation of internees from France. Code 217 file 9053	Folio 217	1944
FO 369/2973	Extract	Full	22/05/2017	Return of British evacuees to the United Kingdom. Code 250 file 2 (papers 3584-4967)	Folio 250	1944

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FO 369/2975	Extract	Full	22/05/2017	Return of British evacuees to the United Kingdom. Code 250 file 2 (papers 5926-7420)	Folio 250	1944
FO 369/3030	Extract	Full	22/05/2017	Opening of Vice-Consulate at Pamplona. Code 241 file 5526		1944
FO 369/3083	Extract	Full	22/05/2017	Vice-Consulates at Puerto Montt and Valdivia: proposed closure of. Code 209 file 1960		1945
DO 121/259	Whole piece	Partial	04/05/2017	Sir Arthur Snelling, British High Commissioner: letters on Ghana	Reports dated 29/10/1961, 6/10/1961, still retained	1961
CO 537/4299	Whole piece	Partial	12/05/2017	Security: undesirable publications	Retained: Manuscript minute	1949
FO 369/3108	Extract	Full	22/05/2017	Re-opening of subordinate consular posts in Denmark: proposals for. Code 215 file 13707		1945
FO 369/3167	Extract	Full	22/05/2017	British subjects in liberated territories: assistance for. Code 250 file 810 (papers 13009-16217)		1945
FO 369/3193	Extract	Full	22/05/2017	Repatriation of internees from Germany. Code 218 file 10156		1945
FO 369/3202	Extract	Full	22/05/2017	Repatriation of British subjects. Code 222 file 128 (to paper 9794)		1945
FO 369/3203	Extract	Full	22/05/2017	Repatriation of British subjects. Code 222 file 128 (papers 10077-end)		1945
FO 369/3286	Extract	Full	22/05/2017	Advances to refugees. Code 248 file 7		1945
FO 369/3307	Extract	Full	22/05/2017	Closure of vice-consulate at Fernando Po. Code 241 file 7047		1945
FO 369/3318	Extract	Full	22/05/2017	Disposal of surplus accrued from Statutory List Sales. Code 243 file 13538		1945
FO 369/3498	Extract	Full	22/05/2017	Trials of sundry British subjects on charges of espionage or collaboration during period of enemy occupation		1946

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FO 369/3509	Extract	Full	22/05/2017	Payments to P G Wodehouse by Germany and payments to Mrs Ethel Wodehouse: attempts by HMG to obtain refund of advances	1946
FO 369/3284	Whole piece	Full	22/05/2017	Count Sarsfield Demetrio Salazar. Code 236 file 15869	1945
FO 369/3023	Whole piece	Full	22/05/2017	Financial relief for Malays at Mecca. Code 225 file 733	1944
FO 369/2890	Whole piece	Full	22/05/2017	Mr. E.J. Labarre - former pro-consul at Amsterdam. Code 229 file 4006	1943
FO 369/3524	Whole piece	Full	22/05/2017	Consular: General correspondence 1906 (France 217)	1946
FO 141/838	Extract	Full	22/05/2017	Islamic Societies: reports on by British Intelligence and Egyptian police	1942
FO 141/1099	Extract	Full	22/05/2017	Security: public	1946
FO 141/1084	Extract	Full	22/05/2017	Arab Policy	1946
FO 141/1110	Extract	Full	22/05/2017	Islamic Societies: reports on leaders and meetings	1946
FO 141/1116	Extract	Full	22/05/2017	British Middle East Office	1946
FO 141/1169	Extract	Full	22/05/2017	Indonesia: recognition by Egypt	1947
FO 141/1171	Extract	Full	22/05/2017	Egyptian universities: Professor Blackman	1947
FO 141/1173	Extract	Full	22/05/2017	Treaty: Anglo-Egyptian (Part 1)	1947
FO 141/1206	Extract	Full	22/05/2017	British Middle East Office	1947
FO 141/1254	Extract	Full	22/05/2017	Security: incidents	1948
FO 141/1155	Extract	Full	22/05/2017	Public	1948
FO 141/1156	Extract	Full	22/05/2017	Egypt: political situation	1948
FO 141/1259	Extract	Full	22/05/2017	Security: trial of political criminals	1948
FO 141/1264	Extract	Full	22/05/2017	Rageh, Abdel Razek: arrest for espionage	1948
FO 141/1247	Whole piece	Full	22/05/2017	Palestine: cessation of hostilities	1943
FO 115/4042	Extract	Full	22/05/2017	United States commercial activities in the Middle East: memorandum	1944
FO 115/3947	Whole piece	Full	22/05/2017	Supply of Turkish chrome to Germany: allied reaction	1943

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FO 115/4441	Whole piece	Full	22/05/2017	Foreign office Embassy and Consulate United States of America General Correspondence		1949
FO 115/4442	Whole piece	Full	22/05/2017	Foreign office Embassy and Consulate United States of America General Correspondence		1949
FO 115/4445	Whole piece	Full	22/05/2017	Foreign office Embassy and Consulate United States of America General Correspondence		1949
FO 115/4446	Whole piece	Full	22/05/2017	Foreign office Embassy and Consulate United States of America General Correspondence		1949
FO 188/ 550	Extract	Full	22/05/2017	Espionage		1946
FO 188/577	Extract	Full	22/05/2017	Air Services: Russian-Swedish Agreement		1946
FO 371/29963	Extract	Full	02/06/2017	The Duke of Aosta. Code 22 file 3599	Jacket R5513/G	1941
CO 537/4299	Whole piece	Full	02/06/2017	Security: undesirable publications		1949
FO 1103/2026	Whole piece	Full	23/06/2017	Treaty: Royal Matters; Territorial Waters; Treaty Formalities		1940
FO 950/945	Whole piece	Partial	23/06/2017	Nazi persecution claim: Mr Janus Henryk Leon Messing	Redacted and retained: Form A	1966
FO 950/1114	Whole piece	Partial	23/06/2017	Nazi persecution claim: Mrs Margaret Nellie Sander	Redacted and retained: 11 folios	1970
FO 950/1379	Whole piece	Partial	23/06/2017	Nazi persecution claim: Mrs Marie Jana Naprestek, formerly Santroch	Redacted and retained: Form A	1966
FO 950/1039	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Thomas George Chesterman		1966
FO 950/1439	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Paul Lax		1964
FO 950/1440	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr A Sekey		1964
FO 950/1441	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr T Klein		1964
FO 950/1443	Whole piece	Full	23/06/2017	Nazi persecution claim: Mrs V Davies		1964
FO 950/1446	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr M Kuflik		1964

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FO 950/1448	Whole piece	Full	23/06/2017	Nazi persecution claim: Burton and Burton Solicitors for Mr and Mrs Bension Taragano	1964
FO 950/1451	Whole piece	Full	23/06/2017	Nazi persecution claim: Mrs Fanny Vasil	1964
FO 950/1452	Whole piece	Full	23/06/2017	Nazi persecution claim: Miss Annette Gubbay	1964
FO 950/1454	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr S Bentall	1964
FO 950/1455	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Klimowski	1964
FO 950/1456	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Gustav Kramer	1964
FO 950/1458	Whole piece	Full	23/06/2017	Nazi persecution claim: Mrs A Mitchell	1964
FO 950/1460	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr M Golding	1964
FO 950/1461	Whole piece	Full	23/06/2017	Nazi persecution claim: Miss Irene R Ritter	1964
FO 950/1462	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr H Samek	1964
FO 950/1464	Whole piece	Full	23/06/2017	Nazi persecution claim: Mrs F Heilpern	1964
FO 950/1465	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr H Rostion	1964
FO 950/1467	Whole piece	Full	23/06/2017	Nazi persecution claim: Mrs Anna Thompson	1964
FO 950/1468	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Julius Gordon	1964
FO 950/1469	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr A Adler	1964
FO 950/1470	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr K Vychodil	1964
FO 950/1471	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr S J Saunders	1964
FO 950/1473	Whole piece	Full	23/06/2017	Nazi persecution claim: Mr Alexander Pick	1964

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Explanatory notes (for a further explanation of pieces please refer to The National Archives page on <http://www.nationalarchives.gov.uk/records/citing-documents.htm> para 1.2)

This table provides details of information which the FCO previously retained with the approval of the Lord Chancellor under Section 3(4) of the Public Records Act, and which, following re-review, we have recently transferred to The National Archives. The data in this table covers the period 1 January to 30 June 2017. We publish this data quarterly.

A 'piece' can refer to a variety of formats held by The National Archives (box, volume, roll, map, and so forth) but usually refers to a file. FCO files typically contain around 100 pages, but this can vary quite widely. Each file contains a set of documents which are often one or two pages long, but sometimes longer. An extract consists of a page (or pages) which has been removed from the file and retained, in whole or in part. An extract can consist of one or more documents.

Information retained by the FCO may comprise:

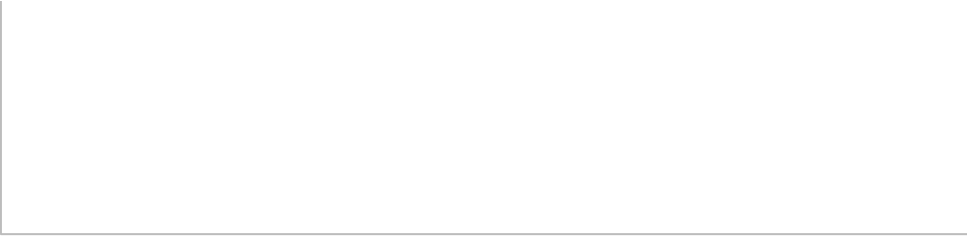
- Files retained in their entirety
- Documents retained in their entirety
- Documents retained in part (while the non-sensitive information from these documents is released)

When the FCO re-reviews retained information, it decides whether previously retained information still remains sensitive and needs to be withheld. Sometimes whole pieces or extracts are released in their entirety on re-review, sometimes all the original redactions remain in place, sometimes the number of redactions changes. Whenever the re-review of retained material results in the release of previously retained information we will list the relevant pieces or extracts in this table on a quarterly basis.

The third column in this table indicates whether the piece or extract has been sent open (without any redactions) to TNA or whether some redactions remain.

A date is given when the FCO transferred the piece or extract in question to The National Archives. However, following physical transfer from the FCO, The National Archives requires a further period in which to process the pieces or extracts before they become publicly available. The final date of release therefore depends on the work required to return the information to its proper location, the numbers of files being returned from FCO, non-related files being returned from other departments, and also the resources available.

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Annexure H

Cover sheet for file FCO 141/14808 showing file retrieval receipt.

SECRET

Private Office

FILE No.

16 / 1

FCO141/14808

LOCAL WATERS

6B
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POLICY AND INCIDENTS CONCERNING INDONESIA

RELATED FILES

CLOSED.

ECO/3601

FILE MOVEMENTS

PS. 23/6	F. 24/7	PS. 31/2	F. 21/11	PS 12/3
CS 23/6	PS 24/7	CCO-377	PS 12/12	CS. 14/3
PS 23/11	HE. 24/7	F. 4/9	F. 19/12	CS. 13/3
APS. 24/6	HE. 25/10	CS. 11/9	2GS 22/1	2GS 31/11
F. 24/6	CS. 25/7	KW 12/12	HE 30/1	KW 14/3
PS 1/7	CS. 25/11	F. 16/9	2GS 30/1	HE. 14/3
CS 1/7	KW. 24/11	B.S. 19/9	PS. 30/1	CS. 16/3
PS. 1/11	G.S. 28/7	CS. 16/9	HE. 31/1	4GS 19/3
CCO. 4/7	R 28/11	2GS 19/12	CS. 3/2	KW 18/3
PS 1/7	PS 5/8	PS	KW. 3/2	GS. 3/4
F. 4/7	HE. 5/8	CCO. 17/9	PS. 14/2	CS 3/4
PS 12/7	CS. 16/8	F. 17/9	4GS. 14/2	F 4/4
HE. 12/7	2GS 16/11	PS. 23/9	KW 16/2	CCO. 26/4
CS. 15/7	PS. 6/8	CCO. 23/9	PS 18/2	2GS. 27/4
KW 15/11	F. 6/8	PS 24/10	HE 19/2	SHEA 29/4
PS 16/7	CS 14/9	F. 24/2	CS. 19/2	CS. 30/4
F. 16/7	HE. 14/8	PS 14/11	CS. 20/2	F 27/5
KW 14/7	PS 20/8	HE. 14/11	2GS 21/1	2GS 27/5
PS 18/7	CS. 21/8	CS. 13/11	KW 14/2	S. For D 4/5
CCO. 19/7	KW. 21/11	2GS HE 14/11	PS 29/2	2GS 5/11
PS 21/7	PS. 26/8	P.S. 17/11	KW 28/2	F 5/5
CS 21/7	KW. 20/8	HE. 17/11	CS. 9/3	
KW 21/11	PS 23/9	2GS 19/11	HE. 17/3	
PS 23/7	CS. 31/9	P.S. 20/11	CCO. 12/3	

27B



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10236145

FCO 141/14808

Return by (15/09/2016 11:05:58)

8956589 (Firoz Hussein Ahmad Ja)

Closure status: Open

S

04/08/2016 11:05:58

Annexure I

UK National Archives record description for file
FCO 141/14808.

Singapore: local waters; policy and incidents concerning Indonesia

Ordering and viewing options

This record has not been digitised and **cannot be downloaded**.
Request a quotation for a copy to be digitised or printed and sent to you.

More ways to view this record

Reference:	FCO 141/14808
Description:	Singapore: local waters; policy and incidents concerning Indonesia
Date:	1957 Jan 01 - 1959 Dec 31
Held by:	The National Archives, Kew
Former reference in its original department	16/1
Legal status:	Public Record(s)
Closure status:	Open Document, Open Description
Access conditions:	Open on Transfer
Record opening date:	27 September 2013

Context of this record

All departments

- ↳ FCO - Records of the Foreign and Commonwealth Office and predecessors
 - ↳ Records of the Administrative Divisions
 - ↳ FCO 141 - Foreign and Commonwealth Office and predecessors: Records of Former Colonial Administrations: Migrated Archives
 - ↳ SINGAPORE
 - ↳ FCO 141/14808 - Singapore: local waters; policy and incidents concerning Indonesia

Add a tag

Users have not yet tagged this record

You need to sign in to tag records. If you don't have an account please register.

Could this page be improved?

[No](#) [Yes](#)

Version 4.9 - December 2016 - offsite

Annexure J

Cover sheet for file DEFE 69/539 showing file retrieval receipt.

SECRET

MINISTRY OF DEFENCE

Handwritten initials in a blue box

PRO
Registered file number
D/TW 212/6 PART III
Date opened 13-12-66

1. ATTENTION IS DRAWN TO THE NOTES ON THE INSIDE FLAP
2. ENTER NOTES OF RELATED FILES ON PAGE 2 OF THIS JACKET
3. THIS FILE MUST BE CIRCULATED UNDER COVER, AND KEPT UNDER LOCK AND KEY WHEN NOT IN USE

DIVISION

DNTWP
FOR REGISTRY USE ONLY


SUBJECT

NAVAL OPERATIONS IN THE MALACCA-
SINGAPORE STRAITS 1964-66.
PART III

Referred to	DATE	Referred to	DATE	Referred to	DATE	Referred to	DATE
27C 1965							
24/1/67							
21/1/67	18 JAN 1967						
20/1/67	25 JAN 1967						
19/1/67	16 FEB 1967						
18/1/67	9 FEB 1967						
17/1/67	2 FEB 1967						
16/1/67	1 FEB 1967						
15/1/67	31 JAN 1967						
14/1/67	24 JAN 1967						
13/1/67	17 JAN 1967						
12/1/67	10 JAN 1967						
11/1/67	3 JAN 1967						
10/1/67	27 DEC 1966						
9/1/67	20 DEC 1966						
8/1/67	13 DEC 1966						
7/1/67	6 DEC 1966						
6/1/67	29 NOV 1966						
5/1/67	22 NOV 1966						
4/1/67	15 NOV 1966						
3/1/67	8 NOV 1966						
2/1/67	1 NOV 1966						
1/1/67	25 OCT 1966						

DELETE 69/539
SECOND REVIEW
1992

27C



8
B
448

10401912
DEFE 69/539
Return by (20/12/2016 14:40:40)
8957667 (Mr. Abu Bakar Sidek)

Closure status: Open

S 08/11/2016 14:40:40

DISPOSAL or PA Action
See note on file flap

PAPR
19-3-70

1242/77
Present use)
OFFICER
AND BRANCH

Annexure K

UK National Archives record description for file DEFE 69/539.

Naval operations in the Malacca and Singapore Straits 1964-1966

Ordering and viewing options

This record has not been digitised and **cannot be downloaded**.
Request a quotation for a copy to be digitised or printed and sent to you.

More ways to view this record

Reference:	DEFE 69/539
Description:	Naval operations in the Malacca and Singapore Straits 1964-1966
Date:	1966 Jan 01 - 1967 Dec 31
Held by:	The National Archives, Kew
Former reference in its original department	N/TW 212/4/66 Pt 3
Legal status:	Public Record(s)
Closure status:	Open Document, Open Description

Context of this record

All departments

- ↳ DEFE - Records of the Ministry of Defence
 - ↳ Records of Administrative Departments
 - ↳ DEFE 69 - Ministry of Defence (Navy): Registered Files and Branch Folders
 - ↳ DIRECTOR OF NAVAL TACTICS AND WEAPONS POLICY (TW and TWP SERIES)
 - ↳ DEFE 69/539 - Naval operations in the Malacca and Singapore Straits 1964-1966

Add a tag

Users have not yet tagged this record

You need to sign in to tag records. If you don't have an account please register.

Could this page be improved?

[No](#) [Yes](#)

Version 4.9 - December 2016 - offsite

Annexure L

Correspondence between Malaysia's researchers and the UK National Archives,
dated 19–21 January 2017.



Firoz Hussein <firozhussein@gmail.com>

PJK: TNA170215420: Records and research enquiries (Records and research enquiries)

ARK Records Enquiries <arkrecordenquiries@nationalarchives.gsi.gov.uk>
To: "firozhussein@gmail.com" <firozhussein@gmail.com>

Sat, Jan 21, 2017 at 12:54 PM

Dear Mr Hussein,

Thank you for contacting The National Archives of the United Kingdom.

Regarding your enquiry, the record Opening date has only really been added to the catalogue since about 2005 – it is very ad hoc before then and mostly for accelerated opens and extended closures. Before that they were usually released under 50 year or 30 year rules depending on when they were accessioned. – 50 year rule applied under the 1958 Public records Act, amended to 30 year rule in 1967.

As I can see from the description for DEFE 69/538 and DEFE 69/539 the covered date is between 1 January 1966 and 31 December 1967. The records opening date is usually counting from the final date that the records is covered. By the look of it I could make an educate guess as opening in 31 December 1998 (using 30 year rule).

If you need to respond to this email, please click on Reply to do so - this ensures that the text of your original email and our reply are included in your response and helps us to deal with your enquiry more efficiently. For a new enquiry, please complete our [contact form](#).

Yours sincerely,

Padej Kumlertsakul. Reader Adviser – Defence, Maritime and Environment
The National Archives, Kew, Richmond, Surrey TW9 4DU
nationalarchives.gov.uk

Let us know what you think about your recent contact as your views are important in helping us improve our service. Please [fill in our feedback form](#).

From: contactforms@nationalarchives.gsi.gov.uk [<mailto:contactforms@nationalarchives.gsi.gov.uk>]

Sent: 19 January 2017 15:00

To: Contact Centre

Subject: TNA170215420: Records and research enquiries (Records and research enquiries)

RECORDS AND RESEARCH ENQUIRY DETAILS

TITLE: Mr

FIRST NAME: Firoz

LAST NAME: Hussein

EMAIL ADDRESS: firozhussein@gmail.com

COUNTRY: Malaysia

ENQUIRY DETAIL: I would be most grateful if you could kindly let me know when the following files were released to the public: DEFE 69/538 DEFE 69/539 Your assistance would be very much appreciated. Thank you Firoz Hussein

FROM DATE: 1960
TO DATE: 1970

CATALOGUE REFERENCE 1: DEFE 69/538
CATALOGUE REFERENCE 2: DEFE 69/539
CATALOGUE REFERENCE 3:

MARKETING: N/A

Please don't print this e-mail unless you really need to.

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Annexure M

Certificate of Appreciation issued to Professor Shaharil by the
Attorney General's Chambers of Malaysia,
dated 19 July 2013.



Penghargaan

YBhg. Prof. Dato' Dr. Shaharil Talib Robert

Mengambil sempena penamatan kontrak YBhg. Prof. Dato' pada 31 Ogos 2013 daripada perkhidmatan Kerajaan, saya bagi pihak kerajaan mengucapkan setinggi-tinggi penghargaan dan terima kasih di atas perkhidmatan cemerlang yang telah disumbangkan sekian lama kepada Kerajaan dan negara.

Saya berdoa semoga YBhg. Prof. Dato' sentiasa sihat dan sejahtera sepanjang tempoh persaraan kelak.



Tan Sri Abdul Gani Patail
Tan Sri Abdul Gani Patail
Peguan Negara Malaysia

Tarikh : 19 Julai 2013

Appreciation

YBhg. Prof. Dato' Dr. Shaharil Talib Robert

In conjunction with YBhg. Prof. Dato's expiration of contract from Government service on 31 August 2013, I, on behalf of the Government express my utmost appreciation and gratitude for your excellent services rendered to the Government and country.

I pray for YBhg. Prof. Dato's continuous health and well-being in your retirement period.

[signature]
Tan Sri Abdul Gani Patail
Attorney General of Malaysia

[Attorney General's seal]

Date: 19 July 2013

Certified Translation
R/Surms
18/8/2017
SURIAMUTHY S/O RAJOO
Certificated Interpreter
Federal Court Malaysia
Putrajaya
Malaysia