

FREEDOM OF INFORMATION ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part VI: Historical records and records in Public Record Office or Public Record Office of Northern Ireland

Section 63: Removal of exemptions: historical records generally

201. The effect of this section is to disapply some of the exemptions in Part II of the Act in the case of information contained in a historical record, and therefore to extend the scope of the right of access in section 1 in these cases. The exemptions which are disapplied are those relating to:
- relations within the United Kingdom (section 28);
 - criminal investigations and proceedings (section 30(1));
 - court records, etc (section 32);
 - audit functions (section 33);
 - formulation of government policy etc (section 35);
 - prejudice to effective conduct of public affairs (section 36);
 - communications with Her Majesty etc (section 37(1)(a));
 - legal professional privilege (section 42); and
 - commercial interests (section 43).
202. In addition, the exemption relating to honours (section 37(1)(b)) is disapplied in respect of information contained in a record which is 60 years old, and the law enforcement exemption (section 31) is disapplied in respect of information contained in a record which is one hundred years old.