



Freedom of Information Act 2000

2000 CHAPTER 36

PART I

ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

Right to information

5 Further power to designate public authorities.

- (1) The [^{F1}Secretary of State][^{F2}or the [^{F3}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—
 - (a) appears to the Secretary of State [^{F2}or the [^{F3}Minister for the Cabinet Office]] 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 [^{F1}Secretary of State][^{F4}or the [^{F5}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.

Textual Amendments

- F1** 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)**
- F2** 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)**

Status: Point in time view as at 09/11/2016.

Changes to legislation: There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 5. (See end of Document for details)

- F3** 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)
- F4** 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)**
- F5** 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)

- C1** 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)

Status:

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Changes to legislation:

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