
STATUTORY INSTRUMENTS

2012 No. 3029

The Freedom of Information (Definition of Historical Records) (Transitional and Saving Provisions) Order 2012

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Freedom of Information (Definition of Historical Records) (Transitional and Saving Provisions) Order 2012 and shall come into force on 1st January 2013.

(2) In this Order—

“the 2000 Act” means the Freedom of Information Act 2000(1);

“relevant record” means a record which, by virtue of the coming into force on 1st January 2013 of paragraph 4 of Schedule 7 (amendments of Freedom of Information Act 2000: meaning of historical record) to the Constitutional Reform and Governance Act 2010(2) and but for this Order, becomes a historical record for the purposes of Part 6 (historical records and records in Public Record Office or Public Record Office of Northern Ireland) of the 2000 Act at the end of the period of twenty years beginning with the year following that in which it was created.

Transitional provision

2.—(1) Notwithstanding the coming into force on 1st January 2013 of paragraph 4 of Schedule 7 to the Constitutional Reform and Governance Act 2010, for the period of 10 years beginning on that day the time when a relevant record becomes a historical record for the purposes of Part 6 of the 2000 Act is that provided for by paragraph (2).

(2) A relevant record created in a year specified in column 1 of the table in the Schedule to this Order shall become a historical record from the end of the year specified in the corresponding entry in column 2 of that table.

Saving provision

3. Section 62(1) (meaning of historical record for purposes of Part 6 of Freedom of Information Act 2000) of the 2000 Act continues to apply as it did immediately before 1st January 2013 in relation to a relevant record created in 1983.

5th December 2012

McNally
Minister of State
Ministry of Justice

(1) 2000 c. 36.

(2) Paragraph 4 of Schedule 7 was brought into force by the Constitutional Reform and Governance Act 2010 (Commencement No. 7) Order 2012 (S.I. 2012/3001), Article 3(1)(b).