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STATUTORY INSTRUMENTS

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**2013 No. 1906 (C. 81)**

**DATA PROTECTION  
FREEDOM OF INFORMATION**

**The Protection of Freedoms Act 2012  
(Commencement No. 8) Order 2013**

*Made* - - - - *30th July 2013*

The Secretary of State makes the following Order in exercise of the powers conferred by section 120(1) of the Protection of Freedoms Act 2012<sup>(1)</sup>:

**Citation and interpretation**

1.—(1) This Order may be cited as the Protection of Freedoms Act 2012 (Commencement No. 8) Order 2013.

(2) In this Order “the Act” means the Protection of Freedoms Act 2012.

**Provision coming into force on the day after the day on which this Order is made**

2. Section 102 of the Act (release and publication of datasets held by public authorities) comes into force on the day after the day on which this Order is made for the purpose of inserting section 11B into the Freedom of Information Act 2000<sup>(2)</sup> (power to charge fees in relation to release of datasets for re-use).

**Provisions coming into force on 1st September 2013**

3. The following provisions of the Act come into force on 1st September 2013—

- (a) section 102, for all remaining purposes,
- (b) section 103 (meaning of “publicly-owned company”),
- (c) section 106 (alteration of role of Secretary of State in relation to guidance powers),
- (d) section 107 (removal of Secretary of State consent for fee-charging powers etc.), and
- (e) section 108 (removal of Secretary of State approval for staff numbers, terms etc.).

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(1) 2012 c. 9.  
(2) 2000 c. 36.

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Signed by the authority of the Secretary of State

30th July 2013

*Lord McNally*  
Minister of State  
Ministry of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order commences the provisions of the Protection of Freedoms Act 2012 (c. 9) (“the 2012 Act”) listed in article 2 and article 3.

Article 2 provides for the commencement of section 102 of the 2012 Act on the day after the day on which this Order is made for the purpose of inserting new section 11B into the Freedom of Information Act 2000 (c. 36) (“the 2000 Act”). Section 11B relates to the power to charge fees in relation to release of datasets for re-use.

Article 3 provides for the commencement of section 102, 103, 106, 107 and 108 of the 2012 Act on 1st September 2013. These provisions relate to the release and publication of datasets held by public authorities, the meaning of “publicly owned company” in the 2000 Act and the powers of the Information Commissioner.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 1	31st October 2013	2013/1813
section 2	31st October 2013	2013/1813
section 3	31st October 2013	2013/1813
section 4	31st October 2013	2013/1813
section 5	31st October 2013	2013/1813
section 6	31st October 2013	2013/1813
section 7	31st October 2013	2013/1813
section 8	31st October 2013	2013/1813
section 9	31st October 2013	2013/1813
section 10	31st October 2013	2013/1813
section 11	31st October 2013	2013/1813
section 12	31st October 2013	2013/1813
section 13 partially	31st October 2013	2013/1813
section 13 so far as not already in force	31st January 2014	2013/1813
section 14 partially	31st October 2013	2013/1813
section 15	31st October 2013	2013/1813
section 16	31st October 2013	2013/1813
section 17	31st October 2013	2013/1813
section 18	31st October 2013	2013/1813

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 19	31st October 2013	<a href="#">2013/1813</a>
section 20 partially	31st October 2012	<a href="#">2012/2234</a>
section 20 so far as not already in force	31st October 2013	<a href="#">2013/1813</a>
section 21	31st October 2013	<a href="#">2013/1813</a>
section 22	1st October 2012	<a href="#">2012/2234</a>
section 23	31st October 2013	<a href="#">2013/1813</a>
section 24	31st October 2013	<a href="#">2013/1813</a>
section 25	31st October 2013	<a href="#">2013/1813</a>
section 29	1st July 2012	<a href="#">2012/1205</a>
section 30	1st July 2012	<a href="#">2012/1205</a>
section 31	1st July 2012	<a href="#">2012/1205</a>
section 32	1st July 2012	<a href="#">2012/1205</a>
section 33	1st July 2012	<a href="#">2012/1205</a>
section 34	1st July 2012	<a href="#">2012/1205</a>
section 35	1st July 2012	<a href="#">2012/1205</a>
section 36	1st July 2012	<a href="#">2012/1205</a>
section 37	1st November 2012	<a href="#">2012/2075</a>
section 38	1st November 2012	<a href="#">2012/2075</a>
section 39(1)	1st July 2012	<a href="#">2012/1205</a>
section 40 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 41 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 42	1st July 2012	<a href="#">2012/1205</a>
section 43 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 44 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 45 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 46 in relation to England	1st July 2012	<a href="#">2012/1205</a>
section 47	1st July 2012	<a href="#">2012/1205</a>
section 48	1st July 2012	<a href="#">2012/1205</a>
section 49	1st July 2012	<a href="#">2012/1205</a>
section 50	1st July 2012	<a href="#">2012/1205</a>
section 51	1st July 2012	<a href="#">2012/1205</a>
section 52	1st July 2012	<a href="#">2012/1205</a>
section 54	1st October 2012	<a href="#">2012/2075</a>
section 55	1st October 2012	<a href="#">2012/2075</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 56	1st October 2012	2012/2075
section 57	10th July 2012	2012/1205
section 58	10th July 2012	2012/1205
section 59	10th July 2012	2012/1205
section 60	10th July 2012	2012/1205
section 61	10th July 2012	2012/1205
section 62	9th May 2012	2012/1205
section 63	10th July 2012	2012/1205
section 64	10th September 2012	2012/2234
section 65	10th September 2012	2012/2234
section 66	10th September 2012	2012/2234
section 67	10th September 2012	2012/2234
section 68	10th September 2012	2012/2234
section 69	10th September 2012	2012/2234
section 70	10th September 2012	2012/2234
section 71	10th September 2012	2012/2234
section 72 partially	10th September 2012	2012/2234
section 75 partially	10th September 2012	2012/2234
section 76 partially	10th September 2012	2012/2234
section 77	10th September 2012	2012/2234
section 78 partially	10th August 2012	2012/2075
section 78 partially	10th September 2012	2012/2234
section 79 partially	10th September 2012	2012/2234
section 79 so far as not already in force	17th June 2013	2013/1180
section 80	10th September 2012	2012/2234
section 81	10th September 2012	2012/2234
section 82	10th September 2012	2012/2234
section 83	17th June 2013	2013/1180
section 84	10th September 2012	2012/2234
section 85	1st July 2012	2012/1205
section 86	10th September 2012	2012/2234
section 87 partially	15th October 2012	2012/2521
section 87 so far as not already in force	1st December 2012	2012/2521
section 92	1st October 2012	2012/2234

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 93	1st October 2012	2012/2234
section 94	1st October 2012	2012/2234
section 95	1st October 2012	2012/2234
section 96	1st October 2012	2012/2234
section 97	1st October 2012	2012/2234
section 98	1st October 2012	2012/2234
section 99	1st October 2012	2012/2234
section 100	1st October 2012	2012/2234
section 101	1st October 2012	2012/2234
section 104	1st July 2012	2012/1205
section 109	6th April 2013	2013/470
section 110	6th April 2013	2013/470
section 111	25th November 2012	2012/2075
section 112	25th November 2012	2012/2075
section 114	1st October 2012	2012/2234
section 115(1) partially	1st July 2012	2012/1205
section 115(1) partially	10th July 2012	2012/1205
section 115(1) partially	10th September 2012	2012/2234
section 115(1) partially	1st October 2012	2012/2075
section 115(1) partially	1st October 2012	2012/2234
section 115(1) partially	15th October 2012	2012/2521
section 115(1) partially	1st November 2012	2010/2075
section 115(1) partially	25th November 2012	2012/2075
section 115(1) partially	6th April 2013	2013/470
section 115(1) partially	17th June 2013	2013/1180
section 115(2) partially	1st July 2012	2012/1205
section 115(2) partially	10th July 2012	2012/1205
section 115(2) partially	10th September 2012	2012/2234
section 115(2) partially	1st October 2012	2012/2075
section 115(2) partially	6th April 2013	2013/470
section 115(2) partially	17th June 2013	2013/1180
Schedule 1 partially	31st October 2013	2013/1813
Schedule 1 partially	31st January 2014	2013/1813
Schedule 4	1st October 2012	2012/2075

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 5	10th July 2012	<a href="#">2012/1205</a>
Schedule 6	10th July 2012	<a href="#">2012/1205</a>
Schedule 7 partially	10th August 2012	<a href="#">2012/2075</a>
Schedule 7 partially	10th September 2012	<a href="#">2012/2234</a>
Schedule 8 partially	15th October 2012	<a href="#">2012/2521</a>
Schedule 8 so far as not already in force	1st December 2012	<a href="#">2012/2521</a>
Schedule 9 partially	1st July 2012	<a href="#">2012/1205</a>
Schedule 9 partially	10th July 2012	<a href="#">2012/1205</a>
Schedule 9 partially	10th September 2012	<a href="#">2012/2234</a>
Schedule 9 partially	1st October 2012	<a href="#">2012/2075</a>
Schedule 9 partially	1st October 2012	<a href="#">2012/2234</a>
Schedule 9 partially	15th October 2012	<a href="#">2012/2521</a>
Schedule 9 partially	1st November 2012	<a href="#">2012/2075</a>
Schedule 9 partially	25th November 2012	<a href="#">2012/2075</a>
Schedule 9 partially	6th April 2013	<a href="#">2013/470</a>
Schedule 9 partially	17th June 2013	<a href="#">2013/1180</a>
Schedule 10 partially	1st July 2012	<a href="#">2012/1205</a>
Schedule 10 partially	10th July 2012	<a href="#">2012/1205</a>
Schedule 10 partially	10th September 2012	<a href="#">2012/2234</a>
Schedule 10 partially	1st October 2012	<a href="#">2012/2075</a>
Schedule 10 partially	6th April 2013	<a href="#">2013/470</a>
Schedule 10 partially	17th June 2013	<a href="#">2013/1180</a>