
STATUTORY INSTRUMENTS

2015 No. 1897

**The Transfer of Functions (Information
and Public Records) Order 2015**

Transfer of functions from the Lord Chancellor to the Secretary of State

- 6.—(1) The following functions of the Lord Chancellor are transferred to the Secretary of State—
- (a) functions under a provision of the Public Records Act 1958(1) which is listed in paragraph (2),
 - (b) functions under a provision of the Freedom of Information Act 2000 which is listed in paragraph (3),
 - (c) functions under regulation 17(1)(a) and (4)(a) of the Environmental Information Regulations 2004(2) (requirements to be consulted about disclosure of public records), and
 - (d) functions under sections 147(1), (4) and (5) and 148(1)(f) and (4)(a) of the Government of Wales Act 2006(3) (functions in connection with responsibility for Welsh public records).
- (2) The provisions of the Public Records Act 1958 referred to in paragraph (1)(a) are—
- (a) section 1(1), (2) and (3) (general responsibility for execution of Act and for public records),
 - (b) section 2(1), (4)(g) and (5) (functions in relation to the Public Record Office),
 - (c) section 3(4) and (5) to (7)(4) (selection and preservation of public records),
 - (d) section 4(1) to (5) (appointment of places of deposit of public records),
 - (e) section 5(5)(5) (arrangements for inspection of public records in appointed places of deposit),
 - (f) section 6 (approval of destruction or other disposal of public records in certain circumstances), and
 - (g) paragraph 7(2) of Schedule 1 (determining whether records are public records for purposes of the Act).
- (3) The provisions of the Freedom of Information Act 2000 referred to in paragraph (1)(b) are—
- (a) section 46(1), (3), (5) and (6)(6) (code of practice providing guidance in connection with keeping, management and destruction of records),
 - (b) section 65(1)(a) (requirement to be consulted about proposal to refuse request for information contained in a historical record), and
 - (c) section 66(5)(a) (requirement to be consulted about whether public interest exemption applies to information contained in a transferred public record).

(1) 1958 c. 51.

(2) S.I. 2004/3391.

(3) 2006 c. 32. Section 147(1) and (4) were amended by section 4(2)(a) of the Wales Act 2014 (c. 29).

(4) Section 3(4) was amended by section 45(1)(a) of the Constitutional Reform and Governance Act 2010 (c. 25).

(5) Section 5(5) was amended by Schedule 5 to the Freedom of Information Act 2000 (c. 36).

(6) Section 46(5)(a) was inserted by S.I. 2003/1887, Sch.2.

Status: *This is the original version (as it was originally made).*
