



2014 CHAPTER 8

PART 8

ACCESS TO MEETINGS AND DOCUMENTS

Supplemental provisions and offences

50.—(1) A document directed by any provision of this Part to be open to inspection must be open to inspection at all reasonable hours and—

- (a) in the case of a document open to inspection by virtue of section 45(1), upon payment of such reasonable fee as may be required for the facility; and
- (b) in any other case, without payment.

(2) Where a document is open to inspection by a person (“P”) under any provision of this Part, P may, subject to subsection (3)—

- (a) make copies of or extracts from the document; or
- (b) require the person having custody of the document to supply a photographic copy of or of extracts from the document,

upon payment of such reasonable fee as may be required for the facility.

(3) Subsection (2) does not require or authorise the doing of any such act which infringes the copyright in any work except that, where the owner of the copyright is a council, nothing done in pursuance of that subsection constitutes an infringement of the copyright.

(4) If, without reasonable excuse, a person (“C”) having the custody of a document which is required by section 43(1) or 44(1) to be open to inspection by the public—

Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 2014, Section 50. (See end of Document for details)

- (a) intentionally obstructs any person exercising a right conferred by this Part to inspect, or to make a copy of or extracts from the document; or
 - (b) refuses to furnish copies to any person entitled to obtain them under any provision of this Part, C is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) Where any accessible document for a meeting to which this subsection applies—
- (a) is supplied to, or open to inspection by, a member of the public; or
 - (b) is supplied for the benefit of any newspaper, in pursuance of section 43(7), the publication thereby of any defamatory matter contained in the document is privileged unless the publication is proved to be made with malice.
- (6) Subsection (5) applies to any meeting of a council and any meeting of a committee or sub-committee of a council; and, for the purposes of that subsection, the “accessible documents” for a meeting are the following—
- (a) any copy of the agenda or of any item included in the agenda for the meeting;
 - (b) any such further statements or particulars for the purpose of indicating the nature of any item included in the agenda as are mentioned in section 43(7)(b);
 - (c) any copy of a document relating to such an item which is supplied for the benefit of a newspaper in pursuance of section 43(7)(c);
 - (d) any copy of the whole or part of a report for the meeting;
 - (e) any copy of the whole or part of any background papers for a report for the meeting, within the meaning of section 45.
- (7) The rights conferred by this Part to inspect, copy and be provided with documents are in addition, and without prejudice, to any such rights conferred by or under any other statutory provision.

Commencement Information

II S. 50 in operation at 2.6.2014 for specified purposes by S.R. 2014/153, art. 3, Sch. 2

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