

# **FREEDOM OF INFORMATION ACT 2000**

---

## **EXPLANATORY NOTES**

### **BACKGROUND**

3. In December 1997, the Government issued a White Paper entitled “*Your Right to Know*” (Cm 3818) on its proposals for a Freedom of Information Act. It sought views by 28 February 1998. More than 550 responses to the White Paper were submitted. Copies were placed in the Library of both Houses of Parliament and published on the Internet.
4. A draft Bill was published as part of a consultation paper (Cm 4355) on 24 May 1999 followed by a process of pre-legislative scrutiny by committees in both Houses of Parliament and a further period of public consultation. 2248 responses were made as part of the public consultation on the draft Bill. Copies were placed in the library of both Houses of Parliament. A short report on the consultation and details of respondees and a breakdown of the responses on each provision of the draft Bill was published on the Internet.
5. The Act creates new rights of access to information. It is intended to supersede the Code of Practice on Access to Government Information. The Act amends the Data Protection Act 1998 and the Public Records Act 1958.
6. The Code of Practice on Access to Government Information is a non-statutory scheme which requires Government Departments and other public authorities under the jurisdiction of the Parliamentary Commissioner for Administration to make certain information available to the public and to release information in response to specific requests. The Act creates a statutory right of access, provides for a more extensive scheme for making information publicly available and covers a much wider range of public authorities including: local government, National Health Service bodies, schools and colleges, the police and other public bodies and offices. The provisions in the Act will be regulated by a Commissioner to whom the public will have direct access, rather than access only through the intervention of their Member of Parliament as under the Code. The Act will permit people to apply for access to documents, or copies of documents, as well as to the information itself.
7. The Public Records Act 1958 reorganised the arrangements for the preservation of public records. It places a duty on the Keeper of the Public Record Office to provide reasonable facilities for inspecting and obtaining copies of such records. The statutory rights under the Act and the Information Commissioner’s regulatory powers will be extended to information contained in these records.