



Freedom of Information Act 2000

CHAPTER 36

FREEDOM OF INFORMATION ACT 2000

PART I

ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

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- 2 Effect of the exemptions in Part II.
- 3 Public authorities.
- 4 Amendment of Schedule 1.
- 5 Further power to designate public authorities.
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- 7 Public authorities to which Act has limited application.
- 8 Request for information.
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- 11 Means by which communication to be made.
- 12 Exemption where cost of compliance exceeds appropriate limit.
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- 14 Vexatious or repeated requests.
- 15 Special provisions relating to public records transferred to Public Record Office, etc.
- 16 Duty to provide advice and assistance.

Refusal of request

- 17 Refusal of request.

Status: Point in time view as at 01/04/2009.

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The Information Commissioner and the Information Tribunal

18 The Information Commissioner and the Information Tribunal.

Publication schemes

- 19 Publication schemes.
- 20 Model publication schemes.

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- 21 Information accessible to applicant by other means.
- 22 Information intended for future publication.
- 23 Information supplied by, or relating to, bodies dealing with security matters.
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- 25 Certificates under ss. 23 and 24: supplementary provisions.
- 26 Defence.
- 27 International relations.
- 28 Relations within the United Kingdom.
- 29 The economy.
- 30 Investigations and proceedings conducted by public authorities.
- 31 Law enforcement.
- 32 Court records, etc.
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- 34 Parliamentary privilege.
- 35 Formulation of government policy, etc.
- 36 Prejudice to effective conduct of public affairs.
- 37 Communications with Her Majesty, etc. and honours.
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- 41 Information provided in confidence.
- 42 Legal professional privilege.
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- 45 Issue of code of practice by Secretary of State.
- 46 Issue of code of practice by Lord Chancellor.
- 47 General functions of Commissioner.
- 48 Recommendations as to good practice.
- 49 Reports to be laid before Parliament.

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- 50 Application for decision by Commissioner.
- 51 Information notices.
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- 53 Exception from duty to comply with decision notice or enforcement notice.
- 54 Failure to comply with notice.
- 55 Powers of entry and inspection.
- 56 No action against public authority.

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- 64 Removal of exemptions: historical records in public record offices.
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- 66 Decisions relating to certain transferred public records.
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- 68 Extension of meaning of “data”.
- 69 Right of access to unstructured personal data held by public authorities.
- 70 Exemptions applicable to certain manual data held by public authorities.
- 71 Particulars registrable under Part III of Data Protection Act 1998.
- 72 Availability under Act disregarded for purpose of exemption.

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- 73 Further amendments of Data Protection Act 1998.

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- 74 Power to make provision relating to environmental information.
- 75 Power to amend or repeal enactments prohibiting disclosure of information.
- 76 Disclosure of information between Commissioner and ombudsmen.
- 76A Disclosure between Commissioner and Scottish Information Commissioner
- 77 Offence of altering etc. records with intent to prevent disclosure.
- 78 Saving for existing powers.
- 79 Defamation.
- 80 Scotland.

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- 80A Information held by Northern Ireland bodies
- 81 Application to government departments, etc.
- 82 Orders and regulations.
- 83 Meaning of “Welsh public authority”.
- 84 Interpretation.
- 85 Expenses.
- 86 Repeals.
- 87 Commencement.
- 88 Short title and extent.

SCHEDULES

SCHEDULE 1 — Public authorities

Part I — GENERAL

- 1 Any government department other than the Office for Standards in...
- 1A The Office for Standards in Education, Children's Services and Skills,...
- 2 The House of Commons , in respect of information other...
- 3 The House of Lords , in respect of information other...
- 4 The Northern Ireland Assembly.
- 5 The National Assembly for Wales, in respect of information other...
- 5A the Welsh Assembly Government.
- 6 The armed forces of the Crown, except—

Part II — LOCAL GOVERNMENT

England and Wales

- 7 A local authority within the meaning of the Local Government...
- 8 The Greater London Authority.
- 9 The Common Council of the City of London, in respect...
- 10 The Sub-Treasurer of the Inner Temple or the Under-Treasurer of...
- 11 The Council of the Isles of Scilly.
- 12 A parish meeting constituted under section 13 of the Local...
- 13 Any charter trustees constituted under section 246 of the Local...
- 14 A fire and rescue authority constituted by a scheme under...
- 15 A waste disposal authority established by virtue of an order...
- 15A An authority established for an area in England by an...
- 16 A port health authority constituted by an order under section...
- 17 A licensing planning committee constituted under section 119 of the...
- 18 An internal drainage board which is continued in being by...
- 19 A joint authority established under Part IV of the Local...
- 19A An economic prosperity board established under section 88 of the...
- 19B A combined authority established under section 103 of that Act...
- 20 The London Fire and Emergency Planning Authority.
- 21 A joint fire authority established by virtue of an order...
- 22 A body corporate established pursuant to an order under section...
- 23 A body corporate established pursuant to an order under section...
- 24 The Broads Authority established by section 1 of the Norfolk...
- 25 A joint committee constituted in accordance with section 102(1)(b) of...
- 26 A joint board which is continued in being by virtue...
- 27 A joint authority established under section 21 of the Local...
- 28 A Passenger Transport Executive for an integrated transport area for...
- 29 Transport for London.

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- 30 The London Transport Users Committee.
- 31 A joint board the constituent members of which consist of...
- 32 A National Park authority established by an order under section...
- 33 A joint planning board constituted for an area in Wales...
- 34 A magistrates' court committee established under section 27 of the...
- 35 The London Development Agency.
- 35A A local fisheries committee for a sea fisheries district...
- 35B An inshore fisheries and conservation authority for a district established...
- 35C An urban development corporation established under section 135 of the...

Northern Ireland

- 36 A district council within the meaning of the Local Government...
Part III — THE NATIONAL HEALTH SERVICE

England and Wales

- 36A A Strategic Health Authority established under section 13 of the...
- 37 A Health Authority established under section 8 of the National...
- 38 A special health authority established under section 28 of the...
- 39 A primary care trust established under section 18 of the...
- 39A A Local Health Board established under section 11 of the...
- 40 A National Health Service trust established under section 25 of...
- 40A An NHS foundation trust.
- 41 A Community Health Council established under section 182 of the...
- 41A A Patients' Forum established under section 237 of the National...
- 42 The Dental Practice Board constituted under regulations made under section...
- 43 The Public Health Laboratory Service Board constituted under Schedule 3...
- 43A Any person providing primary medical services , primary dental services...
- 44 Any person providing general medical services, general dental services, general...
- 45 Any person providing personal medical services or personal dental services...
- 45A Any person providing local pharmaceutical services under—
- 45B The Commission for Patient and Public Involvement in Health.

Northern Ireland

- 46 A Health and Social Services Board established under Article 16...
- 47 A Health and Social Services Council established under Article 4...
- 48 A Health and Social Services Trust established under Article 10...
- 49 A special agency established under Article 3 of the Health...
- 50 The Northern Ireland Central Services Agency for the Health and...
- 51 Any person providing primary medical services, general dental services, general...
- 51A The Regional Business Services Organisation established under section 14 of...
- 51B The Patient and Client Council established under section 16 of...
- 51C The Regional Health and Social Care Board established under section...

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- 51D The Regional Agency for Public Health and Social Well-being established...
Part IV — MAINTAINED SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS

England and Wales

- 52 The governing body of— (a) a maintained school, as defined...
52A (1) The proprietor of an Academy, in respect of information...
53 (1) The governing body of— (a) an institution within the...

Northern Ireland

- 54 (1) The managers of— (a) a controlled school, voluntary school...
55 (1) The governing body of— (a) a university receiving financial...
56 Any person providing further education to whom grants, loans or...
Part V — POLICE

England and Wales

- 57 A police authority established under section 3 of the Police...
58 The Metropolitan Police Authority established under section 5B of the...
59 A chief officer of police of a police force in...

Northern Ireland

- 60 The Northern Ireland Policing Board.
61 The Chief Constable of the Police Service of Northern Ireland....

Miscellaneous

- 62 The British Transport Police.
63 The Ministry of Defence Police established by section 1 of...
63A The Civil Nuclear Police Authority.
63B The chief constable of the Civil Nuclear Constabulary.
64 Any person who— (a) by virtue of any enactment has...
Part VI — OTHER PUBLIC BODIES AND OFFICES: GENERAL
The Adjudication Panel for Wales. The Adjudicator for the Inland...
Part VII — OTHER PUBLIC BODIES AND OFFICES: NORTHERN IRELAND
An advisory committee established under paragraph 25 of the Health...

- SCHEDULE 2 — The Commissioner and the Tribunal
Part I — PROVISION CONSEQUENTIAL ON S. 18(1) AND (2)

General

- 1 (1) Any reference in any enactment, instrument or document to...
1A The Office for Standards in Education, Children's Services and Skills,...
2 (1) Any reference in this Act or in any instrument...

Public Records Act 1958 (c. 51)

- 3 (1) In Part II of the Table in paragraph 3...

Parliamentary Commissioner Act 1967 (c. 13)

- 4 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

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- 5 In Schedule 4 to that Act (tribunals exercising administrative functions),...

Superannuation Act 1972 (c. 11)

- 6 In Schedule 1 to the Superannuation Act 1972 (employment with...

Consumer Credit Act 1974 (c. 39)

- 7 In section 159 of the Consumer Credit Act 1974 (correction...

House of Commons Disqualification Act 1975 (c. 24)

- 8 (1) In Part II of Schedule 1 to the House...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 9 (1) In Part II of Schedule 1 to the Northern...

Tribunals and Inquiries Act 1992 (c. 53)

- 10 In paragraph 14 of Part I of Schedule 1 to...

Judicial Pensions and Retirement Act 1993 (c. 8)

- 11 In Schedule 5 to the Judicial Pensions and Retirement Act...
12 In Schedule 7 to that Act (retirement dates: transitional provisions),...

Data Protection Act 1998 (c. 29)

- 13 (1) Section 6 of the Data Protection Act 1998 (the...
14 In section 70(1) of that Act (supplementary definitions)—
15 (1) Schedule 5 to that Act (the Data Protection Commissioner...
Part II — AMENDMENTS RELATING TO EXTENSION OF FUNCTIONS OF
COMMISSIONER AND TRIBUNAL

Interests represented by lay members of Tribunal

- 16 In section 6(6) of the Data Protection Act 1998 (lay...

Expenses incurred under this Act excluded in calculating fees

- 17 In section 26(2) of that Act (fees regulations), in paragraph...

Information provided to Commissioner or Tribunal

- 18 In section 58 of that Act (disclosure of information to...
19 (1) Section 59 of that Act (confidentiality of information) is...

Deputy commissioners

- 20 (1) Paragraph 4 of Schedule 5 to that Act (officers...

Exercise of Commissioner's functions by others

- 21 (1) Paragraph 5 of Schedule 5 to that Act (exercise...

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Money

22 In paragraph 9(1) of Schedule 5 to that Act (money)...

SCHEDULE 3 — Powers of entry and inspection

Issue of warrants

- 1 (1) If a circuit judge or a District Judge (Magistrates'...
- 2 (1) A judge shall not issue a warrant under this...
- 3 A judge who issues a warrant under this Schedule shall...

Execution of warrants

- 4 A person executing a warrant issued under this Schedule may...
- 5 A warrant issued under this Schedule shall be executed at...
- 6 (1) If the premises in respect of which a warrant...
- 7 (1) A person seizing anything in pursuance of a warrant...

Matters exempt from inspection and seizure

- 8 The powers of inspection and seizure conferred by a warrant...
- 9 (1) Subject to the provisions of this paragraph, the powers...
- 10 If the person in occupation of any premises in respect...

Return of warrants

- 11 A warrant issued under this Schedule shall be returned to...

Offences

- 12 Any person who— (a) intentionally obstructs a person in the...

Vessels, vehicles etc.

- 13 In this Schedule “premises” includes any vessel, vehicle, aircraft or...

Scotland and Northern Ireland

- 14 In the application of this Schedule to Scotland—
- 15 In the application of this Schedule to Northern Ireland—

SCHEDULE 4 — Appeal proceedings: amendments of Schedule 6 to Data Protection Act 1998

Constitution of Tribunal in national security cases

- 1 In paragraph 2(1) of Schedule 6 to the Data Protection...
- 2 For paragraph 3 of that Schedule there is substituted—

Constitution of Tribunal in other cases

- 3 (1) Paragraph 4 of that Schedule (constitution of Tribunal in...

Rules of procedure

- 4 (1) Paragraph 7 of that Schedule (rules of procedure) is...

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SCHEDULE 5 — Amendments of public records legislation
Part I — AMENDMENTS OF PUBLIC RECORDS ACT 1958

Functions of Advisory Council on Public Records

- 1 In section 1 of the Public Records Act 1958 (general...

Access to public records

- 2 (1) Section 5 of that Act (access to public records)...
3 Schedule 2 of that Act (enactments prohibiting disclosure of information...

Power to extend meaning of “public records”

- 4 In Schedule 1 to that Act (definition of public records)...
Part II — AMENDMENT OF PUBLIC RECORDS ACT (NORTHERN IRELAND) 1923
5 After section 5 of the Public Records Act (Northern Ireland)...

SCHEDULE 6 — Further amendments of Data Protection Act 1998

Request by data controller for further information

- 1 In section 7 of the Data Protection Act 1998 (right...

Parliament

- 2 After section 35 of that Act there is inserted— Parliamentary...
3 After section 63 of that Act there is inserted— Application...
4 In Schedule 2 to that Act (conditions relevant for the...
5 In Schedule 3 to that Act (conditions relevant for the...

Honours

- 6 In Schedule 7 to that Act (miscellaneous exemptions) in paragraph...

Legal professional privilege

- 7 In paragraph 10 of that Schedule (legal professional privilege), for...

Extension of transitional exemption

- 8 In Schedule 14 to that Act (transitional provisions), in paragraph...

SCHEDULE 7 — Disclosure of information by ombudsmen

The Parliamentary Commissioner for Administration

- 1 At the end of section 11 of the Parliamentary Commissioner...
2 After section 11A of that Act there is inserted— Disclosure...

The Commissions for Local Administration in England and Wales

- 3 In section 32 of the Local Government Act 1974 (law...
4 After section 33 of that Act there is inserted— Disclosure...

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The Health Service Commissioners

- 5 At the end of section 15 of the Health Service...
6 After section 18 of that Act there is inserted— Disclosure...

The Welsh Administration Ombudsman

- 7 In Schedule 9 to the Government of Wales Act 1998...
8 After paragraph 27 of that Schedule there is inserted— Disclosure...

The Northern Ireland Commissioner for Complaints

- 9 At the end of Article 21 of the Commissioner for...
10 After that Article there is inserted— Disclosure of information to...

The Assembly Ombudsman for Northern Ireland

- 11 At the end of Article 19 of the Ombudsman (Northern...
12 After that Article there is inserted— Disclosure of information to...

The Commissioner for Local Administration in Scotland

- 13 In section 30 of the Local Government (Scotland) Act 1975...

SCHEDULE 8 — Repeals

Part I — REPEAL COMING INTO FORCE ON PASSING OF ACT

Part II — REPEALS COMING INTO FORCE IN ACCORDANCE WITH
SECTION 87(2)

Part III — REPEALS COMING INTO FORCE IN ACCORDANCE WITH
SECTION 87(3)

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