Freedom of Information Act 2000

CHAPTER 36

FREEDOM OF INFORMATION ACT 2000

PART I
ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

Right to information

1 General right of access to information held by public authorities.
2 Effect of the exemptions in Part II.
3 Public authorities.
4 Amendment of Schedule 1.
5 Further power to designate public authorities.
6 Publicly-owned companies.
7 Public authorities to which Act has limited application.
8 Request for information.
9 Fees.
10 Time for compliance with request.
11 Means by which communication to be made.
11A Release of datasets for re-use
11B Power to charge fees in relation to release of datasets for re-use
12 Exemption where cost of compliance exceeds appropriate limit.
13 Fees for disclosure where cost of compliance exceeds appropriate limit.
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.
The Information Commissioner . . .

Publication schemes

18 The Information Commissioner . . .

Publication schemes

19 Publication schemes.
20 Model publication schemes.

PART II

EXEMPT INFORMATION

21 Information accessible to applicant by other means.
22 Information intended for future publication.
22A Research
23 Information supplied by, or relating to, bodies dealing with security matters.
24 National security.
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.
33 Audit functions.
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.
38 Health and safety.
39 Environmental information.
40 Personal information.
41 Information provided in confidence.
42 Legal professional privilege.
43 Commercial interests.
44 Prohibitions on disclosure.

PART III

GENERAL FUNCTIONS OF MINISTER FOR THE CABINET OFFICE,
SECRETARY OF STATE AND INFORMATION COMMISSIONER

45 Issue of code of practice by the Minister for the Cabinet Office.
46 Issue of code of practice by Secretary of State.
47 General functions of Commissioner.
48 Recommendations as to good practice.
49 Reports to be laid before Parliament.

PART IV

ENFORCEMENT

50 Application for decision by Commissioner.
51 Information notices.
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Freedom of Information Act 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

52 Enforcement notices.
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.

PART V
APPEALS

57 Appeal against notices served under Part IV.
58 Determination of appeals.
59 Appeals from decision of Tribunal.
60 Appeals against national security certificate.
61 Appeal proceedings

PART VI
HISTORICAL RECORDS AND RECORDS IN PUBLIC RECORD OFFICE OR PUBLIC RECORD OFFICE OF NORTHERN IRELAND

62 Interpretation of Part VI.
63 Removal of exemptions: historical records generally.
64 Removal of exemptions: historical records in public record offices.
65 Decisions as to refusal of discretionary disclosure of historical records.
66 Decisions relating to certain transferred public records.
67 Amendments of public records legislation.

PART VII
AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments relating to personal information held by public authorities

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.
72 Availability under Act disregarded for purpose of exemption.

Other amendments


PART VIII
MISCELLANEOUS AND SUPPLEMENTAL

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
76B Disclosure of information to Tribunal
77 Offence of altering etc. records with intent to prevent disclosure.
78 Saving for existing powers.
79 Defamation.
80 Scotland.
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 (a) the Competition and Markets...
1ZA The Competition and Markets Authority, in respect of information held...
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...
14A A fire and rescue authority created by an order under...
15 A waste disposal authority established by virtue of an order...
15A Local government
16 A port health authority constituted by an order under section...
17 Local government
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 Commissioner.
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...
28A A sub-national transport body established under section 102E of the...
29 Transport for London.
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...
33A A strategic planning panel established under section 60D of the...
34 Local government
35 Local government
35A Local government
35B An inshore fisheries and conservation authority for a district established...
35C An urban development corporation established under section 135 of the...
35D A Mayoral development corporation established under section 198 of the...
35E A Local Healthwatch organisation, in respect of information held in...

Northern Ireland

36 A district council within the meaning of the Local Government...

Part III — THE NATIONAL HEALTH SERVICE

England and Wales

36A The National Health Service
37 The National Health Service
37A The National Health Service Commissioning Board.
37B A clinical commissioning group established under section 14D of the...
38 A special health authority established under section 28 of the...
39 The National Health Service
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 The National Health Service
42 The National Health Service
43 The National Health Service
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 National Health Service
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...
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 and crime commissioner.
58 The Mayor's Office for Policing and Crime.
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

Part VII — OTHER PUBLIC BODIES AND OFFICES: NORTHERN IRELAND

SCHEDULE 2 — The Commissioner and the Tribunal

Part I — PROVISION CONSEQUENTIAL ON S. 18(1) AND (2)
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Freedom of Information Act 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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...)
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...

Money

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

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...

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)
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Freedom of Information Act 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to:
- s. 40(3B) words substituted by S.I. 2019/419 Sch. 3 para. 20(2)
- s. 40(4A)(a) words substituted by S.I. 2019/419 Sch. 3 para. 20(2)
- s. 40(5B)(b) words substituted by S.I. 2019/419 Sch. 3 para. 20(2)
- s. 40(7) words inserted by S.I. 2019/419 Sch. 3 para. 20(3)(c)
- s. 40(7) words omitted by S.I. 2019/419 Sch. 3 para. 20(3)(b)
- s. 40(7) words substituted by S.I. 2019/419 Sch. 3 para. 20(3)(a)
- s. 40(8) words substituted by S.I. 2019/419 Sch. 3 para. 20(4)
- s. 44(1)(b) words substituted by S.I. 2018/1353 reg. 2
- s. 76(1) entry inserted by 2016 c. 21 (N.I.) Sch. 3 para. 14(1)
- Sch. 1 Pt. 6 entry repealed by 2000 c. 38 Sch. 31 Pt. 4
- Sch. 1 Pt. 7 entry substituted by 2016 c. 21 (N.I.) Sch. 3 para. 14(2)
- Sch. 1 Pt. 7 words inserted by 2016 c. 14 (N.I.) Sch. 1 para. 17
- Sch. 1 Pt. 6 words inserted by 2009 c. 13 Sch. 2 para. 10 (This amendment not applied to legislation.gov.uk. Sch. 2 para. 10 substituted (19.4.2010) by 2010 c. 25, Sch. 3; S.I. 2010/1277, art. 2(c))
- Sch. 1 Pt. 6 words inserted by 2009 c. 26 s. 2(4)
- Sch. 1 Pt. 4 para. 53(1)(c) words inserted by 2017 c. 29 Sch. 11 para. 29(2)(b)
- Sch. 1 Pt. 4 para. 53(1)(e) words inserted by 2017 c. 29 Sch. 11 para. 29(2)(c)
- Sch. 1 Pt. 4 para. 53(2)(c) words inserted by 2017 c. 29 Sch. 11 para. 29(3)(b)
- Sch. 1 Pt. 6 words inserted by 2018 c. 31 Sch. 2 para. 4
- Sch. 1 Pt. 6 words inserted by S.I. 2019/383 Sch. para. 8(b)
- Sch. 1 Pt. 6 words omitted by 2011 c. 21 Sch. 5 para. 16 (This amendment not applied to legislation.gov.uk. Entry for Teacher Training Agency already repealed (1.9.2005) by Education Act 2005 (c. 18), ss. 123, 125(3)(b), Sch. 19 Pt. 3)
- Sch. 1 para. 40 words omitted by 2012 c. 7 Sch. 14 para. 81
- Sch. 1 Pt. 6 words omitted by S.I. 2019/383 Sch. para. 8(a)
- Sch. 1 Pt. 7 words repealed by 2016 c. 14 (N.I.) Sch. 4 para. 7Sch. 5
- Sch. 1 Pt. 6 words repealed by 2013 c. 2 Sch. 1 Pt. 10 Group 3 (This amendment not applied to legislation.gov.uk. Entry for The Personal Accounts Delivery Authority already omitted (1.10.2011) by virtue of The Freedom of Information (Removal of References to Public Authorities) Order 2011 (S.I. 2011/1042), art. 2(1), Sch. Pt. 1)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- Sch. 1 Pt. 4 para. 53(1)(aa) inserted by 2017 c. 29 Sch. 11 para. 29(2)(a)
- Sch. 1 Pt. 4 para. 53(2)(aa) inserted by 2017 c. 29 Sch. 11 para. 29(3)(a)