

*These notes refer to the Freedom of Information Act 2000
(c.36) which received Royal Assent on 30th November 2000*

FREEDOM OF INFORMATION ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part VI: Historical records and records in Public Record Office or Public Record Office of Northern Ireland

Section 64: Removal of exemptions: historical records in public record offices

203. This section makes further disapplication of exemptions in Part II of the Act in the case of information contained in a historical record, but only where the record is held by the Public Record Office. (The Public Record Office is a government department and so, by virtue of paragraph 1 of Schedule 1, a public authority for the purposes of the Act.) Corresponding provision for Northern Ireland is included.
204. Under *subsection (1)*, the exemption for information accessible to the public by other means does not apply in these cases. This is despite the fact that the Keeper of Public Records will continue to be under an obligation under section 5(3) of the Public Records Act 1958 to arrange reasonable facilities for public inspection and copies *as well* as complying with the duties under the Act. Nor does the exemption for information intended for future publication apply.
205. *Subsection (2)* provides that, where information is held in a historical record in the Public Record Office, although the exemption relating to information supplied by, or relating to the work of, bodies dealing with national security matters will continue to apply, it will not be considered to be an absolute exemption for the purposes of section 2.