

## Freedom of Information Act 2000

### Sectional Summary

This summary is intended to provide a working version of the Act as it relates to the University of Sheffield. Relevant sections are annotated in plain English for ease of understanding, taking into account the Explanatory Notes issued at the same time as the Act and other guidance; those sections of limited relevance are summarised and annotated where helpful; and those sections which are not relevant are listed but not reproduced or annotated. Please note that responsibility for both the FOIA and the DPA was transferred from the Home Office to the Lord Chancellor's Department on 8 June 2001. Any references to "the Secretary of State", therefore, should now be read as "the Lord Chancellor".

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*Notes and abbreviations:*

DPA = Data Protection Act 1998.

FOIA = Freedom of Information Act 2000.

N/A = not applicable or relevant to the University of Sheffield.

Whenever the term "public authority" or "authority" is used, this is to be understood as "the University of Sheffield" (unless otherwise indicated in the notes).

*Note: Whilst every care has been taken in the preparation of this material, neither the author(s) nor the University of Sheffield can accept liability for any loss or damage caused arising in connection with reliance on its contents.*

## ARRANGEMENT OF SECTIONS

### PART I: ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

#### *Right to information*

<b>Section</b>	
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.
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 Offices, etc.
16.	Duty to provide advice and assistance.
<b><i>Refusal of request</i></b>	
17.	Refusal of request.
<b><i>The Information Commissioner and the Information Tribunal</i></b>	
18.	The Information Commissioner and the Information Tribunal.
<b><i>Publication schemes</i></b>	
19.	Publication schemes.

20.	Model publication schemes.
<b>PART II: EXEMPT INFORMATION</b>	
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.
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.
<b>PART III: GENERAL FUNCTIONS OF SECRETARY OF STATE, LORD CHANCELLOR AND INFORMATION COMMISSIONER</b>	
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.

#### **PART IV: ENFORCEMENT**

50. Application for decision by Commissioner.

51. Information notices.

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 *etc.***

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| 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***

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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.
<i>Other amendments</i>	
73.	Further amendments of Data Protection Act 1998.
<b>PART VIII: MISCELLANEOUS AND SUPPLEMENTAL</b>	
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.
77.	Offence of altering etc. records with intent to prevent disclosure.
78.	Saving for existing powers.
79.	Defamation.
80.	Scotland.
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.
<b>End of Arrangement of Sections</b>	