

2005 No. 3593

FREEDOM OF INFORMATION

**The Freedom of Information (Additional Public Authorities)
Order 2005**

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| <i>Made</i> | - - - - | <i>29th December 2005</i> |
| <i>Laid before Parliament</i> | | <i>16th January 2006</i> |
| <i>Coming into force</i> | | |
| <i>For the Purposes of Articles 3 & 5</i> | | <i>1st June 2006</i> |
| <i>For all other purposes</i> | | <i>7th February 2006</i> |

The Secretary of State, in exercise of the powers conferred upon him by subsections 4(1), 4(6) and 7(2) of the Freedom of Information Act 2000(a), and after consultation with the Secretary of State for Northern Ireland and National Assembly for Wales(b) in accordance with section 4(7) of the Freedom of Information Act, hereby makes the following Order:

1.—(1) This Order may be cited as the Freedom of Information (Additional Public Authorities) Order 2005.

(2) Except for the purposes of Articles 3 and 5, this Order shall come into force on 7th February 2006.

(3) Articles 3 and 5 of this Order shall come into force on 1 June 2006.

(4) In this Order, “the Act” means the Freedom of Information Act 2000.

2. The bodies and offices listed in Schedule 1 to this Order shall be added to Part 6 of Schedule 1 to the Act, at the appropriate place in each case.

3. The bodies and offices listed in Schedule 2 to this Order shall be added to Part 6 of Schedule 1 to the Act, at the appropriate place in each case.

4. The bodies and offices listed in Schedule 3 to this Order shall be added to Part 7 of Schedule 1 to the Act, at the appropriate place in each case.

(a) 2000 c.36. The functions of the Lord Chancellor under sections 4 and 7 were transferred to the Secretary of State by the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887). Those functions had previously been transferred to the Lord Chancellor by the Transfer of Functions (Miscellaneous) Order 2001 (S.I. 2001/3500), which Order amended those sections accordingly.

(b) 2000 c.1, Northern Ireland Act 2000. Section 4(7) of the Freedom of Information Act 2000 requires the Secretary of State to consult the First Minister and Deputy First Minister in Northern Ireland before making an order under section 4(1) that will add to Schedule 1 a body which, or the holder of any office who, would be a Northern Ireland public authority. Section 1 of the Northern Ireland Act 2000 suspends the devolved government in Northern Ireland, and by paragraph 4(1) of Schedule 1 to that Act, any functions of the First Minister and the deputy First Minister may be discharged by the Secretary of State during the period of suspension.

5. The bodies and offices listed in Schedule 4 to this Order shall be added to Part 7 of Schedule 1 to the Act, at the appropriate place in each case.

Signed by the authority of the Lord Chancellor

29th December 2005

Catherine M. Ashton
Parliamentary Under Secretary of State
Department for Constitutional Affairs

ENTRIES INSERTED IN PART 6 OF SCHEDULE 1 TO THE ACT
WITH EFFECT FROM 7 FEBRUARY 2006

The Advisory Panel on Public Sector Information.

The British Transport Police Authority.

A courts board established under section 4 of the Courts Act 2003.

The Commission for Integrated Transport.

The Criminal Procedure Rule Committee.

The Family Justice Council.

The Family Procedure Rule Committee.

The General Optical Council.

The Independent Groundwater Complaints Administrator.

The Independent Regulator of NHS Foundation Trusts.

The Sentencing Guidelines Council.

The Gaelic Media Service, in respect of information held for purposes other than those of journalism, art or literature.

The Registrar General for England and Wales.

SCHEDULE 2

Article 3

ENTRIES INSERTED IN PART 6 OF SCHEDULE 1 TO THE ACT WITH EFFECT FROM 1 JUNE 2006

The Children's Commissioner.

A conservation board established under section 86 of the Countryside and Rights of Way Act 2000.

The Royal College of Veterinary Surgeons, in respect of information held by it otherwise than as a tribunal.

The Royal Pharmaceutical Society of Great Britain, in respect of information held by it otherwise than as a tribunal.

The University for Industry.

The verderers of the New Forest, in respect of information held by them otherwise than as a tribunal.

SCHEDULE 3

Article 4

ENTRIES INSERTED IN PART 7 OF SCHEDULE 1 TO THE ACT WITH EFFECT FROM 7 FEBRUARY 2006

The Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.

The Poisons Board (Northern Ireland).

SCHEDULE 4

Article 5

ENTRIES INSERTED IN PART 7 OF SCHEDULE 1 TO THE ACT WITH EFFECT FROM 1 JUNE 2006

The Pharmaceutical Society of Northern Ireland, in respect of information held by it otherwise than as a tribunal.

The Northern Ireland Events Company.

EXPLANATORY NOTE

(This note is not part of the Order)

The obligations under the Freedom of Information Act 2000 (“The Act”) apply to public authorities. For the purposes of the Act, a “public authority” means a body or office which is listed in Schedule 1 to the Act or designated by an order under section 5, or a publicly-owned company as defined by section 6. The list in Schedule 1 to the Act may be added to by an order under section 4(1), provided that the conditions prescribed by section 4(2) and (3) are satisfied.

By section 7(2) of the Act, an order under section 4(1) may list the public authority in Schedule 1 to the Act only in relation to information of a specified description.

Articles 2 and 3 of this Order add references to the bodies and offices listed in Schedule 1 to this Order to Part 6 of Schedule 1 to the Act (Other Public Bodies and Offices: General).

Articles 4 and 5 of this Order add references to the bodies and offices listed in Schedule 2 to this Order to Part 7 of Schedule 1 to the Act (Other Public Bodies and Offices: Northern Ireland).

The bodies and offices added to Schedule 1 to the Act by this Order are public bodies that meet the conditions specified in section 4(2) and (3) of the Act.

A Regulatory Impact Assessment has not been prepared for this Instrument as it has no impact on business.

STATUTORY INSTRUMENTS

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The Freedom of Information (Additional Public Authorities)
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