

SCHEDULE 1

MODIFICATIONS OF ENACTMENTS

Freedom of Information Act 2000

83.—(1) Section 53 (exception from duty to comply with decision notice or enforcement notice) is amended as follows.

(2) In subsection (1)(a), for sub-paragraph (ii) substitute—

“(ii) the Welsh Assembly Government, or”.

(3) In subsection (3), for paragraph (c) substitute—

“(c) the National Assembly for Wales, in any case where the certificate relates to a decision notice or enforcement notice which has been served on—

(i) the Welsh Assembly Government,

(ii) the National Assembly for Wales, or

(iii) any Welsh public authority.”.

(4) In subsection (5) —

(a) in paragraph (a), for “the National Assembly for Wales” substitute “the Welsh Ministers”,

(b) after paragraph (a), insert—

“(aa) if the order relates to the National Assembly for Wales, consult the Presiding Officer of that Assembly.”.(1)

(5) In subsection (8), for paragraph (b) substitute—

“(b) in relation the Welsh Assembly Government, the National Assembly for Wales or any Welsh public authority, means the First Minister for Wales, and”

(1) Section 53(5) was amended by the Transfer of Functions (Miscellaneous) Order 2001 (S.I. 2001/3500), article 8 and paragraph 8(1)(j) of Schedule 2; and by the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887), article 9 and paragraph 12(1)(a) of Schedule 2. The power conferred by section 53(5) was transferred from the Secretary of State to the Lord Chancellor by the Transfer of Functions (Miscellaneous) Order 2001, article 3 and paragraph 12 of Schedule 1; and were transferred from the Lord Chancellor to the Secretary of State by the Secretary of State for Constitutional Affairs Order 2003, article 4 and Schedule 1.