

Draft Order laid before Parliament under section 82(2)(a) of the Freedom of Information Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No.

FREEDOM OF INFORMATION

**The Freedom of Information (Designation
as Public Authorities) Order 2011**

Made - - - -

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 5(1)(a) and (2) and 7(5) of the Freedom of Information Act 2000⁽¹⁾.

In accordance with section 5(3) of that Act⁽²⁾ the Secretary of State has consulted representatives of persons to whom the Order relates.

A draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 82(2)(a) of that Act.

Citation and commencement

1.—(1) This Order may be cited as the Freedom of Information (Designation as Public Authorities) Order 2011.

(2) This Order comes into force on the day after the day on which it is made.

Persons designated as Public Authorities

2. The persons listed in column 1 of the Schedule are designated as public authorities under section 5(1)(a) of the Freedom of Information Act 2000 with respect to the function or functions specified in column 2.

(1) [2000 c.36](#); section 5(1) was amended by [SI 2001/3500](#), Schedule 2, paragraph 8(1)(b) and [SI 2003/1887](#), Schedule 2, paragraph 12(1)(a).
(2) Section 5(3) was amended by [SI 2001/3500](#), Schedule 2, paragraph 8(1)(b) and [SI 2003/1887](#), Schedule 2, paragraph 12(1)(a).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory
Instrument: The Freedom of Information (Designation as Public Authorities) Order 2011 No. 2598

Signed by the authority of the Secretary of State

Date

Name
Minister of State
Ministry of Justice

SCHEDULE

Article 2

Persons designated as Public Authorities

<i>Column 1</i>	<i>Column 2</i>
The Association of Chief Police Officers of England, Wales and Northern Ireland ⁽³⁾	<ul style="list-style-type: none"> a) The provision of leadership to the Police Service of England, Wales and Northern Ireland. b) The provision of contributions to the development and improvement of the Police Service of England, Wales and Northern Ireland. c) The provision of a professional view on policing matters. d) The co-ordination of the strategic policing response, in times of national need, on behalf of all chief police officers. e) The promotion and development of high standards of professional knowledge and performance amongst its members. f) The provision of member services. g) The promotion of the Association.
The Financial Ombudsman Service Limited ⁽⁴⁾	The administration of an ombudsman scheme in accordance with Part 16 of, and Schedule 17 to, the Financial Services and Markets Act 2000 ⁽⁵⁾ .
The Universities and Colleges Admissions Service ⁽⁶⁾	<p>The provision and maintenance of a central applications and admissions service in relation to:</p> <ul style="list-style-type: none"> a) an institution listed in paragraphs 53(1)(a) to (e) and 55(1)(a) and (b) of Part 4 of Schedule 1 to the Freedom of Information Act 2000⁽⁷⁾; b) an institution listed in Part 5 of Schedule 1 to the Freedom of Information (Scotland) Act 2002⁽⁸⁾; c) the College of Agriculture, Food and Rural Enterprise.

⁽³⁾ A company incorporated under the Companies Act 2006 (c.46) with the registration number 3344583.

⁽⁴⁾ A company incorporated under the Companies Act 2006 with the registration number 3725015.

⁽⁵⁾ 2000 c.8.

⁽⁶⁾ A company incorporated under the Companies Act 2006 with the registration number 2839815.

⁽⁷⁾ Paragraph 55(1)(b) of Schedule 1 was amended by SI 2005/1963, Schedule 3, paragraph 4 and Schedule 4.

⁽⁸⁾ 2002 asp 13.

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 of the Act, or a publicly-owned company as defined by section 6 of the Act. Additional bodies or offices may be added to Schedule 1 by an order under section 4(1) of the Act provided that the conditions in section 4(2) and (3) are satisfied.

Section 5(1)(a) of the Act provides that the Secretary of State may by order designate as a public authority for the purposes of the Act any person who is neither listed in Schedule 1 nor capable of being added to that Schedule by an order under section 4(1), but who appears to the Secretary of State to exercise functions of a public nature. By section 5(2), such an order may designate a specified person or office or persons or offices falling within a specified description.

Section 7(5) of the Act provides that such an order must specify the functions of the public authority designated by the order with respect to which the designation is to have effect, and limits the application of the Act to information held by the authority relating to the specified functions.

This Order designates as public authorities The Association of Chief Police Officers of England, Wales and Northern Ireland, The Financial Ombudsman Service Limited and the Universities and Colleges Admissions Service (article 2 and column 1 of the Schedule). The functions with respect to which the designation takes effect are listed in column 2 of the Schedule.