

FREEDOM OF INFORMATION ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part I: Access to information held by public authorities

Right to information

Section 7: Public authorities to which Act has limited application

42. *Subsection (1)* provides that where a public authority is listed in Schedule 1 only in relation to specified information nothing in Parts I to V of the Act applies to any other information held by that authority.
43. *Subsection (2)* provides that an order under section 4(1) may specify that it is only to have effect with respect to particular information.
44. *Subsection (3)* enables the Secretary of State by order to amend Schedule 1 by limiting the information in relation to any public authority and by removing or amending that limitation. Such an order is subject to affirmative resolution procedure (section 82(2)(a)). *Subsection (4)* sets out with whom the Secretary of State must consult before making such an order.
45. *Subsection (5)* requires that an order made under section 5(1)(a) must specify the functions with respect to which it has effect. Nothing in Parts I to V of the Act applies to information held by an authority designated by order under section 5(1)(a) which does not relate to the specified functions.
46. *Subsection (6)* requires an order made under section 5(1)(b) to specify the services provided under contract to which the designation is to apply. Nothing in Parts I to V of the Act applies to information held by a contractor designated in such an order which does not relate to the provision of the specified services.
47. *Subsection (7)* provides that nothing in Parts I to V of the Act applies to information held by a publicly-owned company which is excluded information.
48. *Subsection (8)* defines excluded information for the proposed subsection (7) as being information specified in relation to a publicly-owned company in an order by the Secretary of State. Such an order is subject to the affirmative resolution procedure (Section 82(2)(a)).