

FREEDOM OF INFORMATION ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part IV: Enforcement

Section 51: Information notices

174. This section enables the Commissioner to obtain from a public authority, by issuing an information notice, information (including unrecorded information) he requires to deal with an application under section 50 or to reach a determination on whether an authority has complied or is complying with Part I of the Act or with the Secretary of State's or Lord Chancellor's code of practice. He can specify the time for the authority to comply with the request and the form in which the information should be provided. This corresponds to the powers of the Commissioner under section 43 of the Data Protection Act 1998.
175. *Subsections (2) and (3)* require the Commissioner to specify in the information notice the basis for asking for the information and details of the rights of appeal against the notice.
176. *Subsections (5) and (6)* state that an authority is not required to supply the Commissioner with certain information relating to communications between a legal adviser and client (or a person representing a client) about the client's compliance with the Act or any proceedings arising from it.
177. *Subsection (7)* allows the Commissioner to cancel an information notice.