

**Status:** Point in time view as at 30/11/2000. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Freedom of Information Act 2000, Part II. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### THE COMMISSIONER AND THE TRIBUNAL

#### PART II

#### AMENDMENTS RELATING TO EXTENSION OF FUNCTIONS OF COMMISSIONER AND TRIBUNAL

VALID FROM 14/05/2001

#### *Interests represented by lay members of Tribunal*

- 16 In section 6(6) of the <sup>M1</sup>Data Protection Act 1998 (lay members of Tribunal)—
- (a) for the word “and” at the end of paragraph (a) there is substituted—
- “(aa) persons to represent the interests of those who make requests for information under the Freedom of Information Act 2000,”
- and
- (b) after paragraph (b) there is inserted “and
- (bb) persons to represent the interests of public authorities.”

#### **Marginal Citations**

**M1** 1998 c. 29.

#### *Expenses incurred under this Act excluded in calculating fees*

- 17 In section 26(2) of that Act (fees regulations), in paragraph (a)—
- (a) after “functions” there is inserted “ under this Act ”, and
- (b) after “Tribunal” there is inserted “ so far as attributable to their functions under this Act ”.

#### *Information provided to Commissioner or Tribunal*

- 18 In section 58 of that Act (disclosure of information to Commissioner or Tribunal), after “this Act” there is inserted “ or the Freedom of Information Act 2000 ”.
- 19 (1) Section 59 of that Act (confidentiality of information) is amended as follows.

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(2) In subsections (1) and (2), for “this Act”, wherever occurring, there is substituted “the information Acts”.

(3) After subsection (3) there is inserted—

“(4) In this section “the information Acts” means this Act and the Freedom of Information Act 2000.”

#### *Deputy commissioners*

20 (1) Paragraph 4 of Schedule 5 to that Act (officers and staff) is amended as follows.

(2) In sub-paragraph (1)(a), after “a deputy commissioner” there is inserted “ or two deputy commissioners”.

(3) After sub-paragraph (1) there is inserted—

“(1A) The Commissioner shall, when appointing any second deputy commissioner, specify which of the Commissioner’s functions are to be performed, in the circumstances referred to in paragraph 5(1), by each of the deputy commissioners.”

#### *Exercise of Commissioner’s functions by others*

21 (1) Paragraph 5 of Schedule 5 to that Act (exercise of functions of Commissioner during vacancy etc.) is amended as follows.

(2) In sub-paragraph (1)—

(a) after “deputy commissioner” there is inserted “ or deputy commissioners”, and

(b) after “this Act” there is inserted “ or the Freedom of Information Act 2000”.

(3) In sub-paragraph (2) after “this Act” there is inserted “ or the Freedom of Information Act 2000”.

#### *Money*

22 In paragraph 9(1) of Schedule 5 to that Act (money) for “or section 159 of the Consumer Credit Act 1974” there is substituted “, under section 159 of the Consumer Credit Act 1974 or under the Freedom of Information Act 2000”.

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