



# Freedom of Information Act 2000

## 2000 CHAPTER 36

### PART I

#### ACCESS TO INFORMATION HELD BY PUBLIC AUTHORITIES

##### *Right to information*

- 15 Special provisions relating to public records transferred to Public Record Office, etc.**
- (1) Where—
- (a) the appropriate records authority receives a request for information which relates to information which is, or if it existed would be, contained in a transferred public record, and
  - (b) either of the conditions in subsection (2) is satisfied in relation to any of that information,
- that authority shall, within the period for complying with section 1(1), send a copy of the request to the responsible authority.
- (2) The conditions referred to in subsection (1)(b) are—
- (a) that the duty to confirm or deny is expressed to be excluded only by a provision of Part II not specified in subsection (3) of section 2, and
  - (b) that the information is exempt information only by virtue of a provision of Part II not specified in that subsection.
- (3) On receiving the copy, the responsible authority shall, within such time as is reasonable in all the circumstances, inform the appropriate records authority of the determination required by virtue of subsection (3) or (4) of section 66.
- (4) In this Act “transferred public record” means a public record which has been transferred—
- (a) to the Public Record Office,

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*Changes to legislation: There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 15. (See end of Document for details)*

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- (b) to another place of deposit appointed by the [<sup>F1</sup>Secretary of State] under the <sup>M1</sup>Public Records Act 1958, or
- (c) to the Public Record Office of Northern Ireland.

(5) In this Act—

“appropriate records authority”, in relation to a transferred public record, means—

- (a) in a case falling within subsection (4)(a), the Public Record Office,
- (b) in a case falling within subsection (4)(b), the [<sup>F2</sup>Secretary of State], and
- (c) in a case falling within subsection (4)(c), the Public Record Office of Northern Ireland;

“responsible authority”, in relation to a transferred public record, means—

- (a) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the [<sup>F2</sup>Secretary of State] to be primarily concerned,
- (b) in the case of a record transferred as mentioned in subsection (4)(a) or (b) from any other person, the person who appears to the [<sup>F2</sup>Secretary of State] to be primarily concerned,
- (c) in the case of a record transferred to the Public Record Office of Northern Ireland from a government department in the charge of a Minister of the Crown, the Minister of the Crown who appears to the appropriate Northern Ireland Minister to be primarily concerned,
- (d) in the case of a record transferred to the Public Record Office of Northern Ireland from a Northern Ireland department, the Northern Ireland Minister who appears to the appropriate Northern Ireland Minister to be primarily concerned, or
- (e) in the case of a record transferred to the Public Record Office of Northern Ireland from any other person, the person who appears to the appropriate Northern Ireland Minister to be primarily concerned.

#### Textual Amendments

- F1** Words in s. 15(4)(b) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(a)**
- F2** Words in s. 15(5) substituted (9.12.2015) by [The Transfer of Functions \(Information and Public Records\) Order 2015 \(S.I. 2015/1897\)](#), art. 1(2), **Sch. para. 2(5)(a)**

#### Commencement Information

- I1** S. 15 wholly in force at 1.1.2005; s. 15 not in force at Royal Assent, see s. 87(3); s. 15(4)(5) in force for certain purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2**; s. 15 otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

#### Marginal Citations

- M1** 1958 c. 51.

**Changes to legislation:**

There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 15.