



# Freedom of Information Act 2000

## 2000 CHAPTER 36

### PART IV

#### ENFORCEMENT

#### 54 Failure to comply with notice.

- (1) If a public authority has failed to comply with—
  - (a) so much of a decision notice as requires steps to be taken,
  - (b) an information notice, or
  - (c) an enforcement notice,the Commissioner may certify in writing to the court that the public authority has failed to comply with that notice.
- (2) For the purposes of this section, a public authority which, in purported compliance with an information notice—
  - (a) makes a statement which it knows to be false in a material respect, or
  - (b) recklessly makes a statement which is false in a material respect,is to be taken to have failed to comply with the notice.
- (3) Where a failure to comply is certified under subsection (1), the court may inquire into the matter and, after hearing any witness who may be produced against or on behalf of the public authority, and after hearing any statement that may be offered in defence, deal with the authority as if it had committed a contempt of court.
- (4) In this section “the court” means the High Court or, in Scotland, the Court of Session.

#### Modifications etc. (not altering text)

- C1** S. 54 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}
- C2** S. 54 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **22(7)** (with regs. 5, 11(4))

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*Changes to legislation: There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 54. (See end of Document for details)*

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- C3** S. 54 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))

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**Commencement Information**

- I1** S. 54 wholly in force at 1.1.2005; s. 54 not in force at Royal assent, see s. 87(3); s. 54 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; s. 54 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Freedom of Information Act 2000, Section 54.