

2004 No. 1909 (C.81)

FREEDOM OF INFORMATION

**The Freedom of Information Act 2000 (Commencement
No. 4) Order 2004**

Made - - - - - 20th July 2004

The Secretary of State, in exercise of the powers conferred on her by section 87(3) of the Freedom of Information Act 2000(a), makes the following Order:

Citation

1. This Order may be cited as the Freedom of Information Act 2000 (Commencement No. 4) Order 2004(b).

Commencement of the Freedom of Information Act 2000 for the relevant purposes

2.—(1) The provisions of the Freedom of Information Act 2000 specified in paragraph (2), in so far as these provisions are not already in force for the relevant purposes, shall come into force for the relevant purposes on 1st January 2005.

(2) The provisions of the Freedom of Information Act 2000 referred to in paragraph (1) are—

- (a) section 15(4) and (5);
- (b) section 48;
- (c) Part IV and Schedule 3;
- (d) Part V and Schedule 4;
- (e) section 62;
- (f) Part VII and Schedule 6; and
- (g) section 77.

(3) In this article—

- (a) “the relevant purposes” means—
 - (i) the purpose of implementing Article 4 of the Aarhus Convention, together with Articles 3 and 9 of the Convention so far as relating to that Article (or any amendment of those provisions made in accordance with Article 14 of the Convention), including any purposes arising out of or related to that purpose; and
 - (ii) the purpose of implementing the Environmental Information Directive, including any purposes arising out of or related to that purpose;

(a) 2000 c. 36.

(b) Section 87(1) of the Act provided that certain provisions of the Act came into force on the passing of the Act (30th November 2000); and by section 87(2) further provisions came into force two months later (30th January 2001). Further provisions of the Act have been brought into force by commencement Orders made under section 87(3); S.I. 2001/1637 (c. 56), S.I. 2002/2812 (c. 86) and 2003/2603 (c. 97).

- (b) “the Environmental Information Directive” means Council Directive 2003/4/EC^(a) on public access to environmental information and repealing Council Directive 90/313/EEC; and
- (c) “the Aarhus Convention” means the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters signed at Aarhus on 25th June 1998^(b).

20th July 2004

Margaret Beckett
Secretary of State for Environment, Food and Rural Affairs

(a) OJ No. L 41, 14.2.2003, p. 26.

(b) The text of the Convention can be found at <http://www.unece.org/env/pp/documents/cep43e.pdf>.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st January 2005 the provisions of the Freedom of Information Act 2000 specified in article 2(2) of the Order for the relevant purposes, in so far as these provisions are not already in force for those purposes.

The relevant purposes are the purposes of—

- implementing Article 4 of the Aarhus Convention, together with Articles 3 and 9 of the Convention so far as relating to that Article (or any amendment of those provisions made in accordance with Article 14 of the Convention), including any purposes arising out of or related to that purpose; and
- implementing the Environmental Information Directive, including any purposes arising out of or related to that purpose; and

The Aarhus Convention is the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters signed at Aarhus on 25th June 1998 (the text of which can be found at <http://www.unece.org/env/pp/documents/cep43e.pdf>). The Environmental Information Directive is Council Directive 2003/4/EC (OJ No. L 41, 14.2.2003, p. 26) on public access to environmental information and repealing Council Directive 90/313/EEC).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s 18 (in part)	14.05.2001	2001/1637
s 61 (in part)	14.05.2001	2001/1637
s 73 (in part)	14.05.2001	2001/1637
Schedule 2 (in part)	14.05.2001	2001/1637
Schedule 4 (in part)	14.05.2001	2001/1637
Schedule 6 (in part)	14.05.2001	2001/1637
s 18 (in part)	12.11.2002	2002/2812
s 19 (in part)	12.11.2002	2002/2812
s 20 (in part)	12.11.2002	2002/2812
s 45	12.11.2002	2002/2812
s 46	12.11.2002	2002/2812
s 48 (in part)	12.11.2002	2002/2812
s 51 (in part)	12.11.2002	2002/2812
s 52 (in part)	12.11.2002	2002/2812
s 54 (in part)	12.11.2002	2002/2812
s 55 (in part)	12.11.2002	2002/2812
s 56	12.11.2002	2002/2812
s 57 (in part)	12.11.2002	2002/2812

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s 58	12.11.2002	2002/2812
s 59	12.11.2002	2002/2812
s 61 (in part)	12.11.2002	2002/2812
s 67 (in part)	12.11.2002	2002/2812
s 72	12.11.2002	2002/2812
s 88	12.11.2002	2002/2812
Schedule 2 (in part)	12.11.2002	2002/2812
Schedule 3 (in part)	12.11.2002	2002/2812
Schedule 4 (in part)	12.11.2002	2002/2812
Schedule 5 (in part)	12.11.2002	2002/2812
s 19 (in part)	31.10.2003	2003/2603
s 19 (in part)	29.02.2004	2003/2603
s 19 (in part)	30.06.2004	2003/2603

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