Draft Order laid before Parliament under section 82(2)(a) of the Freedom of Information Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No. 0000

FREEDOM OF INFORMATION

The Freedom of Information (Parliament and National Assembly for Wales) Order 2008

Made - - - -	***
Coming into force - -	***

The Secretary of State makes the following Order in exercise of the power conferred by section 7(3)(a) of the Freedom of Information Act 2000(**a**), and having consulted the Presiding Officer of the National Assembly for Wales(**b**) in accordance with section 7(4)(a) of that Act(**c**).

A draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 82(2)(a) of that Act.

Citation and commencement

1.—(1) This Order may be cited as the Freedom of Information (Parliament and National Assembly for Wales) Order 2008.

(2) This Order comes into force on the day after the day on which it is made.

Amendment of Schedule 1

2.—(1) Part 1 of Schedule 1 to the Freedom of Information Act 2000 is amended as follows.

(2) In paragraph 2, after "The House of Commons" insert—

", in respect of information other than—

(a) information relating to any residential address of a member of either House of Parliament,

(b) information relating to travel arrangements of a member of either House of Parliament, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,

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(**a**) 2000 c.36. The functions of the Lord Chancellor under section 7 were transferred to the Secretary of State by the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887). Those functions had previously been transferred to the Lord Chancellor by the Transfer of Functions (Miscellaneous) Order 2001 (S.I. 2001/3500), which Order amended that section accordingly.

(**b**) Section 7(4)(a) of the Freedom of Information Act 2000 requires the Secretary of State to consult the Presiding Officer of the National Assembly for Wales before making an order under section 7(3) that relates to the National Assembly for Wales.

(**c**) Section 7(4)(a) was amended by S.I. 2007/1388.

(c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of either House of Parliament at any residence of the member,

(d) information relating to expenditure by a member of either House of Parliament on security arrangements.

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month."

(3) In paragraph 3, after "The House of Lords" insert—

", in respect of information other than—

(a) information relating to any residential address of a member of either House of Parliament,

(b) information relating to travel arrangements of a member of either House of Parliament, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,

(c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of either House of Parliament at any residence of the member,

(d) information relating to expenditure by a member of either House of Parliament on security arrangements.

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month."

(4) In paragraph 5, after "The National Assembly for Wales" insert—

", in respect of information other than—

(a) information relating to any residential address of a member of the Assembly,

(b) information relating to travel arrangements of a member of the Assembly, where the arrangements relate to travel that has not yet been undertaken or is regular in nature,

(c) information relating to the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of the Assembly at any residence of the member,

(d) information relating to expenditure by a member of the Assembly on security arrangements.

Paragraph (b) does not except information relating to the total amount of expenditure incurred on regular travel during any month."

XXXX
Ministry of Justice

[Date]

EXPLANATORY NOTE

(This note is not part of the Order)

The obligations under the Freedom of Information Act 2000 ("the Act") apply to public authorities. For the purposes of the Act, a "public authority" means a body or office which is listed in Schedule 1 to the Act or designated by an order under section 5 of the Act, or a publicly-owned company as defined by section 6 of the Act.

Schedule 1 to the Act may be amended by an order made by the Secretary of State under section 7(3)(a) limiting an entry relating to a public authority to information of a specified description.

This Order limits the entries relating to three public authorities: the House of Commons, the House of Lords and the National Assembly for Wales. The effect of this Order is that:

— Information held by the House of Commons or the House of Lords relating to—

- any residential address of a member of either House of Parliament,
- forthcoming or regular travel arrangements of a member of either House of Parliament (except as to the total amount of expenditure incurred on travel during any month),
- the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of either House of Parliament at their residence, and
- expenditure by a member of either House of Parliament on security arrangements,

is not held by them for the purposes of section 3 of the Act.

— Information held by the National Assembly for Wales relating to—

- any residential address of a member of the Assembly,
- forthcoming or regular travel arrangements of a member of the Assembly (except as to the total amount of expenditure incurred on travel during any month), and
- the identity of any person who delivers or has delivered goods, or provides or has provided services, to a member of the Assembly at their residence, and
- expenditure by a member of the Assembly on security arrangements,

is not held by them for the purposes of section 3 of the Act.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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