STATUTORY INSTRUMENTS

2000 No. 2060

LONDON GOVERNMENT

The Greater London Authority (Protected Information) Order 2000

Made - - - -	*31st July 2000*
Laid before Parliament	*8th August 2000*
Coming into force	*1st September 2000*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 63, 395(3)(a) and 420(1) of the Greater London Authority Act 1999**(a)**, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Greater London Authority (Protected Information) Order 2000 and shall come into force on 1st September 2000.

(2) In this Order "the Act" means the Greater London Authority Act 1999 and Part 2 of the Schedule has effect for the interpretation of the Schedule.

Categories of protected information and protected documents

2.—(1) The categories of protected information set out in Part 1 of the Schedule are hereby prescribed for the purposes of sections 63(a) (information which persons may withhold from the Assembly) and 395(3)(a) (information which functional bodies may withhold from the Mayor) of the Act.

(2) Such documents as would, if produced, disclose information within any category of protected information set out in Part 1 of the Schedule are hereby prescribed as a category of documents for the purposes of section 63(b) (categories of document which may be withheld from the Assembly) of the Act.

(3) In this article "protected information" means information which—

(a) the Assembly or (as the case may be) the Mayor cannot reasonably ascertain by means other than the exercise of their powers under section 61 (requiring attendance) or section 395 (information from functional bodies) of the Act respectively, and

(b) is held by or available to a person who is required to produce such information in the capacity in which he is required to attend proceedings or (as the case may be) to produce information.

(a) 1999 c. 29.

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment,
Transport and the Regions

31st July 2000

SCHEDULE

Article 2

PROTECTED INFORMATION

PART 1

CATEGORIES OF PROTECTED INFORMATION

1. Information relating to a relevant employee of a relevant respondent, but this category shall not be taken to include information relating to the general responsibilities attaching to particular appointments in the organisation of a relevant respondent.

2. Information obtained by a relevant respondent from any person, where disclosure of the information would constitute a breach of confidence actionable by that, or another, person.

3.—(1) Information (other than information within the category in sub-paragraph (2)) as to advice received, information obtained or action to be taken in connection with—

(a) any legal proceedings by or against the relevant respondent, or

(b) the determination of any matter affecting the relevant respondent,

whether, in either case, proceedings have been commenced or are in contemplation.

(2) The information excepted by sub-paragraph (1) is information requested from Transport for London in pursuance of section 395(1) of the Act.

4. Information—

(a) relating to action taken or to be taken in the course of the prevention, investigation or prosecution of a particular crime, or

(b) revealing or tending to reveal techniques or methods of criminal investigation.

5. Information relating to the identity of a person giving the relevant respondent information which tends to show that a criminal offence or a breach of a statutory duty has been, is being or is about to be committed.

6. Information relating to—

(a) the protection of prominent persons or their residences,

(b) national security, or

(c) counter-terrorism.

7. Information relating to the provision of police services for any national or international purpose not mentioned in paragraph 6.

PART 2

INTERPRETATION

For the purposes of this Schedule—

(a) "relevant respondent" means—

(i) a functional body;

(ii) a person required to attend proceedings of, or produce documents to, the Assembly; or

(iii) a body of which such a person is a member of staff, or of which he is or has been the chairman or a member; and

(b) in relation to a relevant respondent—

(i) "relevant employee" means a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder of the relevant respondent;

(ii) "employee" means a person employed under a contract of employment; and

(iii) "office-holder" includes the holder of any paid office appointments to which are or may be made or confirmed by the relevant respondent, or by any person who holds any such office, or is an employee of the relevant respondent.

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 61 of the Greater London Authority Act 1999, the London Assembly may require certain categories of person (including members of staff, members and officers of functional bodies, those to whom it has given financial assistance, the Mayor and its own members) to attend its proceedings for the purpose of giving evidence, or to produce documents. Such persons may refuse to do so if such information or document is within a category of information, or of documents, prescribed by the Secretary of State by order under section 63.

Under section 395 of the Act, a functional body of the Greater London Authority (that is to say, Transport for London, the London Development Agency, the Metropolitan Police Authority or the London Fire and Emergency Planning Authority) is required to provide the Mayor of London with such information as he may request, but may refuse to do so in relation to information within a category prescribed by the Secretary of State by order.

Article 2 of this Order prescribes, for the purposes of both section 63 and section 395, the information set out in the Schedule as information which a person or, as the case may be, a functional body, may refuse to give; and prescribes, as a category of documents for the purposes of section 63, documents containing such information.

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