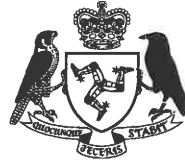


Statutory Document No. 2017/0189



Freedom of Information Act 2015

FREEDOM OF INFORMATION ACT 2015 (AMENDMENT OF SCHEDULE 1) ORDER 2017

Approved by Tynwald: 21 June 2017

Coming into operation in accordance with article 2

The Council of Ministers makes the following Order under section 7 of the Freedom of Information Act 2015.

In accordance with section 7(7) of that Act the Council of Ministers has consulted representatives of persons to whom the Order relates and other persons that the Council of Ministers considered appropriate.

1 Title

This Order is the Freedom of Information Act 2015 (Amendment of Schedule 1) Order 2017.

2 Commencement

If approved by Tynwald¹ —

- (a) articles 1, 2 and 3(1) of this Order come into operation on 1 July 2017; and
- (b) article 3(2) of this Order comes into operation on 1 January 2018.

3 Amendment of Schedule 1 to the Freedom of Information Act 2015

- (1) For Schedule 1 to the Freedom of Information Act 2015 substitute the text set out in the Schedule to this Order.
- (2) At the end of Schedule 1 to the Freedom of Information Act 2015 (as substituted by paragraph (1)) insert—

¹ As required by section 67(4)(a) of the Freedom of Information Act 2015

Local Authorities

36. A local authority².

MADE 1st June 2017

SIGNED BY THE AUTHORITY OF THE CHIEF SECRETARY



D DAVIES
Director of Change & Reform

² See section 3 of the Interpretation Act 1976 (interpretation of certain terms) until such time as the Schedule to the Interpretation Act 2015 (defined terms) comes into operation and thereafter see the Schedule to that Act

SCHEDULE

[Article 3(1)]

SUBSTITUTED TEXT OF SCHEDULE 1 TO THE FREEDOM OF INFORMATION
ACT 2015

☒ SCHEDULE 1

[section 6]

PUBLIC AUTHORITIES

Government Departments

1 The Cabinet Office

This paragraph does not authorise the disclosure of information held by the Cabinet Office if it is information—

- (a) held by or on behalf of that part of the Cabinet Office known as the Government Technology Service (or GTS) for the purposes of—
 - (i) a public authority other than the Cabinet Office; or
 - (ii) a body of a kind mentioned in section 6(1) which is not for the time being a public authority;
- (b) held by or on behalf of the Cabinet Office in connection with its functions in relation to the selection or appointment of persons to offices in the Island for which the appointor is the Queen, the Lieutenant Governor or the Appointments Commission; or
- (c) held by or on behalf of the Cabinet Office in connection with its functions in relation to —
 - (i) the recruitment or employment of personnel;
 - (ii) the conditions of employment including, for the sake of clarity, entitlement to pensions and other post-employment benefits of personnel;
 - (iii) collective bargaining; or
 - (iv) the development of employment policies,

so far as that information relates to officers or employees of a body of a kind mentioned in section 6(1) which is not for the time being a public authority.

2 The Department of Economic Development

This paragraph does not authorise the disclosure of information held by or on behalf of the Department of Economic Development which is contained in public records (within the meaning of section 8 of the Public Records Act 1999) —

- (a) deposited in the Record Office, within the meaning of that Act;
- (b) deposited in the Manx Museum; or
- (c) deposited in a repository specified in directions under section 1(6) of that Act.

3 The Department of Education and Children**4 The Department of Environment, Food and Agriculture****5 The Department of Health and Social Care****6 The Department of Home Affairs**

(a) This paragraph does not authorise the disclosure of information held by or on behalf of the Department of Home Affairs if it is information held by or on behalf of the Department for the purposes of—

- (i) the Chief Constable;
- (ii) the police force established under section 1 of the *Police Act 1993*.

(b) For the sake of clarity, references in this paragraph to the Department of Home Affairs do not include the Chief Constable or the police force.

7 The Department of Infrastructure**8 The Treasury**

This paragraph does not authorise the disclosure of information held by the Treasury on the Government's Financial Accounting System which relates to expenditure by—

- (a) a public authority other than the Treasury; or
- (b) a body of a kind mentioned in section 6(1) which is not for the time being a public authority.

Statutory Boards

- 9 **The Isle of Man Office of Fair Trading**
- 10 **The Isle of Man Financial Services Authority**
- 11 **The Isle of Man Post Office**
- 12 **The Manx Utilities Authority**
- 13 **The Communications Commission**
- 14 **The Isle of Man Gambling Supervision Commission**
- 15 **The Public Sector Pensions Authority**

Publicly-owned companies

- 16 **e-Ilan Communications Limited (registered in the Isle of Man with company number 121148C)**
- 17 **Isle of Man Film Limited (registered in the Isle of Man with company number 108605C)**
- 18 **Isle of Man Film (DOI) Limited (registered in the Isle of Man with company number 117114C)**
- 19 **Isle of Man Limited (registered in England and Wales with company number 02963296)**
- 20 **Isle of Man National Transport Limited (registered in the Isle of Man with company number 008387C)**
- 21 **Laxey Glen Mills Limited (registered in the Isle of Man with company number 006867C)**
- 22 **Manx Cable Company Limited (registered in the Isle of Man with company number 091223C)**
- 23 **PGT Limited (registered in the Isle of Man with company number 104629C)**

24 Radio Manx Limited (registered in the Isle of Man with company number 001486C)

This Act applies only in respect of information held by Radio Manx Limited for purposes other than those of journalism, art or literature.

Other public authorities

25 HM Attorney General's Chambers

26 The Chief Constable

27 The Clerk of Tynwald

28 Financial Intelligence Unit

29 General Registry

This paragraph does not authorise the disclosure of information held by or on behalf of the General Registry which is contained in public records (within the meaning of section 8 of the Public Records Act 1999) —

- (a) deposited in the Record Office, within the meaning of that Act;
- (b) deposited in the Manx Museum; or
- (c) deposited in a repository specified in directions under s1(6) of that Act.

30 Industrial Relations Officers appointed under section 5 of the Trade Disputes Act 1985

31 The Manx Museum and National Trust

This paragraph does not authorise the disclosure of information held by the Manx Museum and National Trust which is contained in public records (within the meaning of section 8 of the Public Records Act 1999) deposited in the Manx Museum.

32 Public Services Commission

33 Road Transport Licensing Committee²².

EXPLANATORY NOTE

(This note is not part of the Order)

This Order substitutes the text of Schedule 1 to the Freedom of Information Act 2015 (“the Act”) with effect from 1 July 2017 to make stylistic improvement to that Schedule and to define Statutory Boards, publicly-owned companies and certain other public authorities in the Island as public authorities for the purposes of the Act. Prior to 1 July 2017 Schedule 1 defined, subject to certain limited exceptions, Government Departments, the Chief Constable and Clerk of Tynwald as public authorities for the purposes of the Act.

This Order amends the substituted Schedule 1 to the Act with effect from 1 January 2018 to define the Island’s local authorities as public authorities for the purposes of the Act.