



Isle of Man

Ellan Vannin

AT 8 of 2018

**FREEDOM OF INFORMATION
(AMENDMENT) ACT 2018**



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**Isle of Man***Ellan Vannin*

FREEDOM OF INFORMATION (AMENDMENT) ACT 2018

Signed in Tynwald: 16 January 2018
Received Royal Assent: 24 April 2018
Announced to Tynwald: 15 May 2018

AN ACT to amend the Freedom of Information Act 2015; and for connected purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

1 Short title

The short title of this Act is the Freedom of Information (Amendment) Act 2018.

2 Commencement

- (1) This Act (other than this section and section 1) comes into operation on such day or days as the Council of Ministers by order appoints and different days may be appointed for different provisions and for different purposes.¹
- (2) An order under subsection (1) may make such consequential, incidental, supplemental, transitional and saving provisions as the Council of Ministers considers necessary or expedient.

3 Expiry

- (1) This Act expires —
 - (a) on the day after its promulgation if all of its provisions are in operation on its promulgation; or
 - (b) otherwise, on the date after the last provision is brought into operation.
- (2) The expiry does not —

- (a) revive any enactment amended by this Act as the enactment operated before the amendment commenced;
- (b) revive anything not in operation or existing when the amendment took effect; or
- (c) affect the continuing operation of the amendment.

4 Freedom of Information Act 2015 amended

The *Freedom of Information Act 2015* is amended as follows.

5 Section 5 amended – interpretation

[Amended subsection (1) by substituting definitions of “any other State”, “information” and “working day”]

6 Section 23 amended – absolutely exempt communications with the Crown

[Amended paragraph (a) of section 23]

7 Section 24 amended – absolutely exempt information under international agreements about exchange of information

[Amended subsection (2)]

8 Section 29 amended – international relations

[Amended subsection (4)]

9 Section 34 amended – formulation of policy

[Substituted subsection (1)]

10 Section 38 amended – qualified exempt communications with the Crown

- (1) [Substituted subsection (1)]
- (2) [Repealed subsection (3)]

11 Section 43 substituted – review of decisions originally made by the Information Commissioner

[Substituted section 43]

12 Section 45 amended – information notices

[Amended subsection (6)]

13 Section 47 amended – exception from duty to comply with certain notices

[Substituted subsection (1)(a)(i)]

14 Section 64A inserted – disclosure of information

[Inserted section 64A]

15 Paragraph 3 of Schedule 2 amended – tenure of office

[Substituted paragraph 3(2) and inserted paragraph 3(3)]

16 Paragraph 9 of Schedule 3 amended – communications between advocate and client

(1) [Substituted the heading of paragraph 9]

(2) [Amended sub-paragraph (1)(a)]

(3) [Amended sub-paragraph (1)(b)]

(4) [Amended sub-paragraph (3)]

(5) [Substituted sub-paragraph (4)]

17 Consequential amendment to the Interpretation Act 2015

[Inserted definition of “Tynwald Commissioner for Administration” in paragraph 1 of the Schedule to the *Interpretation Act 2015*]

ENDNOTES

Table of Endnote References

¹ ADO – remaining provisions in operation 30/08/2018 [SD2018/0210].