The Protection of Freedoms Act 2012 has been given Royal Assent. The Act brings in several key changes to the Freedom of Information Act 2000. The Act (at section 102) amends sections 11 ('means by which communication to be made'), 19 ('publication schemes') and 45 ('issue of Code of Practice by Secretary of State') FOIA, and inserts new sections 11A ('release of datasets for re-use') and 11B ('power to charge fees in relation to release of datasets for re-use'). These amendments all relate to the key change to FOIA, that public sector departments and bodies will be required to publish datasets and ensure that such datasets are available in a re-usable format.

In another key change, the Act (at section 103) amends section 6 ('meaning of 'publically-owned company'). Currently, FOIA applies to designated public authorities and companies that are wholly owned by a single public authority. Once brought into force, the Act will extend FOIA to encompass companies that are wholly owned by a combination of: public authorities; central government; companies which are themselves wholly owned by public authorities or the government; or persons acting on behalf of any of the above. Though there is currently no comprehensive list of the newly caught bodies, the Ministry of Justice provided a list of the bodies they believe are likely to be brought within the scope of the Act by the amendment (available at www.pdpjournals.com/docs/87995).

The third major change is that the Act removes section 80A FOIA ('information held by Northern Ireland bodies').

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