



Freedom of Information Act 2000

2000 CHAPTER 36

PART IV

ENFORCEMENT

51 Information notices.

(1) If the Commissioner—

- (a) has received an application under section 50, or
- (b) reasonably requires any information—
 - (i) for the purpose of determining whether a public authority has complied or is complying with any of the requirements of Part I, or
 - (ii) for the purpose of determining whether the practice of a public authority in relation to the exercise of its functions under this Act conforms with that proposed in the codes of practice under sections 45 and 46,

he may serve the authority with a notice (in this Act referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

(2) An information notice must contain—

- (a) in a case falling within subsection (1)(a), a statement that the Commissioner has received an application under section 50, or
- (b) in a case falling within subsection (1)(b), a statement—
 - (i) that the Commissioner regards the specified information as relevant for either of the purposes referred to in subsection (1)(b), and
 - (ii) of his reasons for regarding that information as relevant for that purpose.

(3) An information notice must also contain particulars of the right of appeal conferred by section 57.

Changes to legislation: Freedom of Information Act 2000, Section 51 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) The time specified in an information notice must not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the information need not be furnished pending the determination or withdrawal of the appeal.
- (5) An authority shall not be required by virtue of this section to furnish the Commissioner with any information in respect of—
- (a) any communication between a professional legal adviser and his client in connection with the giving of legal advice to the client with respect to his obligations, liabilities or rights under this Act, or
 - (b) any communication between a professional legal adviser and his client, or between such an adviser or his client and any other person, made in connection with or in contemplation of proceedings under or arising out of this Act (including proceedings before the Tribunal) and for the purposes of such proceedings.
- (6) In subsection (5) references to the client of a professional legal adviser include references to any person representing such a client.
- (7) The Commissioner may cancel an information notice by written notice to the authority on which it was served.
- (8) In this section “information” includes unrecorded information.

Modifications etc. (not altering text)

- C1** S. 51 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(5)(9)}
- C2** S. 51 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, **18** (with regs. 5, 11(4))
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Commencement Information

- I1** S. 51 wholly in force at 1.1.2005; s. 51 not in force at Royal Assent, see s. 87(3); s. 51 in force for certain purposes at 30.11.2002 by [S.I. 2002/2812](#), **art. 2(d)(e)**; s. 51 in force for certain further purposes at 1.1.2005 by [S.I. 2004/1909](#), **art. 2** and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), **art. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23(3)(p) inserted by [2024 c. 9 s. 29](#)