
DRAFT STATUTORY INSTRUMENTS

2004 No.

**The Freedom of Information (Time for
Compliance with Request) Regulations 2004**

**Governing body of a maintained school or maintained nursery school and schools
maintained by the Secretary of State for Defence**

3.—(1) This regulation applies—

- (a) to a request for information that is received by the governing body of a maintained school or a maintained nursery school⁽¹⁾; and
- (b) to a request for information that is held by the public authority only by virtue of the information being situated in a school which is maintained by the Secretary of State for Defence and which provides primary or secondary education (or both primary and secondary education).

(2) Where this regulation applies, subsections (1) and (2) of section 10 of the Act have effect as if any reference to the twentieth working day following the date of receipt were a reference to either—

- (a) the twentieth working day following the date of receipt, disregarding any working day which, in relation to the school referred to in paragraph (1), is not a school day, or
- (b) the sixtieth working day following the date of receipt,

whichever occurs first.

(3) “School day”, for the purposes of this regulation, means any day on which, at the school referred to in paragraph (1) above, there is a session.

(1) Section 215(1) of, and paragraph 127 of Schedule 21 to, the Education Act 2002 (c. 32) substitutes a new paragraph 52 in Schedule 1 to the Freedom of Information Act 2000 (“the Act”), adding the governing body of a maintained school as defined by section 20(7) of the School Standards and Framework Act 1998 (c. 31) and the governing body of a maintained nursery school as defined by section 22(9) of that Act to the list of public authorities in the Act.