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DRAFT STATUTORY INSTRUMENTS

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**2004 No.**

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

**Operations of armed forces of the Crown**

5.—(1) This regulation applies, in relation to a request for information, where—

- (a) a public authority cannot comply with section 1(1) of the Act without obtaining information (whether or not recorded) from any individual (whether or not a member of the armed forces of the Crown) who is actively involved in an operation of the armed forces of the Crown, or in the preparations for such an operation, and
- (b) for that reason, the public authority would not be able to obtain the information within such time as to enable it to comply with the request within the time referred to in subsection 10(1) and (2) of the Act.

(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 such other day, not being later than the sixtieth working day following the date of receipt, as the Information Commissioner may specify in accordance with paragraph (3) below.

(3) Where—

- (a) the public authority applies to the Information Commissioner for specification of a day in accordance with this regulation, and
- (b) that application is made within twenty working days following the date of receipt of the request,

the Information Commissioner shall specify such day as he considers reasonable in all the circumstances.