



Freedom of Information Act 2000

2000 CHAPTER 36

PART V

APPEALS

58 Determination of appeals.

- (1) If on an appeal under section 57 the Tribunal considers—
- (a) that the notice against which the appeal is brought is not in accordance with the law, or
 - (b) to the extent that the notice involved an exercise of discretion by the Commissioner, that he ought to have exercised his discretion differently,
- the Tribunal shall allow the appeal or substitute such other notice as could have been served by the Commissioner; and in any other case the Tribunal shall dismiss the appeal.
- (2) On such an appeal, the Tribunal may review any finding of fact on which the notice in question was based.

Modifications etc. (not altering text)

- C1 S. 58 applied (with modifications) (31.12.2009) by [The INSPIRE Regulations 2009 \(S.I. 2009/3157\)](#), {reg. 11(1)-(3)(9)}
- C2 S. 58 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))
- C3 S. 58 applied (with modifications) (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, 19 (with regs. 5, 11(4))
- C4 S. 58 excluded (18.7.2015) by [The Re-use of Public Sector Information Regulations 2015 \(S.I. 2015/1415\)](#), regs. 1, 22(7) (with regs. 5, 11(4))

Status:

Point in time view as at 23/05/2019.

Changes to legislation:

Freedom of Information Act 2000, Section 58 is up to date with all changes known to be in force on or before 14 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.