



Freedom of Information Act 2000

2000 CHAPTER 36

PART VIII

MISCELLANEOUS AND SUPPLEMENTAL

82 Orders and regulations.

- (1) Any power of the ^{F1} . . . Secretary of State to make an order or regulations under this Act shall be exercisable by statutory instrument.
- (2) A statutory instrument containing (whether alone or with other provisions)—
 - (a) an order under section 5, 7(3) or (8), 53(1)(a)(iii) or 75, or
 - (b) regulations under section 10(4) or 74(3),shall not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (3) A statutory instrument which contains (whether alone or with other provisions)—
 - (a) an order under section 4(1), or
 - (b) regulations under any provision of this Act not specified in subsection (2)(b),and which is not subject to the requirement in subsection (2) that a draft of the instrument be laid before and approved by a resolution of each House of Parliament, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) An order under section 4(5) shall be laid before Parliament after being made.
- (5) If a draft of an order under section 5 or 7(8) would, apart from this subsection, be treated for the purposes of the Standing Orders of either House of Parliament as a hybrid instrument, it shall proceed in that House as if it were not such an instrument.

Status: Point in time view as at 25/05/2007. This version of this provision has been superseded.

Changes to legislation: Freedom of Information Act 2000, Section 82 is up to date with all changes known to be in force on or before 29 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)

Textual Amendments

- F1** Words in s. 82(1) repealed (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 12(3)**

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