



Statutory Document No. 110/00

THE PUBLIC RECORDS ACT 1999

THE PUBLIC RECORDS ORDER 2000

Approved by Tynwald

21st March 2000

Coming into operation

1st April 2000

In exercise of the powers conferred on the Council of Ministers by section 4(10) of, and paragraphs 4(1) and 7(1) of Schedule 1 to, the Public Records Act 1999¹, and of all other enabling powers, the following Order is hereby made:—

1. Citation, commencement and interpretation

(1) This Order may be cited as the Public Records Order 2000 and, subject to section 9(4) of the Act, shall come into operation on the 1st April 2000.

(2) In this Order "the Act" means the Public Records Act 1999.

2. Public records

(1) The bodies specified in Schedule 1 are specified for the purpose of paragraph 4(1) of Schedule 1 to the Act (bodies whose records are public records).

(2) The records of the following officers shall be treated as public records

—
(a) probation officers;

(b) industrial relations officers;

(c) the Isle of Man Data Protection Registrar;

(d) the commissioner appointed under paragraph 2(1) of Schedule 1 to the Police Act 1993².

¹ 1999 c.8

² 1993 c.11

Price 75p

3. Access to public records

(1) The prescribed period for the purposes of section 4 of the Act, with respect to public records which the appropriate person certifies —

- (a) contain information of a kind specified in column 1 of Schedule 2 and
- (b) fall within a class specified in relation to that information in column 2 of that Schedule,

shall be the period specified in relation to that class in column 3 of that Schedule.

(2) In this article "the appropriate person" has the meaning given by section 4(10) of the Act.

Article 2(1).

SCHEDULE 1

ADDITIONAL BODIES WHOSE RECORDS ARE PUBLIC RECORDS

Health and social services

Any council, committee or other body established under the National Health Service (Isle of Man) Acts 1948 to 1979 or under regulations under those Acts.

Any governing body or trustees of a voluntary hospital (within the meaning of the National Health Service (Isle of Man) Act 1948³).

The Manx Health Insurance Society.

The Chronically Sick and Disabled Persons Committee.

The Mental Health Commission.

Transport

The Road Traffic Commissioners.

Isle of Man Transport Limited.

The Isle of Man Railway Company.

Education

The Isle of Man Board of Education and any committee of that Board.

The committee established under section 58 (religious instruction) of the Isle of Man Education Act 1949⁴.

Any body of managers or governors of a primary or secondary school established under section 45, 46 or 47 of that Act.

Legal services

The Legal Aid Committee.

The Advocates Fees Committee.

Law and order

The consultative body established under section 18 of the Police Act 1993.

The Isle of Man Gaming Control Commissioners.

The Isle of Man Licensing Board.

Any district licensing board for a licensing district.

The Parole Committee.

The Probation Liaison Committee.

Any case committee established for a petty sessions district.

Miscellaneous

The Advisory Council for Planning and the Environment.

The Isle of Man Rent and Rating Appeal Commissioners.

The Trustees of the Manx Radio Trust.

Radio Manx Limited.

³ XVII p.365

⁴ XVII p.516


Article 3.

SCHEDULE 2

SPECIAL CLOSURE PERIODS FOR CERTAIN RECORDS

<i>Kind of information</i>	<i>Class of records</i>	<i>Period</i>
A. Information the disclosure of which would not be in the public interest in that it would harm defence, international relations (including relations with the United Kingdom), national security (including the maintenance of law and order) or the economic interests of the Island	All records	40 years
B. Information supplied in confidence the disclosure of which would constitute a breach of good faith	1. Records relating to tax of any kind	75 years
	2. Records containing personal information subject to a statutory restriction on disclosure during the lifetime of an individual	75 years, or (where appropriate) until death where known if later
	3. Records of any census taken under the Census Act 1929	100 years
	4. All records not falling within 1., 2. or 3. above	40 years, or (where appropriate) until death where known if later
C. Information about individuals the disclosure of which would cause either: (i) substantial distress, or (ii) danger from another person, to persons affected by disclosure or their descendants	1. Records containing information from which it is likely that an individual could be identified as a rape victim	100 years
	2. All records not falling within 1. above	75 years

MADE 2ND MARCH 2000


DEPUTY Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order makes provision supplemental to the Public Records Act 1999. The records of certain bodies and officials are designated as public records for the purposes of the Act (article 2). Special periods, before the end of which public access to records is restricted, are prescribed as respects certain classes of public records (article 3).