



PRIVY COUNCIL OFFICE
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20th January 2010

From the Deputy Clerk of the Council

Our Ref: ITG 63027

Dear Mr Elibank,

Thank you for your email of 17th January in which you request information under the Freedom of Information Act. You ask for the following information:

- How, and based on what reasoning, was the decision reached that the text of Privy Council Orders would not automatically be posted online as, say, Acts of Parliament are?
- When was the decision reached?
- By whom was it reached (please supply any relevant minutes or documents)?
- Has it been reviewed since (please supply relevant documentation) and/or are there any plans to review it in the future?

I can confirm that a search of our records has revealed that the Privy Council Office does not hold the information you request. I hope, however, the following will be helpful to you.

Copies of all Privy Council Orders are available from this office by request. We hold copies of Orders from the mid-1850's to date. Also, all Orders *in* and *of* Council are entered into the 'books of the Privy Council' which are sent to The National Archives and therefore in the public domain.

A list of all Orders *in* Council (approved by The Queen in Council) is published on the Privy Council website within days of a Council meeting (<http://www.privy-council.org.uk/output/page473.asp>). From that list, Orders that are Statutory Instruments (signified by (S.I) in the title) and Measures of the National Assembly for Wales are published on the Office of Public Sector Information's Website (www.opsi.gov.uk); Channel Island Orders are published at www.gov.gg (for Guernsey) and www.jersey.je (for Jersey); and the texts of all Proclamations are published in the London Gazette.

Orders *of* Council (approved solely by the Privy Council) take on various forms. Many are Statutory Instruments covering Healthcare regulation (which are on the OPSI Website, as above) and other lesser Orders dealing with, for example, appointments, and Chartered bodies' Bye-law or Statute amendments.

We have discussed (but not recorded) the possibility of publishing all Privy Council Orders on the Privy Council Website, but concluded that it would
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require a great deal of resource and be of little public benefit given that there is so little demand for the information. In 2008-09 the Privy Council made approximately 460 orders and received only about ten requests for a copy of an order.

Our Website is under continual review but, unless demand for Privy Council Orders significantly increased, there would be no value in investing tax-payers money on the additional work, and we therefore have no immediate plans to start including the text of Privy Council Orders on our website.

As part of our obligations under the FOIA, the Privy Council Office (which is now an arms-length body of the Ministry of Justice) has an independent review process. If you are dissatisfied with this response, you may write to request an internal review. The internal review will be carried out by someone who did not make the original decision, and they will re-assess how the Department handled the original request.

If you wish to request an internal review, please write or send an email to the Data Access and Compliance Unit within two months of the date of this letter, at the following address:

Data Access and Compliance Unit
Information Directorate
Ministry of Justice
1st Floor, Zone 1C
Post point 1.41
102 Petty France
London
SW1H 9AJ
e-mail: xxxx.xxxxxx@xxxxxxx.xxx.xxx.xx

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office under Section 50 of the FOIA. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Internet: https://www.ico.gov.uk/Global/contact_us.aspx

Yours sincerely



Mrs Ceri King

