



In [our February 2014 article](#) we described the IOM Freedom of Information Bill 2014 as 'a typical Manx whum'.

Well, having taken a detailed look at the Draft Bill, in order to make a written *submission to Consultation process, that opinion hasn't changed!

We conclude that the Draft Bill appears to be based on the UK Freedom of Information Act 2000 (UK Act) but in key respects the Bill is weaker and more restricted than the UK Act.

Click 'More' below for a summary or download our full submission.

Our summary conclusions

1. The Bill only applies to information recorded on or after 11th October 2011. It is not fully retrospective.
2. The Bill's rights would only be available to Isle of Man residents.
3. Requesters would have to consent to their names being published. Certain requests could indirectly reveal the requester's personal circumstances. PAG considers this provision is a coercive invasion of privacy and not appropriate for a small Island community.
4. The administrative grounds for refusing requests are broad and in some cases unnecessary.
5. Fees may be charged in a broad range of circumstances, including making a complaint to the Information Commissioner.
6. The Bill contains no power to amend or repeal unnecessary statutory restrictions on disclosure which will otherwise limit the Act's operation, such as that in the Health and Safety at Work etc Act 1974
7. Most of the Bill's exemptions are identical to the equivalent UK exemptions. However:

1. the exemption for information that is otherwise accessible to the applicant is more restrictive.

2. the exemption for investigations and legal proceedings is significantly broader.

3. a provision on the disclosure of the factual background to policy decisions is narrower.

4. There is no strong right of access to environmental information within the Bill. (We note that the IOM is the only country in Europe not signed up to the Aarhus Convention on access to information about environmental matters).

5. The Information Commissioner will not have the power to investigate disputes about the disclosure of legal advice.

6. The Information Commissioner's independence is undermined by a requirement that he or she must comply with a government code of practice on critical matters such as determining the public interest.

7. The Chief Minister would have an extraordinarily broad power of veto over any requirement that the government disclose information.

8. The range of Public Authorities to which the Bill will apply is extremely limited and no date is set for it to be extended to Local Authorities etc.