

SCHEDULE 12A of the LOCAL GOVERNMENT ACT, 1972

PART I

Descriptions of exempt information

- 1 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.
- 2 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by:
 - (a) a magistrates' court committee, within the meaning of Section 19 of the Justices of the Peace Act, 1979; or
 - (b) a probation committee appointed under Paragraph 2 of Schedule 3 to the powers of Criminal Courts Act, 1973.
- 3 Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.
- 4 Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
- 5 Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.
- 6 Information relating to the adoption, care, fostering or education of any particular child.
- 7 Information relating to the financial or business affairs of any particular person (other than the authority).
- 8 The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
- 9 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- 10 The identity of the authority (as well as of any other person, by virtue of Paragraph 7 above) as the person offering any particular tender for a contract for the supply of goods or services.
- 11 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relating matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.
- 12 Any instruction to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with -
 - (a) any legal proceedings by or against the authority, or
 - (b) the determination of any matter affecting the authority,(whether, in either case, proceedings have been commenced or are in contemplation).
- 13 Information which, if disclosed to the public, would reveal that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
- 14 Any action taken or to be taken in connection with the prevention investigation or prosecution of crime.
- 15 The identity of a protected informant.

PART II

(As amended by The Local Government (Access to Information) (Variation) Order, 1992).

Qualifications

- (1) Information relating to a person of a description specified in any of Paragraphs 1 to 5 of Part I above is not exempt information by virtue of that paragraph unless it relates to an individual of that description in the capacity indicated by the description.
- (2) Information falling within Paragraph 7 of Part I above is not exempt information by virtue of that paragraph if it is required to be registered under -
 - (a) the Companies Act, 1985;
 - (b) the Friendly Societies Act, 1974;
 - (c) the industrial and Provident Societies Act, 1965 to 1978;
 - (d) the Building Societies Act, 1962; or
 - (e) the Charities Act, 1960.
- (3) Information falling within Paragraph 8 of Part I above is exempt information if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against other such persons.
- (4) Information falling within Paragraph 9 of Part I is exempt information if and so long as disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning the property or goods or services.
- (5) Information falling within Paragraph 11 of Part I above is exempt information if and so long as disclosure to the public of information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.
- (6) Information falling within Paragraph 13 of Part I above is exempt information if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.
- (7) Information falling within any paragraph of Part I above is not exempt information by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992 (S.1. 1992 No. 1492).