



Freedom of Information (Scotland) Act 2002 2002 asp 13

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

PART 1

ACCESS TO INFORMATION HELD BY SCOTTISH PUBLIC AUTHORITIES

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- 1 General entitlement
- 2 Effect of exemptions
- 3 Scottish public authorities
- 4 Amendment of schedule 1
- 5 Further power to designate Scottish public authorities
- 6 Publicly-owned companies
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- 8 Requesting information
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- 10 Time for compliance
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- 12 Excessive cost of compliance
- 13 Fees for disclosure in certain circumstances
- 14 Vexatious or repeated requests
- 15 Duty to provide advice and assistance

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- 16 Refusal of request
- 17 Notice that information is not held
- 18 Further provision as respects responses to request

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- 19 Content of certain notices

Review of refusal, etc.

- 20 Requirement for review of refusal etc.
- 21 Review by Scottish public authority

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- 22 Special provisions relating to records transferred to Keeper

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- 23 Publication schemes
- 24 Model publication schemes

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- 26 Prohibitions on disclosure
- 27 Information intended for future publication
- 28 Relations within the United Kingdom
- 29 Formulation of Scottish Administration policy etc.
- 30 Prejudice to effective conduct of public affairs
- 31 National security and defence
- 32 International relations
- 33 Commercial interests and the economy
- 34 Investigations by Scottish public authorities and proceedings arising out of such investigations
- 35 Law enforcement
- 36 Confidentiality
- 37 Court records, etc.
- 38 Personal information
- 39 Health, safety and the environment
- 40 Audit functions
- 41 Communications with Her Majesty etc. and honours

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- 51 Enforcement notices

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- 60 Code of practice as to functions under this Act
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- 63 Disclosure of information to Scottish Public Services Ombudsman or to Information Commissioner
- 64 Power to amend or repeal enactments prohibiting disclosure of information
- 65 Offence of altering etc. records with intent to prevent disclosure
- 66 Saving for existing powers of disclosure
- 67 Protection from actions for defamation
- 68 Scottish Parliament and Scottish Administration
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- 70 Amendment of Public Records (Scotland) Act 1937
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- 72 Orders and regulations
- 73 Interpretation
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SCHEDULE 1 — Scottish Public Authorities

Part 1 — MINISTERS, THE PARLIAMENT

- 1 The Scottish Ministers.
- 2 The Scottish Parliament.
- 3 The Scottish Parliamentary Corporate Body.

Part 2 — NON MINISTERIAL OFFICE HOLDERS IN THE SCOTTISH ADMINISTRATION

- 4 The Chief Dental Officer of the Scottish Administration.
- 5 The Chief Medical Officer of the Scottish Administration.
- 6 Her Majesty’s Chief Inspector of Constabulary.

Status: This is the original version (as it was originally enacted).

- 7 Her Majesty's Chief Inspector of Prisons for Scotland.
8 Her Majesty's Inspector of Anatomy for Scotland.
9 Her Majesty's Inspector of Fire Services for Scotland.
10 Her Majesty's inspectors of schools (that is to say, the...
11 The Keeper of the Records of Scotland.
12 The Keeper of the Registers of Scotland.
13 A procurator fiscal.
14 The Queen's and Lord Treasurer's Remembrancer.
15 The Queen's Printer for Scotland.
16 The Registrar General of Births, Deaths and Marriages for Scotland....
17 The Registrar of Independent Schools in Scotland.
18 A rent officer appointed under section 43(3) of the Rent...
19 A social work inspector (that is to say, an officer...
 Part 3 — LOCAL GOVERNMENT
20 An assessor appointed under section 27(2) of the Local Government...
21 A council constituted by section 2 of that Act.
22 A joint board, within the meaning of section 235(1) of...
23 A licensing board constituted in accordance with the provisions of...
24 The Strathclyde Passenger Transport Authority.
 Part 4 — THE NATIONAL HEALTH SERVICE
25 The Clinical Standards Board for Scotland.
26 The Common Services Agency for the Scottish Health Service.
27 A Health Board, constituted under section 2 of the National...
28 The Health Education Board for Scotland.
29 The Health Technology Board for Scotland.
30 A local health council, established under section 7 of the...
31 A National Health Service trust.
32 NHS 24.
33 A person providing general medical services, general dental services,
 general...
34 A person providing personal medical services or personal dental
 services...
35 A person providing, in Scotland, piloted services within the meaning...
36 The Post Qualification Education Board for Health Service Pharmacists
 in...
37 The Scottish Advisory Committee on Distinction Awards.
38 The Scottish Advisory Committee on the Medical Workforce.
39 The Scottish Ambulance Service Board.
40 The Scottish Council for Post Graduate Medical and Dental
 Education....
41 The Scottish Dental Practice Board.
42 The Scottish Health Advisory Service.
43 The Scottish Hospital Endowments Research Trust.
44 The Scottish Hospital Trust.
45 The State Hospitals Board for Scotland.
46 The Scottish Medical Practices Committee.
 Part 5 — EDUCATIONAL INSTITUTIONS
47 The board of management of a college of further education...
48 A central institution within the meaning of the Education (Scotland)...
49 An institution in receipt of funding from the Scottish Higher...
 Part 6 — POLICE
50 A chief constable of a police force in Scotland.
51 A joint police board constituted by an amalgamation scheme made...

- 52 The Police Advisory Board for Scotland.
Part 7 — OTHERS
- 53 The Accounts Commission for Scotland.
- 54 The Advisory Committee on Sites of Special Scientific Interest.
- 55 The Ancient Monuments Board for Scotland.
- 56 An area tourist board established by virtue of section 172(1)...
- 57 Audit Scotland.
- 58 The Auditor General for Scotland.
- 59 The Board of Trustees for the National Galleries of Scotland....
- 60 The Board of Trustees of the National Museums of Scotland....
- 61 The Board of Trustees of the Royal Botanic Garden, Edinburgh....
- 62 The Central Advisory Committee on Justices of the Peace.
- 63 The Crofters Commission.
- 64 The Deer Commission for Scotland.
- 65 The Fisheries Committee continued in existence by paragraph 5 of...
- 66 The General Teaching Council for Scotland.
- 67 Highlands and Islands Enterprise.
- 68 The Historic Buildings Council for Scotland.
- 69 A justice of the peace advisory committee.
- 70 Learning and Teaching Scotland.
- 71 The Local Government Boundary Commission for Scotland.
- 72 The Mental Welfare Commission for Scotland.
- 73 A National Park authority, established by virtue of schedule 1...
- 74 The Parole Board for Scotland.
- 75 A person appointed for Scotland under section 3(1) of the...
- 76 The Royal Commission on the Ancient and Historical Monuments of...
- 77 The Scottish Agricultural Wages Board.
- 78 The Scottish Arts Council.
- 79 The Scottish charities nominee, appointed under section 12 of the...
- 80 The Scottish Children's Reporter Administration.
- 81 The Scottish Commission for the Regulation of Care.
- 82 The Scottish Conveyancing and Executry Services Board.
- 83 The Scottish Criminal Cases Review Commission.
- 84 Scottish Enterprise.
- 85 The Scottish Environment Protection Agency.
- 86 The Scottish Further Education Funding Council.
- 87 The Scottish Higher Education Funding Council.
- 88 Scottish Homes.
- 89 The Scottish Industrial Development Advisory Board.
- 90 The Scottish Information Commissioner.
- 91 The Scottish Law Commission.
- 92 The Scottish Legal Aid Board.
- 93 Scottish Natural Heritage.
- 94 The Scottish Prison Complaints Commission.
- 95 The Scottish Public Services Ombudsman.
- 96 The Scottish Qualifications Authority.
- 97 The Scottish Records Advisory Council.
- 98 Scottish Screen.
- 99 The Scottish Social Services Council.
- 100 The Scottish Sports Council.
- 101 The Scottish Tourist Board.
- 102 Scottish Water.
- 103 Social Inclusion Partnerships.

- 104 The Standards Commission for Scotland.
- 105 The Trustees of the National Library of Scotland.
- 106 The Water Industry Commissioner for Scotland.

SCHEDULE 2 — The Scottish Information Commissioner

- 1 Status
- 2 Pensions, allowances, etc.
- 3 Staff
- 4 Accountable officer
- 5 Accounts
- 6 General powers

SCHEDULE 3 — Powers Of Entry And Inspection

- 1 Grant of warrants
- 2 (1) A sheriff must not grant the warrant unless satisfied—...
- 3 Execution of warrants
- 4 The warrant must be executed at a reasonable hour, unless...
- 5 (1) If the premises in respect of which the warrant...
- 6 (1) A person seizing anything in pursuance of the warrant...
- 7 Matters exempt from inspection and seizure
- 8 (1) Subject to the provisions of this paragraph, the powers...
- 9 If the person in occupation of premises in respect of...
- 10 Offences
- 11 Vessels, vehicles etc.

SCHEDULE 4 — Consequential Amendments To Scottish Public Services
Ombudsman Act 2002

- 1 In section 19(8) of the Scottish Public Services Ombudsman Act...
- 2 In schedule 5 to that Act (which specifies persons or...