



Freedom of Information (Scotland) Act 2002 2002 asp 13

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

PART 1

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- 16 Refusal of request
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- 18 Further provision as respects responses to request

Changes to legislation: Freedom of Information (Scotland) Act 2002 is up to date with all changes known to be in force on or before 21 March 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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19 Content of certain notices

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32 International relations

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- 48 When application excluded
- 49 Commissioner's decision
- 50 Information notices
- 51 Enforcement notices
- 52 Exception from duty to comply with certain notices
- 53 Failure to comply with notice
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- 55 No civil right of action against Scottish public authority
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- 57 The expression "historical record"
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- 62 Power to make provision relating to environmental information
- 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
- 65A Time limit for proceedings
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- 72 Orders and regulations
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- 75 Commencement
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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.

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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 Inspectors of Constabulary.
- 7 Her Majesty's Chief Inspector of Prisons for Scotland.
- 7A The Drinking Water Quality Regulator for Scotland
- 7B Food Standards Scotland.
- 8 Her Majesty's Inspector of Anatomy for Scotland.
- 9 Her Majesty's Chief Inspector of the Scottish Fire and Rescue...
- 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.
- 12A The Office of the Scottish Charity Regulator
- 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...
- 18A The Scottish Court Service.
- 18AA The Scottish Fiscal Commission
- 18B The Scottish Housing Regulator.
- 19 A social work inspector appointed under section 4 of the...

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 continued in existence by or established under...
- 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...
- 27A Healthcare Improvement Scotland.
- 28 The Health Education Board for Scotland.
- 29 The Health Technology Board for Scotland.
- 29A The National Waiting Times Centre Board
- 30 A local health council, established under section 7 of the...
- 31 A National Health Service trust.
- 32 NHS 24.
- 32A NHS Education for Scotland
- 32B NHS Health Scotland
- 32C
- 33 A person providing primary medical services under a general medical...
- 34 A person providing primary 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.

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- 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 Further...
 - Part 6 — POLICE
- 50 A chief constable of the Police Service of Scotland.
- 50A The Scottish Police Authority.
- 51 A joint police board constituted by an amalgamation scheme made...
- 52 The Police Advisory Board for Scotland.
- 52A
 - Part 7 — OTHERS
- 53 The Accounts Commission for Scotland.
- 54
- 55
- 56
- 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....

- 61B The British Waterways Board.
- 62
- 62ZZZA Children's Hearings Scotland.
- 62ZZA The Commissioner for Ethical Standards in Public Life in Scotland....
- 62ZA The Commissioner for Children and Young People in Scotland
- 62A
- 62B
- 62ZZC Community Justice Scotland.
- 62ZC The Convener of the School Closure Review Panels.
- 62C Creative Scotland.
- 62D The Criminal Courts Rules Council.
- 63 The Crofters Commission.
- 63A Crown Estate Scotland (Interim Management).
- 64
- 65
- 66 The General Teaching Council for Scotland.
- 66A Her Majesty's Chief Inspector of Prosecution in Scotland
- 67 Highlands and Islands Enterprise.
- 67ZA Historic Environment Scotland.
- 67ZB 67ZB ILF Scotland .
- 67A The Historic Environment Advisory Council for Scotland.
- 67B An integration joint board established by order under section 9(2)...
- 68
- 68ZA The James Hutton Institute.

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- 68A The Judicial Appointments Board for Scotland
- 69 ... A Justice of the Peace Advisory Committee established under...
- 70 Learning and Teaching Scotland.
- 71 The Local Government Boundary Commission for Scotland.
- 71A The Moredun Research Institute.
- 72 The Mental Welfare Commission for Scotland.
- 72A Mobility and Access Committee 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...
- 75ZA
- 75A
- 75AB The Police Investigations and Review Commissioner.
- 75B Quality Meat Scotland
- 75C The Risk Management Authority
- 76
- 76A A School Closure Review Panel constituted under section 17A(3) of...
- 77 The Scottish Agricultural Wages Board.
- 78
- 79
- 79A The Scottish Association of Citizens Advice Bureaux, but only in...
- 80 The Scottish Children's Reporter Administration.
- 80AA The Scottish Civil Justice Council.
- 80B The Scottish Commission for Human Rights.
- 80C The Scottish Commission on Social Security.
- 81
- 82
- 83 The Scottish Criminal Cases Review Commission.
- 84 Scottish Enterprise.
- 85 The Scottish Environment Protection Agency.
- 85ZA The Scottish Fire and Rescue Service.
- 85A The Scottish Further and Higher Education Funding Council.
- 85B
- 86
- 87
- 88
- 89
- 90 The Scottish Information Commissioner.
- 90A The Scottish Land Commission.
- 91 The Scottish Law Commission.
- 92 The Scottish Legal Aid Board.
- 92A The Scottish Legal Complaints Commission.
- 92B The Scottish Local Authorities Remuneration Committee
- 93 Scottish Natural Heritage.
- 94
- 95 The Scottish Public Services Ombudsman.
- 96 The Scottish Qualifications Authority.
- 97
- 98
- 98A The Scottish Sentencing Council.
- 99 The Scottish Social Services Council.
- 100 The Scottish Sports Council.

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- 101
- 102 Scottish Water.
- 102A Social Care and Social Work Improvement Scotland.
- 103
- 104 The Standards Commission for Scotland.
- 105 The National Library of Scotland .
- 105A VisitScotland.
- 106 The Water Industry Commission for Scotland.

SCHEDULE 2 — The Scottish Information Commissioner

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

Budget

- 4A (1) The Commissioner must, before the start of each financial...

Location of office

- 7 The Commissioner must comply with any direction given by the...

Sharing of premises, staff, services and other resources

- 8 The Commissioner must comply with any direction given by the...

Restrictions on subsequent appointments etc.

- 9 (1) A person who has ceased being the Commissioner may...

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...

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Changes and effects yet to be applied to :

- s. 38(2B) words substituted by [S.I. 2019/419 Sch. 3 para. 22\(2\)](#)
- s. 38(3A)(a) words substituted by [S.I. 2019/419 Sch. 3 para. 22\(2\)](#)
- s. 38(5) words inserted by [S.I. 2019/419 Sch. 3 para. 22\(3\)\(c\)](#)
- s. 38(5) words omitted by [S.I. 2019/419 Sch. 3 para. 22\(3\)\(b\)](#)
- s. 38(5) words substituted by [S.I. 2019/419 Sch. 3 para. 22\(3\)\(a\)](#)
- s. 38(5A) words substituted by [S.I. 2019/419 Sch. 3 para. 22\(4\)](#)
- sch. 1 para. 62A inserted by [2003 asp 4 sch. 4 para. 17\(c\)\(i\)](#)
- Sch. 1 para. 80A inserted by [2007 asp 3 Sch. 5 para. 28](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 5 para. 28 repealed (31.1.2011) by [2010 asp 8](#), sch. 4 Pt. 2; [S.S.I. 2011/30](#), art. 3(1), Sch. 1)
- sch. 1 Pt. 4 para. 30 repealed by [2004 asp 7 sch. 2](#)
- sch. 1 Pt. 4 para. 31 repealed by [2004 asp 7 sch. 2](#)
- sch. 1 Pt. 7 words inserted by [2009 asp 12 sch. 2 para. 5](#)
- sch. 1 para. 63A words substituted by [2019 asp 1 Sch. 1 para. 4](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 50B inserted by [2016 asp 1 s. 114\(1\)\(a\)](#)
- sch. 1 para. 75AC inserted by [2017 asp 6 sch. para. 13\(2\)](#)