

*These notes relate to the Freedom of Information (Scotland)
Act 2002 (asp 13) which received Royal Assent on 28 May 2002*

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 1 – Access to information held by Scottish public authorities

5. This Part:
- provides for the general right of access to information held by Scottish public authorities and specifies the conditions which need to be fulfilled before an authority is obliged to comply with a request;
 - describes the effect of the exemptions in Part 2 on the obligations under section 1;
 - describes the application of the public interest test (section 2);
 - provides for the Act to cover the authorities, persons or office-holders specified in schedule 1 and publicly-owned companies and includes a power to specify further persons as public authorities for the purpose of the Act;
 - allows Scottish public authorities to charge fees in accordance with regulations made by the Scottish Ministers;
 - provides for time limits for complying with a request;
 - makes special provision relating to records transferred to the Keeper etc.;
 - requires Scottish public authorities to provide advice and assistance to applicants;
 - requires Scottish public authorities to state the basis for refusal of a request; and
 - requires Scottish public authorities to adopt and maintain a publication scheme and to publish information in accordance with it.