

# **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 1 – Access to information held by Scottish public authorities**

##### ***Section 7 – Public authorities to which Act has limited application***

35. Under this section, the Scottish Ministers will be able to provide that any authority brought within the scope of the Act under section 4 would only be subject to the Act's provisions in relation to certain specified information. The authority's obligations under this Act would not extend to any other information which that authority held.
36. Under section 7(2), where an authority is already listed in schedule 1, the Scottish Ministers may make an order limiting the public authority's obligations under the Act to information relating to a specific function or activities. The Scottish Ministers may also make an order removing or amending any such limitation listed in schedule 1. Such an order would be subject to affirmative resolution.
37. Section 7(3) restricts the application of the Act in respect of an organisation designated as a "Scottish public authority" under section 5. Section 7(4) provides that an order can be made restricting the application of the Act in respect of a publicly-owned company (within the meaning of section 6). Such an order would also be subject to affirmative resolution.