



# Freedom of Information (Scotland) Act 2002

2002 asp 13

## PART 7

### MISCELLANEOUS AND SUPPLEMENTAL

#### 75 Commencement

- (1) This section and sections 72 and 76 come into force on Royal Assent; and the other provisions of this Act come into force—
  - (a) on such day as the Scottish Ministers may by order appoint, that day being, subject to paragraph (b), a day no later than 31st December 2005; or
  - (b) if the Commissioner recommends to the Scottish Ministers that a day after 31st December 2005 and specified in the recommendation be so appointed and they accept that recommendation, then on the specified day as so appointed, and different days may be so appointed (or as the case may be recommended and appointed) for different provisions, for different persons or categories of person and for different purposes.
- (2) An order under paragraph (b) of subsection (1) may contain such transitional provisions and savings (including provisions capable of having effect after the coming into force of provisions of this Act other than this section and sections 72 and 76) as the Scottish Ministers consider appropriate.
- (3) During—
  - (a) that period of twelve months which begins with the date of Royal Assent; and
  - (b) each subsequent period of twelve months until all the provisions of this Act are fully in force,the Scottish Ministers are to prepare, and lay before the Parliament, a report of their proposals (including their response to any recommendations made under subsection (1)(b)) for bringing fully into force the provisions of this Act.

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**Changes to legislation:** Freedom of Information (Scotland) Act 2002, Section 75 is up to date with all changes known to be in force on or before 23 April 2024. 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) [View outstanding changes](#)

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### Subordinate Legislation Made

- P1** S. 75(1) power partly exercised: 30.9.2002 appointed for specified provisions by [S.S.I. 2002/437](#), **art. 2**;  
S. 75(1) power partly exercised: 31.10.2003 appointed for specified provisions by [{S.S.I. 2003/477}](#), art. 3;  
S. 75(1) power fully exercised: 30.4.2004 appointed for specified provisions and 1.1.2005 appointed for all remaining provisions by [{S.S.I. 2004/203}](#), art. 3, Sch.

**Changes to legislation:**

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**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. 74A inserted by [2023 asp 6 sch. 2 para. 2\(2\)](#)