

*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 – SECTION BY SECTION

Part 1 – Access to information held by Scottish public authorities

Section 5 – Further power to designate Scottish public authorities

30. This section provides that the Scottish Ministers may by order designate as a Scottish public authority for the purposes of the Act any person who is neither listed in schedule 1 (nor capable of being added to that schedule under section 4(1)), is neither a public body nor the holder of a public office, and who appears to the Scottish Ministers to exercise functions of a public nature or is providing, under contract to a Scottish public authority, any service whose provision is a function of that authority.
31. An order under this section would be subject to affirmative resolution.