



# Freedom of Information (Scotland) Act 2002

2002 asp 13

## PART 2

### EXEMPT INFORMATION

#### **33 Commercial interests and the economy**

- (1) Information is exempt information if—
  - (a) it constitutes a trade secret; or
  - (b) its disclosure under this Act would, or would be likely to, prejudice substantially the commercial interests of any person (including, without prejudice to that generality, a Scottish public authority).
- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice substantially—
  - (a) the economic interests of the whole or part of the United Kingdom; or
  - (b) the financial interests of an administration in the United Kingdom.
- (3) In subsection (2), “administration in the United Kingdom” has the same meaning as in section 28(2).

**Changes to legislation:**

Freedom of Information (Scotland) Act 2002, Section 33 is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

**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\(2\)](#)