



# Freedom of Information (Scotland) Act 2002 2002 asp 13

## PART 2

### EXEMPT INFORMATION

#### **39 Health, safety and the environment**

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to, endanger the physical or mental health or the safety of an individual.
- (2) Information is exempt information if a Scottish public authority—
  - (a) is obliged by regulations under section 62 to make it available to the public in accordance with the regulations; or
  - (b) would be so obliged but for any exemption contained in the regulations.
- (3) Subsection (2)(a) is without prejudice to the generality of section 25(1).