



Freedom of Information (Scotland) Act 2002

2002 asp 13

PART 1

ACCESS TO INFORMATION HELD BY SCOTTISH PUBLIC AUTHORITIES

Right to information

[^{F1}7A] **Reports on section 5 power**

- (1) In accordance with this section, the Scottish Ministers must lay before the Parliament reports about the exercise of the section 5 power.
- (2) The first report is to be laid on or before 31 October 2015.
- (3) Each subsequent report is to be laid no later than 2 years after the date on which the previous report is laid.
- (4) A report must—
 - (a) state whether the section 5 power has been exercised during the reporting period, and
 - (b) as the case may be—
 - (i) explain how the power has been exercised during the reporting period (and why), or
 - (ii) give the reason for leaving the power unexercised during the reporting period.
- (5) A report may—
 - (a) summarise any response to a consultation carried out during the reporting period as regards the exercise of the section 5 power,
 - (b) indicate any intention to exercise the power in the future,
 - (c) include such additional information as the Scottish Ministers consider appropriate.
- (6) In this section—

Changes to legislation: Freedom of Information (Scotland) Act 2002, Section 7A is up to date with all changes known to be in force on or before 28 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](#)

“reporting period” means—

- (a) in the case of the first report, period of time from the date on which section 1 of the Freedom of Information (Amendment) (Scotland) Act 2013 comes into force until the date on which the first report is laid,
- (b) in the case of a subsequent report, period of time from the date on which the previous report is laid until the date on which the subsequent report is laid,

“section 5 power” means order-making power conferred by section 5(1).]

Textual Amendments

- F1** S. 7A inserted (31.5.2013) by [Freedom of Information \(Amendment\) \(Scotland\) Act 2013 \(asp 2\)](#), **ss. 1(2)**, 7; [S.S.I. 2013/136](#), art. 2

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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\(2\)](#)