

2013 No. 136 (C. 10)

FREEDOM OF INFORMATION

**The Freedom of Information (Amendment) (Scotland) Act 2013
(Commencement and Transitional Provision) Order 2013**

<i>Made</i>	- - - -	<i>24th April 2013</i>
<i>Laid before the Scottish Parliament</i>		<i>26th April 2013</i>
<i>Coming into force</i>	- -	<i>31st May 2013</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(2) and (3) of the Freedom of Information (Amendment) (Scotland) Act 2013(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Freedom of Information (Amendment) (Scotland) Act 2013 (Commencement and Transitional Provision) Order 2013.

(2) This Order comes into force on 31st May 2013.

(3) In this Order, “the Act” means the Freedom of Information (Amendment) (Scotland) Act 2013.

Appointed day

2. 31st May 2013 is the day appointed for the coming into force of the Act, so far as not already in force.

Transitional provision

3. The coming into force of section 5 (time limit for proceedings) of the Act is of no effect in relation to offences under section 65 (offence of altering etc. records with intent to prevent disclosure) of the Freedom of Information (Scotland) Act 2002(b) committed before 31st May 2013.

NICOLA STURGEON
A member of the Scottish Government

St Andrew’s House,
Edinburgh
24th April 2013

(a) 2013 asp 2.
(b) 2002 asp 13.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31st May 2013 the provisions of the Freedom of Information (Amendment) (Scotland) Act 2013 (“the Act”), to the extent that those provisions are not already in force.

Article 3 makes transitional provision so that the new time limit for bringing proceedings under the new section inserted by section 5 of the Act does not apply to offences under section 65 of the Freedom of Information (Scotland) Act 2002 where those offences are committed before 31st May 2013.

The Bill for the Act received Royal Assent on 19th February 2013. By virtue of section 7 of the Act, sections 6, 7 and 8 came into force on 20th February 2013.

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£4.00

S201304251 05/2013 19585

<http://www.legislation.gov.uk/id/ssi/2013/136>

ISBN 978-0-11-102035-7



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