



Freedom of Information (Scotland) Act 2002

2002 asp 13

PART 7

MISCELLANEOUS AND SUPPLEMENTAL

64 Power to amend or repeal enactments prohibiting disclosure of information

- (1) If it appears to the Scottish Ministers that by virtue of section 26(a) a relevant enactment is capable of preventing the disclosure of information under section 1, they may by order repeal or amend that enactment, in so far as it relates to any Scottish public authority, so as to remove or relax the prohibition.
- (2) In subsection (1)—
 - “relevant enactment” means an Act of Parliament, or Act of the Scottish Parliament, which receives Royal Assent before the end of the calendar year in which this Act receives Royal Assent or any subordinate legislation made before the date on which this Act receives Royal Assent; and
 - “information” includes unrecorded information.
- (3) An order under subsection (1) may do all or any of the following—
 - (a) make such modifications of enactments as, in the opinion of the Scottish Ministers, are consequential upon, or incidental to, the repeal or amendment of the relevant enactment;
 - (b) contain such transitional provisions and savings as appear to them to be appropriate;
 - (c) make different provision in relation to different cases.