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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 339**

**The Freedom of Information (Relaxation  
of Statutory Prohibitions on Disclosure  
of Information) (Scotland) Order 2008**

**Health and Safety at Work etc. Act 1974**

5.—(1) Section 28 of the Health and Safety at Work etc. Act 1974<sup>(1)</sup> (restrictions on disclosure of information) is amended as follows.

(2) In paragraph (f)(i) of subsection (3) after “the Freedom of Information Act 2000” insert “or a Scottish public authority for the purposes of the Freedom of Information (Scotland) Act 2002”.

(3) In paragraph (a) of subsection (9A) after “the Freedom of Information Act 2000” insert “or a Scottish public authority for the purposes of the Freedom of Information (Scotland) Act 2002”.

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(1) 1974 c. 37. Subsection (1) of section 28 was amended by section 36 of, and Schedule 3 to, the Consumer Protection Act 1987 (c. 43) and section 105(2) of the Railways and Transport Safety Act 2003 (c. 20). Subsection (3)(a) was amended by section 120 of, and paragraph 30(6)(a) of Schedule 22 to, the Environment Act 1995 (c. 25). Subsection (3)(c) was amended by section 120 of, and paragraph 30(6)(b) of Schedule 22, and Schedule 24 to, the Environment Act 1995. Subsection (3)(c)(ii) was amended, in relation to England and Wales, by section 190 of, and paragraph 46 of Schedule 25 to, the Water Act 1989 (c. 15), and in relation to Scotland, by section 120 of, and paragraph 30(6)(c) of Schedule 22 to, the Environment Act 1995 and by article 2 of, and paragraph 8(a) of the Schedule to, S.I. 2004/1822. Subsection (3)(c)(iii) was repealed by section 120 of, and paragraph 30(6)(d) of Schedule 22, and Schedule 24 to, the Environment Act 1995. Subsection 3(f) was inserted by article 5(2) of S.I. 2004/3363. Subsection 4 was amended by section 120 of, and paragraph 30(6)(e) of Schedule 22 of the Environment Act 1995. Subsection 5 was amended by article 5(3) of S.I. 2004/3363. Subsection (5)(a) was amended by section 120 of, and paragraph 30(6)(f)(i) of Schedule 22 to, the Environment Act 1995. Subsection (5)(b) was amended, in relation to Scotland, by article 2 of, and paragraph 8(b) of the Schedule to, S.I. 2004/1822 and by section 120 of, and paragraph 30(6)(f)(ii) and (iii) of Schedule 22, and Schedule 24 to, the Environment Act 1995, and in relation to England and Wales, by section 190 of, and paragraph 46 of Schedule 25 to, the Water Act 1989. Subsection 9 was inserted by paragraph 9 of Schedule 15 to the Employment Protection Act 1975 c. 71. Subsection (9A) was inserted by article 5(4) of S.I. 2004/3363. Subsection 10 was inserted by section 21 and paragraph 13 of Schedule 16 of the Norfolk and Suffolk Broads Act 1988 c. 4.