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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 520**

**The Environmental Information (Scotland) Regulations 2004**

**Offences**

**19.—(1)** Where—

- (a) a request for environmental information has been made to a Scottish public authority under regulation 5; and
- (b) the applicant would have been entitled to that information in accordance with that regulation,

any person to whom this paragraph applies who alters, defaces, blocks, erases, destroys or conceals any record held by the Scottish public authority, with the intention of preventing the disclosure by that authority of all, or any part, of the information to which the applicant would have been entitled, is guilty of an offence.

(2) Subject to paragraph (4), paragraph (1) applies to the Scottish public authority and to any person who is employed by, is an officer of or is subject to the direction of, that authority.

(3) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) Paragraph (2) applies to—

- (a) a member of the staff, or a person acting on behalf of, the Scottish Parliament or the Scottish Parliamentary Corporate Body;
- (b) a member of the staff of the Scottish Administration,

as it applies to any other person, but none of those bodies is liable to prosecution under these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Information (Scotland) Regulations 2004, Section 19.