
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the extension of coverage of the Freedom of Information (Scotland) Act 2002 (“the 2002 Act”) under section 5 of that Act.

Section 5 of the 2002 Act enables the Scottish Ministers to designate as Scottish public authorities by order any person who is neither listed in schedule 1 of the 2002 Act (nor capable of being added to that schedule by an order under section 4(1)), is neither a public body nor the holder of a public office, and who appears to the Scottish Ministers to exercise functions of a public nature or is providing, under contract to a Scottish public authority, any service whose provision is a function of that authority.

Article 2 designates registered social landlords and certain connected bodies as persons who appear to the Scottish Ministers to exercise functions of a public nature under section 5(2)(a) of the 2002 Act in accordance with the descriptions and functions set out in the table in the schedule.