

*These notes relate to the Freedom of Information (Scotland)  
Act 2002 (asp 13) which received Royal Assent on 28 May 2002*

# **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 3 – The Scottish Information Commissioner**

##### ***Section 43 – General functions of Commissioner***

113. This section places a duty on the Commissioner to promote good practice and enforce Scottish public authorities' compliance with the Act, their publication schemes and codes of practice. The Commissioner is also obliged, where he or she considers it expedient, to disseminate information to the public about the Act. The Commissioner is permitted to charge fees for such services. Section 43(4) provides that the Commissioner may also make recommendations to the Scottish Ministers regarding bodies which could be included within the scope of the Act under sections 4 and 5. This section also places a duty on the Commissioner from time to time to consult with the Keeper of the Records of Scotland about the promotion of observance by authorities of the code of practice as to the keeping, management and destruction of records (issued by the Scottish Ministers under section 61).