

Changes to legislation: Freedom of Information (Scotland) Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE 4 S

(introduced by section 71(2))

CONSEQUENTIAL AMENDMENTS TO SCOTTISH PUBLIC SERVICES OMBUDSMAN ACT 2002

- 1 In section 19(8) of the Scottish Public Services Ombudsman Act 2002 (asp 11) (which restricts the purposes for which information obtained by the Ombudsman from the Information Commissioner may be disclosed)—
- (a) the words from “the Information Commissioner” to “Freedom of Information Act 2000 (c.36)” become paragraph (a); and
- (b) after that paragraph, there is inserted the word “or” and the following paragraph—
- “(b) the Scottish Information Commissioner by virtue of section 63 of the Freedom of Information (Scotland) Act 2002 (asp 13),”.
- 2 In schedule 5 to that Act (which specifies persons or bodies to whom the Ombudsman in certain circumstances may disclose information in relation to certain matters), after the entry relating to the Information Commissioner, there is inserted—

“The Scottish Information Commissioner

1. A matter in respect of which the Commissioner could exercise any power conferred by—

(a) section 44 (recommendations as to good practice) of the Freedom of Information (Scotland) Act 2002 (asp 13); or

(b) Part 4 (enforcement) of that Act

2. The commission of an offence under section 65 (offence of altering etc. records with intent to prevent disclosure) of that Act”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 74A inserted by [2023 asp 6 sch. 2 para. 2\(2\)](#)