



Freedom of Information (Scotland) Act 2002

2002 asp 13

PART 7

MISCELLANEOUS AND SUPPLEMENTAL

74 Giving of notice etc.

- (1) In this Act, any reference to—
- (a) a notice being given is to be construed as a reference to its being—
 - (i) delivered; ^{F1}...
 - (ii) posted [^{F2}, or
 - (iii) transmitted by electronic means,]
 - (b) a request for information, a requirement for review or an application being made, or a certificate being given, is to be construed as a reference to its being—
 - (i) delivered;
 - (ii) posted; or
 - (iii) transmitted by electronic means.
- (2) For the purposes of any provision of this Act, a thing—
- (a) posted is presumed not to be received until the third day after the day of posting; and
 - (b) transmitted by electronic means is presumed to be received on the day of transmission.

Textual Amendments

- F1** Word in s. 74(1)(a) repealed (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022](#) (asp 8), **ss. 36(2)(a)**, 59(1) (with s. 48(1)(c)(2)(c)(3)(b))
- F2** S. 74(1)(a)(iii) and word inserted (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022](#) (asp 8), **ss. 36(2)(b)**, 59(1) (with s. 48(1)(c)(2)(c)(3)(b))

Changes to legislation:

Freedom of Information (Scotland) Act 2002, Section 74 is up to date with all changes known to be in force on or before 23 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.

[View outstanding changes](#)

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\(2\)](#)