

*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**

---

## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

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

##### ***Section 44 – Recommendations as to good practice***

114. This section enables the Commissioner to take action where he or she considers that the practices of a Scottish public authority in relation to its functions under the Act do not conform with a code of practice issued under section 60 or 61. The Commissioner may issue a “practice recommendation”, specifying the provisions with which the Commissioner considers the authority’s practice does not conform and the steps the authority should take to so conform. The Commissioner is required to consult with the Keeper of the Records of Scotland before issuing a practice recommendation which relates to a failure to conform with the code of practice (issued under section 61) as to the keeping, management and destruction of records.