



Freedom of Information (Scotland) Act 2002

2002 asp 13

PART 3

THE SCOTTISH INFORMATION COMMISSIONER

44 Recommendations as to good practice

- (1) If it appears to the Commissioner that the practice of a Scottish public authority in relation to the exercise of its functions under this Act does not conform with the code of practice issued under section 60 or 61, the Commissioner may give the authority a recommendation (in this Act referred to as a “practice recommendation”).
- (2) A practice recommendation must—
 - (a) be in writing and specify the code and the provisions of that code with which, in the Commissioner’s opinion, the authority’s practice does not conform; and
 - (b) specify the steps which that officer considers the authority ought to take in order to conform.
- (3) The Commissioner must consult the Keeper of the Records of Scotland before giving a practice recommendation to a Scottish public authority (other than the Keeper) in relation to conformity with the code of practice issued under section 61.