

# **CORONAVIRUS (SCOTLAND) ACT 2020**

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## **EXPLANATORY NOTES**

### **DETAIL ABOUT PROVISIONS**

#### *Schedule 6 – Functioning of public bodies*

#### **Part 3 - Duties in respect of reports and other documents**

##### **Power to publish or make available documents for inspection electronically**

243. Paragraph 9 applies to any statutory duty, within the competence of the Scottish Parliament to amend, that requires the Scottish Ministers or a Scottish public authority to physically publish or publicise a document, make a document available for physical inspection, give notice of where such a document can be inspected, or lay a document before the Scottish Parliament.
244. Subparagraph (2) provides that the Scottish Ministers or a Scottish public authority may decide not to comply with such a duty, if they consider that doing so may give rise to a significant risk of transmission of coronavirus (for example by providing public access to an office) or would be ineffective or inappropriate due to action taken to control the incidence or transmission of coronavirus (for example, placing copies in libraries that are closed). Where they decide not to comply with the duty, under subparagraph (3) they must, if possible, publish, give notice or make the document or information available electronically. If they consider this is not possible, they must publish a statement to that effect, as required by subparagraph (4).
245. Where a duty to which this paragraph applies includes a requirement to make a statement to the Scottish Parliament about the document on a particular date or within a particular period, subparagraph (5) provides that it is sufficient for the statement to be made as soon as is reasonably practicable.