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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the remaining provisions of the Freedom of Information (Scotland) Act 2002 (“the Act”). Certain provisions have already been brought into force by section 75(1) of the Act and by two earlier commencement orders ([S.S.I. 2002/437](#) and [2003/477](#)).

Article 3(1) of this Order commences on 30th April 2004—

- (a) section 12 of the Act, but only for the purpose of facilitating the making of regulations under section 9(4);
- (b) section 44, to enable practice recommendations to be made where publication schemes are not complied with by public authorities;
- (c) section 46, to enable the Scottish Information Commissioner to produce his first annual report;
- (d) Sections 50, 51, 53 and 54 for all remaining purposes insofar as they are not already in force; and
- (e) section 74, to enable practice recommendations or enforcement notices to be served in connection with publication schemes.

Article 3(2) of this Order commences all remaining provisions of the Act for all remaining purposes.