

**EMAIL SENT TO COVID-19 COMMITTEE CLERK**

To: Clerk of COVID-19 Committee

From: Daren Fitzhenry, Scottish Information Commission

Date: 16:39 18 May 2020

Dear James Johnston,

Having noted the amendments which will be discussed during Stage 2 of the Coronavirus (Scotland) (No.2) Bill, I wanted to send this short addition to the technical note I sent on 15 May 2020.

Paragraph 7 of Schedule 6 to the Coronavirus (Scotland) Act 2020 amended s74(1)(a) of the Freedom of Information (Scotland) Act 2002, and permitted the transmitting of notices by electronic means. This provision allows my own office to issue notices, including Decision Notices, by email rather than by post. It also allows individual Scottish public authorities to respond to information requests etc by email rather than by post.

Transmitting notices by email reflects the fact that many (though not all) applicants and members of the public prefer to correspond in this way, and that it can be significantly easier for authorities to send emails rather than postal correspondence during the current disruption caused by the pandemic - given increased homeworking and limitations on normal practice. As the Committee deliberate the current Bill, I would ask that they consider whether retention of this provision would be useful.

Should you require any further information on this matter, or my initial note regarding transitional provisions, please do not hesitate to contact me.

Daren Fitzhenry

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**Scottish Information Commissioner**

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