



The Scottish Parliament
Pàrlamaid na h-Alba

Information Management and Governance
Scottish Parliament
Edinburgh
EH99 1SP

foi.officer@parliament.scot

22 December 2022

Dear Requester

REQUEST FOR INFORMATION: 2022-682366

We acknowledge your request for the following information:

All preparatory materials and minutes (or any other record of what was discussed) for meetings between Philip Morris Limited and MSPs that took place in 2022. Namely: 03/11 Adam George 07/07 Beattie Colin 03/11 Brown Siobhian 07/06 Coffey Willie 24/11 Golden Maurice 09/06 Gulhane Sandesh 03/11 Harper Emma 03/11 MacDonald Gordon 05/10 MacGregor Fulton 24/11 Mason John 04/09 McLennan Paul 26/08 McMillan Stuart 03/11 Stewart Kevin 03/11 Torrance David 04/05 Torrance David

Your request was received on 5 December and has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

The Scottish Parliament Lobbying Register was set up to allow the public to access and view information submitted by organisations and individuals who carry out regulated lobbying. Accordingly, the only information held by the Scottish Parliament is what has been submitted online at www.lobbying.scot, by the lobbying organisation listed in your request in the form of an Information Return.

These information returns provide details of the regulated lobbying communication made by an organisation with the individual(s) listed in the form during these instances. Each return is then published on the Register for all to see.

As this information relating to the meetings listed is publicly available on the Lobbying Register, we have attached a section 25 notice with this reply, as required under FOI(S)A.

The Scottish Parliament does not hold further information relating to these meetings, including meeting minutes or preparatory documents, and we are therefore unable to provide these to you. Further information as to why this is the case is provided below.

While the Scottish Parliamentary Corporate Body (SPCB) ensures the parliament has everything it needs to run and provides support to MSPs to enable them to carry out their parliamentary duties, this does not extend to organising meetings, other than committee meetings and meetings of the Parliament. As such, the SPCB does not collect, store or have access to information about the MSP meetings with third party listed in your request.

The IT framework provided by the SPCB to assist MSPs in their role can only be accessed by technical staff required to resolve system problems which arise. This does not include accessing any of the actual data contained on the system. For the purposes of FOI legislation, this means that the Scottish Parliament does not hold any of the information contained in MSPs' IT accounts.

You may wish to contact the MSPs listed directly to ask what information they hold relating to the request. You can find contact details for individual MSPs at the following link: [Current and previous Members of the Scottish Parliament \(MSPs\) | Scottish Parliament Website](#)

Please be aware that MSPs are not covered by FOI as individuals. This was established by a Decision of the Scottish Information Commissioner in 2005. You can read the content of that Decision at the following link: [Decision 008/2005 | Scottish Information Commissioner \(itspublicknowledge.info\)](#). More information about elected members and their status with regard to FOI is available at the following link: [SPICe FAQ – MSPs and FOI – SPICe Spotlight | Solas air SPICe \(spice-spotlight.scot\)](#)

Please note that in providing a response to your requests, it has been brought to our attention by the Lobbying Register Team that the dates referenced are for the date of publication of the Information Return on the register, rather than the date on which the meetings took place. Should you wish to contact the MSPs named in your requests, it would be appropriate to provide the date that the lobbying activity took place to assist MSP offices when dealing with your correspondence.

In line with the technical requirements of FOI(S)A we have provided a notice advising that some of the information you have requested is not held by the Scottish Parliament.

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit: [FOI Request Disclosure Log | Scottish Parliament Website](#)

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright
<https://www.parliament.scot/about/copyright>

We would welcome feedback or comment on how we handled your request. Please feel free to contact the Head of Information Governance at foi.officer@parliament.scot

Please find below Annex A, which explains how we handle FOI requests and reviews.

We are currently working remotely and so would ask you to contact us by email at foi.officer@parliament.scot

Yours sincerely

Linda Forrest
Information Compliance Officer

REQUESTS MADE UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Alternatively, please contact the Public Information & Resources Team to request a copy.

<https://www.parliament.scot/contact-us>

Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance
The Scottish Parliament
Edinburgh
EH99 1SP
Telephone: 0131 348 5281

We welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: foi.officer@parliament.scot

Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Email: www.itspublicknowledge.info/Appeal

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

Copyright in relation to information provided

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright. Where relevant you should obtain permission from the copyright holder before any such use.

Feedback or comment

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

Data Protection

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Complaints

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

How to contact us

Post: The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 5000
0800 092 7500 (Public Enquiries)
0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: info@parliament.scot