



Housing (Scotland) Act 2001

2001 asp 10

PART 3

REGULATION OF SOCIAL LANDLORDS

CHAPTER 3

COMMON PROVISIONS

Information

78 Power to obtain information: further provision

- (1) In section 77, “agent” includes banker, solicitor and auditor.
- (2) Nothing in that section authorises the Scottish Ministers to require—
 - (a) the disclosure of anything which a person would be entitled to refuse to disclose on grounds of confidentiality in proceedings in the Court of Session, or
 - (b) the disclosure by a banker of anything in breach of any duty of confidentiality owed by the banker to a person other than a local authority or, as the case may be, a registered social landlord or a subsidiary or associate of a registered social landlord.
- (3) References in that section to a document are to anything in which information of any description is recorded; and in relation to a document in which information is recorded otherwise than in legible form, references to producing it are to producing it in legible form.
- (4) Where by virtue of that section documents are produced to any person, that person may take copies of or make extracts from them.
- (5) A person who fails, without reasonable excuse, to do anything required of that person by a notice under that section is guilty of an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Status: This is the original version (as it was originally enacted).

- (6) A person who intentionally alters, suppresses or destroys a document which that person has been required by a notice under that section to produce is guilty of an offence and is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum,
 - (b) on conviction on indictment, to a fine.