



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

Offences relating to vetting information

68 Unlawful disclosure etc.: supplementary

- (1) Nothing in section 66 prevents disclosure of disclosure information—
 - (a) by the scheme member to whom the information relates,
 - (b) by any other person with the consent of the scheme member to whom the information relates,
 - (c) to an office-holder in the Scottish Administration or a government department,
 - (d) to a person appointed to any office by virtue of any enactment,
 - (e) in accordance with any obligation to provide information imposed by virtue of any enactment,
 - (f) for the purposes of answering a prescribed type of exempted question, or
 - (g) for some other prescribed purpose.
- (2) Nothing in subsections (2), (4), (6) or (8) of section 66 makes lawful any disclosure of disclosure information made otherwise than for the purpose of enabling or assisting the person in relation to whom the corresponding disclosure request was made to consider the suitability of the scheme member concerned to do, or to be offered or supplied for, the type of regulated work concerned.
- (3) Nothing in section 67 prevents use of disclosure information for a purpose other than the permitted purpose—
 - (a) by the scheme member to whom the information relates,
 - (b) by any other person with the consent of the scheme member to whom the information relates,
 - (c) by an office-holder in the Scottish Administration or a government department,

Changes to legislation: Protection of Vulnerable Groups (Scotland) Act 2007, Section 68 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (d) by a person appointed to any office by virtue of any enactment,
 - (e) in accordance with any obligation to provide information imposed by virtue of any enactment,
 - (f) in order to answer a prescribed type of exempted question, or
 - (g) in any other prescribed circumstances.
- (4) References in sections 66 and 67 and in this section to disclosure information are references to—
- (a) disclosure records disclosed under section 52, 53 or 54, and
 - (b) any information in such a disclosure record which is obtained only by virtue of section 51, 52, 53 or 54.
- (5) “Exempted question”, where used in subsections (1)(f) and (3)(f), means a question in relation to which section 4(2)(a) or (b) of the Rehabilitation of Offenders Act 1974 (c. 53) has been excluded by order made under section 4(4) of that Act.

Modifications etc. (not altering text)

- C1** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **22**
- C2** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **21**

Commencement Information

- I1** [S. 68](#) in force at 28.2.2011 by [S.S.I. 2011/157](#), **art. 2(a)**

Changes to legislation:

Protection of Vulnerable Groups (Scotland) Act 2007, Section 68 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 68(1) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(b\)\(i\)](#)
- s. 68(1)(a) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(b\)\(ii\)](#)
- s. 68(1)(b) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(b\)\(ii\)](#)
- s. 68(2) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(a\)](#)
- s. 68(2) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(c\)\(i\)](#)
- s. 68(2) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(c\)\(ii\)](#)
- s. 68(3) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(d\)\(i\)](#)
- s. 68(3)(a) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(d\)\(ii\)](#)
- s. 68(3)(b) words substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(d\)\(ii\)](#)
- s. 68(4) substituted by [2020 asp 13 sch. 5 para. 10\(39\)\(e\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6A inserted by [2020 asp 13 s. 80\(2\)](#)
- s. 8(3)(za) inserted by [2020 asp 13 s. 82\(3\)](#)
- s. 10(1)(aa) inserted by [2020 asp 13 s. 80\(3\)](#)
- s. 13A-13C inserted by [2020 asp 13 s. 76\(2\)](#)
- s. 18(5) inserted by [2020 asp 13 sch. 5 para. 5\(2\)\(b\)](#)
- s. 30(3A)-(3C) inserted by [2020 asp 13 s. 77\(3\)](#)
- s. 45A inserted by [2020 asp 13 s. 71](#)
- s. 45B inserted by [2020 asp 13 s. 72](#)
- s. 45C-45G inserted by [2020 asp 13 s. 73\(2\)](#)
- s. 45H inserted by [2020 asp 13 s. 88\(3\)](#)
- s. 46A inserted by [2020 asp 13 s. 79](#)
- s. 49(3) inserted by [2020 asp 13 sch. 5 para. 5\(3\)\(c\)](#)
- s. 70(2)(d) inserted by [2020 asp 13 sch. 5 para. 10\(41\)\(b\)](#)
- s. 77(1A) inserted by [2020 asp 13 sch. 5 para. 10\(46\)\(b\)](#)
- s. 94(2A)(2B) inserted by [2020 asp 13 s. 75\(3\)](#)