



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,

Status: This is the original version (as it was originally enacted).

- (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.