



Scottish Commission for Human Rights Act 2006

2006 asp 16

Inquiries

13 Confidentiality of information

- (1) Subsection (2) applies to a person who is or has been—
 - (a) a member of the Commission,
 - (b) a member of the Commission's staff, or
 - (c) otherwise an agent of the Commission.
- (2) The person must not disclose any information which—
 - (a) has been obtained by or on behalf of the Commission for the purposes of an inquiry, and
 - (b) is not at the time of the disclosure, and has not previously been, in the public domain,unless the disclosure is authorised by subsection (3).
- (3) Disclosure is authorised for the purposes of subsection (2) only so far as—
 - (a) it is made with the consent of the person from whom the information was obtained,
 - (b) it is necessary for the purpose of enabling or assisting the exercise by the Commission of any of its functions under this Act, or
 - (c) it is made for the purposes of legal proceedings, whether criminal or civil (including the purposes of the investigation of any offence or suspected offence).
- (4) A person who knowingly contravenes subsection (2) commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum, or
 - (b) on conviction on indictment, to a fine.