



# Disclosure (Scotland) Act 2020

## 2020 asp 13

### PART 1

#### DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

##### *General*

#### **65 Sources of information**

- (1) Any person who holds central records must make those records available to the Scottish Ministers for the purposes of enabling or assisting them to perform their functions under this Part.
- (2) The Scottish Ministers may by notice require any person mentioned in subsection (3) to provide them with information which they—
  - (a) believe the person holds, and
  - (b) consider is necessary to carry out their functions under this Part.
- (3) The persons are—
  - (a) an individual applying for a Level 1 or a Level 2 disclosure,
  - (b) the chief constable,
  - (c) the Principal Reporter,
  - (d) the Scottish Courts and Tribunals Service,
  - (e) a local authority,
  - (f) any other person the Scottish Ministers consider appropriate.
- (4) The chief constable must not provide information by virtue of a notice under subsection (2) if the chief constable thinks that disclosing the information would be contrary to the interests of the prevention or detection of crime.
- (5) No proceedings are competent against the Scottish Ministers by reason of an inaccuracy in the information made available or provided to them in accordance with or in pursuance of any power or duty under this Part to provide information to the Scottish Ministers in relation to their functions under this Part.