



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

Evidence of identity

62 Evidence of identity

(1) An individual making—

- (a) an application to join, or to be removed from, the Scheme,
- (b) a request to correct a scheme record, or
- (c) a disclosure request,

must provide Ministers with such evidence of identity as they may require.

(2) Ministers need not consider such an application or request if—

- (a) the individual fails to comply with a requirement under this section or section 63, or
- (b) the evidence provided does not satisfy them as to the individual's identity.

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. 62](#) 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, Cross Heading: Evidence of identity is up to date with all changes known to be in force on or before 04 July 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

63 Power to use fingerprints to check applicant's identity

- (1) Ministers may require an applicant to join the Scheme, or a scheme member, to have fingerprints taken in such manner, and at such place, as may be prescribed for the purposes of enabling or assisting Ministers to satisfy themselves as to the identity of the applicant or, as the case may be, scheme member.
- (2) But Ministers may require an individual to have fingerprints taken under subsection (1) only if they are not satisfied by other evidence provided under section 62(1) as to the individual's identity.
- (3) Ministers must arrange the destruction of any such fingerprints as soon as reasonably practicable after they have been used for the purposes mentioned in subsection (1).
- (4) Any person who holds records of fingerprints for the use of police forces generally must make those records available to Ministers for the purposes of this section.
- (5) This section does not affect the generality of section 62 in relation to any other type of evidence of identity.

Commencement Information

- I2** S. 63(1) in force at 18.4.2010 for specified purposes by S.S.I. 2010/133, art. 2, Sch.
I3 S. 63(1) in force at 28.2.2011 in so far as not already in force by S.S.I. 2011/157, art. 2(a)
I4 S. 63(2)-(5) in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

64 Power to use personal data to check applicant's identity

- (1) Ministers may use information given to them by personal data holders to check evidence of identity given to them for the purposes of section 62.
- (2) Personal data holders are—
 - The Identity and Passport Service
 - The Driver and Vehicle Licensing Agency
 - Ministers of the Crown in connection with keeping of records of national insurance numbers
 - Such other persons holding data about individuals as may be prescribed

Commencement Information

- I5** S. 64(1) in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)
I6 S. 64(2) in force at 18.4.2010 for specified purposes by S.S.I. 2010/133, art. 2, Sch.
I7 S. 64(2) in force at 28.2.2011 in so far as not already in force by S.S.I. 2011/157, art. 2(a)

Changes to legislation:

Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: Evidence of identity is up to date with all changes known to be in force on or before 04 July 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 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\(3\)](#)
- sch. 2 para. 31(1) words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(i\)](#)
- sch. 2 para. 31 words substituted by [2024 asp 5 Sch. para. 19\(2\)](#)
- sch. 2 para. 31 words substituted by [2024 asp 5 Sch. para. 25\(2\)\(b\)](#)
- sch. 3 para. 24 words substituted by [2024 asp 5 Sch. para. 19\(3\)](#)