



Transport (Scotland) Act 2019

2019 asp 17

PART 6

PARKING PROHIBITIONS

Information sharing

VALID FROM 11/12/2023

65 Power to share information

- (1) A local authority may, in the circumstances mentioned in subsection (2), disclose relevant information to—
 - (a) the Secretary of State,
 - (b) a source specified in regulations made by the Scottish Ministers,
 - (c) the local authority's enforcement agent.
- (2) The circumstances are that disclosure of the relevant information is—
 - (a) necessary to enable the local authority or enforcement agent to perform a function conferred by virtue of this Part, or
 - (b) otherwise necessary for or in connection with the enforcement of any of the parking prohibitions.
- (3) Where relevant information is disclosed to an enforcement agent—
 - (a) the agent may only use the information, or subsequently disclose it to any other person, as is necessary for or in connection with the enforcement of any of the parking prohibitions, and
 - (b) any other person to whom the information is subsequently disclosed may only use it for the same purpose.
- (4) In this section, “relevant information” means—
 - (a) in relation to disclosure under subsection (1)(a) or (b)—
 - (i) the make and model of a vehicle alleged by a local authority (or its enforcement agent) to have parked in contravention of any of the parking prohibitions,

Status: Point in time view as at 25/01/2023. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Section 65. (See end of Document for details)

- (ii) details of which of those prohibitions is alleged to have been contravened,
- (iii) the registration mark of that vehicle (assigned under section 23 of the Vehicle Excise and Registration Act 1994),
- (iv) the date on which the alleged contravention took place,
- (b) in relation to disclosure under subsection (1)(c)—
 - (i) the information mentioned in sub-paragraphs (i) to (iv) of paragraph (a),
 - (ii) the name and address of the registered keeper of the vehicle alleged by a local authority (or its enforcement agent) to have parked in contravention of any of the parking prohibitions,
 - (iii) the location where the vehicle is alleged to have parked in contravention of any of the parking prohibitions,
 - (iv) any record of an alleged contravention of any of the parking prohibitions produced by an approved device,
 - (v) any information or representations provided to the local authority by or on behalf of the registered keeper of a vehicle in connection with any review or appeal made by virtue of regulations made under section [F159(1)].
- (5) For the purposes of this section—
 - (a) an “enforcement agent” is a person with whom the local authority has entered into arrangements by virtue of section 64,
 - (b) the “parking prohibitions” are the pavement parking prohibition, the double parking prohibition and the dropped footway parking prohibition.
- (6) Nothing in this section authorises a disclosure of any information that would be in contravention of the Data Protection Act 2018.

Textual Amendments

- F1** Word in s. 65(4)(b)(v) substituted (27.11.2023) by [The Transport \(Scotland\) Act 2019 Amendment Regulations 2023 \(S.S.I. 2023/347\)](#), regs. 1(1), **2(6)**

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