



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

## PART 1

### CHARITIES

#### CHAPTER 3

##### CO-OPERATION AND INFORMATION

###### *Sharing information*

#### **24 Disclosure of information by and to OSCR**

- (1) OSCR may disclose any information to any public body or office-holder (in Scotland, in any other part of the United Kingdom or in a country or territory outside the United Kingdom)—
  - (a) for any purpose connected with the exercise of OSCR's functions, or
  - (b) for the purpose of enabling or assisting the public body or office-holder to exercise any functions.
- (2) Any person to whom this subsection applies may disclose any information to OSCR for the purpose of enabling or assisting OSCR to exercise any functions.
- (3) Subsection (2) applies to—
  - (a) any office-holder in the Scottish Administration,
  - (b) the Scottish Parliamentary Corporate Body,
  - (c) any local authority,
  - (d) any constable, and
  - (e) any other Scottish public authority with mixed functions or no reserved functions.

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*Status: This is the original version (as it was originally enacted).*

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- (4) A power to disclose information under subsection (1) or (2) is, unless section 25 otherwise provides, subject to any obligation as to secrecy or other restriction on disclosure of the information however imposed.

## **25 Removal of restrictions on disclosure of certain information**

- (1) No obligation as to secrecy or other restriction on disclosure of information however imposed prevents—

- (a) OSCR from disclosing any information to a designated body for—
  - (i) any purpose connected with the exercise of OSCR’s functions,
  - (ii) the purpose of enabling or assisting that body to exercise any functions,
- (b) a designated body from disclosing any information to OSCR for the purpose of enabling or assisting OSCR to exercise any functions,
- (c) a charity trustee of a charity from disclosing any information about that charity to OSCR for the purpose of enabling or assisting OSCR to exercise any functions,
- (d) any person from disclosing any information to OSCR about any matter in respect of which the person is required or authorised by section 46 to make a report to OSCR, or
- (e) a relevant financial institution from disclosing any information to OSCR for the purpose of enabling or assisting OSCR to exercise any functions under section 47.

- (2) The Scottish Ministers may, by order, designate—

- (a) for the purposes of paragraph (a) of subsection (1), any public body or office-holder in Scotland, in any other part of the United Kingdom or in a country or territory outside the United Kingdom,
- (b) for the purposes of paragraph (b) of that subsection, any Scottish public authority with mixed functions or no reserved functions,

and references in that subsection to a “designated body” are to be construed accordingly.