
Changes to legislation: Scottish Commission for Human Rights Act 2006, Cross Heading: Obstruction and contempt 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](#)

SCHEDULE 2 **S**
INQUIRIES: SUPPLEMENTARY PROVISION AS TO EVIDENCE

Obstruction and contempt

- 4 (1) Sub-paragraph (3) applies where any person to whom notice has been given under paragraph 1—
- (a) refuses or fails, without reasonable excuse, to comply with any requirement specified in the notice,
 - (b) refuses or fails, without reasonable excuse, when attending to give evidence as required by the notice—
 - (i) to take an oath on being required to do so under paragraph 3(b), or
 - (ii) to answer any question relevant to any matter specified in the notice,or
 - (c) deliberately alters, suppresses, conceals or destroys any document which the person is required by the notice to produce.
- (2) Sub-paragraph (3) also applies where the Commission considers that any such person as is mentioned in sub-paragraph (1) is likely to do any of the things specified in paragraphs (a) to (c) of that sub-paragraph.
- (3) Where this sub-paragraph applies, the Commission may report the matter to the Court of Session.
- (4) On such a report, the Court may, after hearing any evidence or representations on the matter, (either or both)—
- (a) make such order for enforcement as it sees fit,
 - (b) deal with the matter as if it were a contempt of the Court.

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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. 4A inserted by [2024 asp 1 s. 12\(2\)](#)
- s. 6(2A) inserted by [2024 asp 1 s. 12\(3\)](#)