



Scottish Commission for Human Rights Act 2006

2006 asp 16

Inquiries

13 Confidentiality of information

- (1) Subsection (2) applies to a person who is or has been—
 - (a) a member of the Commission,
 - (b) a member of the Commission's staff, or
 - (c) otherwise an agent of the Commission.
- (2) The person must not disclose any information which—
 - (a) has been obtained by or on behalf of the Commission for the purposes of an inquiry, and
 - (b) is not at the time of the disclosure, and has not previously been, in the public domain,unless the disclosure is authorised by subsection (3).
- (3) Disclosure is authorised for the purposes of subsection (2) only so far as—
 - (a) it is made with the consent of the person from whom the information was obtained,
 - (b) it is necessary for the purpose of enabling or assisting the exercise by the Commission of any of its functions under this Act, or
 - (c) it is made for the purposes of legal proceedings, whether criminal or civil (including the purposes of the investigation of any offence or suspected offence).
- (4) A person who knowingly contravenes subsection (2) commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum, or
 - (b) on conviction on indictment, to a fine.

Changes to legislation:

Scottish Commission for Human Rights Act 2006, Section 13 is up to date with all changes known to be in force on or before 14 March 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. 4A inserted by [2024 asp 1 s. 12\(2\)](#)
- s. 6(2A) inserted by [2024 asp 1 s. 12\(3\)](#)