



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

Offences relating to vetting information

66 Unlawful disclosure of scheme records etc.

- (1) A person to whom disclosure information is disclosed under section 51, 52, 53 or 54 commits an offence if the person discloses it to any other person.
- (2) A person does not commit an offence under subsection (1) by disclosing the disclosure information—
 - (a) to any of the person's employees,
 - (b) where the person is not an individual, to any member or officer of the person, or
 - (c) where the disclosure was made for the purpose of enabling or assisting another person to consider a scheme member's suitability to do, or to be offered or supplied for, regulated work—
 - (i) to that other person,
 - (ii) to any of that other person's employees, or
 - (iii) where that other person is not an individual, to any member or officer of that other person.
- (3) An individual to whom disclosure information is disclosed lawfully by virtue of subsection (2)(a) or (b) or (4)(a) commits an offence if the individual discloses it to any other person.
- (4) An individual does not commit an offence under subsection (3) by disclosing the disclosure information, in the course of the individual's duties—
 - (a) to any other individual who is a member, officer or employee of the person to whom the corresponding disclosure was made under section 52, 53 or 54, or

Status: This is the original version (as it was originally enacted).

- (b) where the disclosure was made for the purpose of enabling or assisting another person to consider a scheme member's suitability to do, or to be offered or supplied for, regulated work—
 - (i) to that other person,
 - (ii) to any of that other person's employees, or
 - (iii) where that other person is not an individual, to any member or officer of that other person.
- (5) A person to whom disclosure information is disclosed lawfully by virtue of subsection (2)(c)(i) or (4)(b)(i) commits an offence if the person discloses it to any other person.
- (6) A person does not commit an offence under subsection (5) by disclosing the disclosure information—
 - (a) to any of the person's employees, or
 - (b) where the person is not an individual, to any member or officer of the person.
- (7) An individual to whom disclosure information is disclosed lawfully by virtue of subsection (2)(c)(ii) or (iii), (4)(b)(ii) or (iii) or (6) commits an offence if the person discloses it to any other person.
- (8) An individual does not commit an offence under subsection (7) by disclosing the disclosure information, in the course of the individual's duties, to any other individual who is a member, officer or employee of the person for whose purposes the corresponding disclosure was made under section 52, 53 or 54.
- (9) A person to whom disclosure information is disclosed unlawfully commits an offence if the person discloses it to any other person.