

*These notes relate to the Disclosure (Scotland) Act 2020
(asp 13) which received Royal Assent on 14 July 2020*

DISCLOSURE (SCOTLAND) ACT 2020

EXPLANATORY NOTES

PROVISION BY PROVISION COMMENTARY

Part 1: Disclosure of criminal history and other information

Evidence of identity

Section 57: Evidence of identity

119. Ensuring that an identity presented is an actual person, and that the individual presenting the identity is entitled to use the identity on an application, are critical to avoid misuse of disclosures, such as a disclosure being issued to someone in an identity that is not their own. Section 57 allows Ministers to require an applicant to provide evidence that they are who they say they are, and Ministers do not need to consider an application if that evidence is not forthcoming, or other requirements set by Ministers are not met, or if they are not satisfied by the evidence as to the applicant's identity.