



# Disclosure (Scotland) Act 2020

## 2020 asp 13

### PART 1

#### DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

##### *Level 2 disclosures*

PROSPECTIVE

#### **11 Provision of Level 2 disclosures**

- (1) The Scottish Ministers must provide a Level 2 disclosure to an individual who—
  - (a) is 16 years of age or older, and
  - (b) makes an application that complies with section 12.
- (2) The Scottish Ministers may provide a Level 2 disclosure to an individual who—
  - (a) is 12 years of age or older but under 16 years of age, and
  - (b) makes an application that complies with section 12,if it appears to them from the information contained in the application that it is appropriate in the circumstances to provide the disclosure.
- (3) The Scottish Ministers may refuse to provide a Level 2 disclosure to an individual under subsection (1) where they consider a person mentioned in subsection (4) has failed to comply with the code of practice published under section 55.
- (4) The persons are—
  - (a) the accredited body countersigning the application for the disclosure,
  - (b) the lead signatory of the accredited body,
  - (c) a countersignatory of the accredited body,
  - (d) a person mentioned in section 56(1)(b)(i) at whose request the accredited body countersigned the application for the disclosure.
- (5) A Level 2 disclosure provided under subsection (1) or (2) may relate only to the applicant.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Disclosure (Scotland) Act 2020, Section 11.