



# Disclosure (Scotland) Act 2020

## 2020 asp 13

### PART 1

#### DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

##### *Level 2 disclosures*

#### **16 Further information for certain purposes: non-PVG scheme members**

- (1) This section applies where—
  - (a) the individual applying for a Level 2 disclosure does not participate in the PVG Scheme, and
  - (b) the purpose of the disclosure is a prescribed purpose.
- (2) Regulations under subsection (1)(b) may prescribe—
  - (a) purposes relating to children, and
  - (b) purposes relating to adults.
- (3) The disclosure must also contain any further information under this section relating to the applicant, as well as the information mentioned in section 8(1)(a) to (e).
- (4) Further information under this section is—
  - (a) where the purpose of the disclosure is one relating to children—
    - (i) a statement of whether the applicant is barred from regulated roles with children,
    - (ii) if the applicant is barred from such roles, the prescribed details of the circumstances in which the applicant became barred,
    - (iii) a statement of whether the Scottish Ministers are considering whether to list the applicant in the children's list,
    - (iv) if the Scottish Ministers are considering whether to list the applicant in the children's list, details of any conditions that the Scottish Ministers have imposed under section 13A(1) of the PVG Act or, if no such conditions have been imposed, a statement of that fact,
    - (v) the prescribed details of every prescribed civil court order in effect in respect of the applicant or a statement that no such order is in effect,

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*Status: This is the original version (as it was originally enacted).*

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- (b) where the purpose of the disclosure is one relating to adults—
  - (i) a statement of whether the applicant is barred from regulated roles with adults,
  - (ii) if the applicant is barred from such roles, the prescribed details of the circumstances in which the applicant became barred,
  - (iii) a statement of whether the Scottish Ministers are considering whether to list the applicant in the adults' list,
  - (iv) if the Scottish Ministers are considering whether to list the applicant in the adults' list, details of any conditions that the Scottish Ministers have imposed under section 13A(1) of the PVG Act or, if no such conditions have been imposed, a statement of that fact,
  - (v) the prescribed details of every prescribed civil court order in effect in respect of the applicant or a statement that no such order is in effect.