



# Disclosure (Scotland) Act 2020

## 2020 asp 13

### PART 1

#### DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

##### *Accredited bodies*

PROSPECTIVE

- 53 Notification and review of decisions: removal from register or refusal of registration or nomination**
- (1) This section applies where the Scottish Ministers decide to—
- (a) refuse an application for registration in the register of accredited bodies,
  - (b) remove an accredited body from the register of accredited bodies,
  - (c) refuse to accept the nomination of an individual as lead signatory or countersignatory of an accredited body,
  - (d) remove all of the prescribed details of a lead signatory or countersignatory of an accredited body from the entry for the accredited body in the register of accredited bodies.
- (2) The reference in subsection (1)(b) to removing an accredited body from the register of accredited bodies includes, in the case of an accredited body with registration of the type mentioned in section 47(1)(c)—
- (a) removing the accredited body from the register in relation only to the making of applications for Level 1 disclosures under section 2 on behalf of an individual,
  - (b) removing the accredited body from the register in relation only to the countersigning of applications for Level 2 disclosures under section 11.
- (3) The Scottish Ministers must notify the persons mentioned in subsection (4) of their decision and the reasons for the decision.
- (4) The persons are—
- (a) in the case of refusal of an application for registration, the applicant,

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**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 53. (See end of Document for details)

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- (b) in the case of removal of an accredited body from the register, the accredited body,
  - (c) in the case of refusal to accept the nomination of an individual as the lead signatory or a countersignatory of an accredited body, the individual,
  - (d) in the case of removal of all of the prescribed details of a lead signatory or countersignatory of an accredited body from the entry for the accredited body in the register of accredited bodies, the lead signatory or (as the case may be) countersignatory.
- (5) Where the Scottish Ministers decide to—
- (a) refuse to accept the nomination of an individual as the lead signatory or a countersignatory of an accredited body, or
  - (b) remove all of the prescribed details of the lead signatory or a countersignatory of an accredited body from the entry for the accredited body in the register of accredited bodies,
- they must also notify the accredited body of their decision.
- (6) If a person notified under subsection (3) considers that the information on which the decision was based may have been inaccurate, the person may apply to the Scottish Ministers for a review of their decision.

**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 53.