



Disclosure (Scotland) Act 2020

2020 asp 13

PART 1

DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

Evidence of identity

59 Power to use fingerprints to check identity

- (1) The Scottish Ministers may require an individual in respect of whom evidence of identity may be required under section 57 to have fingerprints taken in such manner, by such person and at such place, as may be prescribed for the purposes of enabling or assisting the Scottish Ministers to satisfy themselves as to the identity of the individual.
- (2) But the Scottish Ministers may require an individual to have fingerprints taken under subsection (1) only if they are not satisfied by other evidence provided under section 57(1) as to the individual's identity.
- (3) Where the Scottish Ministers require an individual to have fingerprints taken under subsection (1) in connection with an application under this Part but the individual refuses to comply with that requirement, the Scottish Ministers need not consider the application.
- (4) The Scottish Ministers must arrange for the destruction of any such fingerprints as soon as reasonably practicable after they have been used for the purposes mentioned in subsection (1).
- (5) Any person who holds in Scotland records of fingerprints for the use of police forces generally must make those records available to the Scottish Ministers for the purposes of this section.
- (6) This section does not affect the generality of section 57 in relation to any other type of evidence of identity.