



Disclosure (Scotland) Act 2020

2020 asp 13

PART 1

DISCLOSURE OF CRIMINAL HISTORY AND OTHER INFORMATION

Accredited bodies

PROSPECTIVE

51 Lead signatories and countersignatories

- (1) Where an application for registration in the register of accredited bodies is made by a body corporate or unincorporated or a statutory office-holder—
 - (a) the applicant must in the application nominate a lead signatory, and
 - (b) where the applicant is seeking registration of the type mentioned in section 47(1)(b) or (c), the applicant may in the application nominate one or more countersignatories.
- (2) Where an accredited body is a body corporate or unincorporated or a statutory office-holder, the accredited body may by application nominate—
 - (a) a lead signatory in substitution for an individual previously nominated as lead signatory,
 - (b) where the accredited body has registration of the type mentioned in section 47(1)(b) or (c), a countersignatory (whether in addition to, or in substitution for, an individual previously nominated as a countersignatory).
- (3) Where an application for registration in the register of accredited bodies is made by an individual who—
 - (a) employs other persons in the course of a business, and
 - (b) is seeking registration of the type mentioned in section 47(1)(b) or (c),the applicant may in the application nominate one or more countersignatories.
- (4) Where an accredited body—
 - (a) is an individual who employs other persons in the course of a business, and
 - (b) has registration of the type mentioned in section 47(1)(b) or (c),

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 51. (See end of Document for details)

the accredited body may by application nominate one or more countersignatories.

- (5) An application under this section containing a nomination of a lead signatory or a countersignatory must also contain the prescribed details of the lead signatory or countersignatory.
- (6) If the Scottish Ministers accept the nomination of a lead signatory or countersignatory of an accredited body under this section they must include the prescribed details of the lead signatory or countersignatory in the entry for the accredited body in the register of accredited bodies.
- (7) An accredited body must notify the Scottish Ministers of any changes in the prescribed details submitted in accordance with this section of—
 - (a) the body's lead signatory,
 - (b) any countersignatory of the body.
- (8) In this Part—

“countersignatory”, in relation to an accredited body, means an individual authorised to act for the accredited body in relation to the countersigning of an application for a Level 2 disclosure under section 11 by the accredited body,

“lead signatory”, in relation to an accredited body, means the individual authorised to act in relation to registration of the body and with overall responsibility for the body's acting in relation to a disclosure request (including, where the accredited body has registration of the type mentioned in section 47(1) (b) or (c), authority to act as a countersignatory of the body).
- (9) An individual may not act as lead signatory or, as the case may be, countersignatory of an accredited body unless the prescribed details of the lead signatory or countersignatory are included in the entry for the accredited body in the register of accredited bodies.

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 51.