



Coronavirus Act 2020

2020 CHAPTER 7

PART 1

MAIN PROVISIONS

Disclosure: Scotland

34 Temporary disapplication of disclosure offences: Scotland

- (1) The Scottish Ministers may issue a direction that disapplies or modifies—
 - (a) section 35 of the 2007 Act (organisations not to use barred individuals for regulated work);
 - (b) section 36 of the 2007 Act (personnel suppliers not to supply barred individuals for regulated work).
- (2) In this section and section 35, “the 2007 Act” means the Protection of Vulnerable Groups (Scotland) Act 2007 ([asp 14](#)).
- (3) A direction under subsection (1)—
 - (a) may be of general application or specify particular persons or descriptions of persons to whom the direction applies;
 - (b) may be framed by reference to particular kinds of regulated work with children or protected adults (within the meaning of section 91 of the 2007 Act);
 - (c) may be framed by reference to any other matters the Scottish Ministers consider appropriate;
 - (d) may make different provision for different purposes;
 - (e) may make such other provision as the Scottish Ministers consider appropriate in connection with the giving of the direction.
- (4) The Scottish Ministers must publish a direction under subsection (1).
- (5) A direction under subsection (1) has effect—
 - (a) for the period specified in the direction, or

- (b) until revoked by a further direction under that subsection.

35 Power to reclassify certain disclosure requests: Scotland

- (1) Where the Scottish Ministers receive a disclosure request under—
- (a) section 52 of the 2007 Act for a scheme record, or
 - (b) section 53 of the 2007 Act for a short scheme record,
- they may treat it as a disclosure request for a statement of scheme membership under section 54 of the 2007 Act.
- (2) Where the fee for a disclosure request for a statement of scheme membership is lower than the fee for a disclosure request for a scheme record or for a short scheme record, the Scottish Ministers must refund the difference in the fees to the applicant.