

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Charities (Regulation and Administration) (Scotland) Act 2023, Paragraph 11. (See end of Document for details)

PROSPECTIVE

SCHEDULE FURTHER MODIFICATION OF THE 2005 ACT

Disclosure of information by and to designated religious charities

- 11 (1) The 2005 Act is modified as follows.
- (2) The heading of section 24 becomes “Disclosure of information by and to OSCR: public bodies or office-holders”.
- (3) After section 24, insert—

“24A Disclosure of information by and to OSCR: designated religious charities

- (1) OSCR may disclose any information to a designated religious charity—
- (a) for any purpose connected with the exercise of OSCR’s functions, or
 - (b) for the purpose of enabling or assisting the charity in relation to the exercise of any supervisory or disciplinary functions in respect of the component parts of the charity.
- (2) A designated religious charity may disclose any information to OSCR for the purpose of enabling or assisting OSCR to exercise any functions.”.
- (4) In section 25 (removal of restrictions on disclosure of certain information)—
- (a) in subsection (1), after paragraph (b) insert—
 - “(ba) OSCR from disclosing any information to a designated religious charity for—
 - (i) any purpose connected with the exercise of OSCR’s functions,
 - (ii) the purpose of enabling or assisting that charity in relation to the exercise of any supervisory or disciplinary functions in respect of the component parts of the charity,
 - (bb) a designated religious charity from disclosing any information to OSCR for the purpose of enabling or assisting OSCR to exercise any functions,”
 - (b) after subsection (2), insert—
 - “(3) Nothing in this section authorises the making of a disclosure that contravenes the data protection legislation (but in determining whether a disclosure would do so, the provision made in this Act enabling or requiring the disclosure of information as mentioned in paragraphs (a) to (e) of subsection (1) is to be taken into account).
 - (4) In this section, “the data protection legislation” has the meaning given by section 3(9) of the Data Protection Act 2018.”.

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Commencement Information

- II** Sch. para. 11 not in force at Royal Assent, see [s. 21\(2\)](#)

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