

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Patient Safety Commissioner for Scotland Act 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Patient Safety Commissioner for Scotland Act 2023

2023 asp 6

Gathering and use of information

PROSPECTIVE

12 Power to require information

- (1) The Commissioner may require a person to which [subsection \(4\)](#) applies to supply the Commissioner with information that—
 - (a) is in the person's possession or control,
 - (b) may be relevant to the work of the Commissioner,
 - (c) is not information of a kind that the Commissioner is prohibited by [subsection \(3\)](#) from requiring the person to supply.
- (2) A requirement under this section is imposed on a person when the Commissioner gives the person written notice specifying—
 - (a) the information that the person is required to supply,
 - (b) the way in which the person is required to supply it, and
 - (c) either—
 - (i) the time by which the person is to supply it, or
 - (ii) the period throughout which the person is to supply it and the intervals within that period at which it must be supplied.
- (3) The following are the kinds of information that the Commissioner is prohibited from requiring a person to supply under this section—
 - (a) information that the person would be entitled to refuse to provide in proceedings in a court in Scotland,
 - (b) information about an individual (whether or not it is anonymised).
- (4) This subsection applies to a person who is—
 - (a) a health care provider,
 - (b) a body constituted by virtue of the National Health Service (Scotland) Act 1978.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Patient Safety Commissioner for Scotland Act 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(5) In [this section](#), “information” includes unrecorded information.

Commencement Information

II S. 12 not in force at Royal Assent, see [s. 24\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Patient Safety Commissioner for Scotland Act 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 12 coming into force by [S.S.I. 2024/110 reg. 2\(1\)](#)