SCOTTISH STATUTORY INSTRUMENTS

2025 No. 73 (C. 7)

PROTECTION OF VULNERABLE GROUPS

The Disclosure (Scotland) Act 2020 (Commencement No. 5, Saving and Transitional Provision) Amendment Regulations 2025

Made - - - -	*13th March 2025*
Laid before the Scottish Parliament	*17th March 2025*
Coming into force - -	*31st March 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 97(2) and (3) of the Disclosure (Scotland) Act 2020(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Disclosure (Scotland) Act 2020 (Commencement No. 5, Saving and Transitional Provision) Amendment Regulations 2025 and come into force on 31 March 2025.

Amendment of the Disclosure (Scotland) Act 2020 (Commencement No. 5, Saving and Transitional Provision) Regulations 2025

2.—(1) The Disclosure (Scotland) Act 2020 (Commencement No. 5, Saving and Transitional Provision) Regulations 2025(**b**) are amended as follows.

(2) After regulation 12, insert—

"Transitional provision relating to notices of consideration for listing

13.—(1) Paragraph (2) has effect until the day on which section 72 of the Disclosure Act (failure to apply for renewal of Scheme membership) comes into force.

(2) Section 30(3A)(a) of the PVG Act (notice of listing etc.) (as inserted by section 77(3) of the Disclosure Act) is to be read as if the words "or section 45B(7)" is omitted.

(3) Paragraph (4) has effect until the day on which section 76 of the Disclosure Act (conditions imposed on scheme members under consideration for listing) comes into force.

(4) Section 30(3B) of the PVG Act (as inserted by section 77(3) of the Disclosure Act) is to be read as if paragraph (b) is omitted.

(**a**) 2020 asp 13.
(**b**) S.S.I. 2025/27.

Transitional provision relating to confirmation of scheme membership under the PVG Act

14.—(1) Paragraph (2) has effect until the day on which section 76 (conditions imposed on scheme members under consideration for listing) of the Disclosure Act comes into force.

(2) Section 46(2)(c) of the PVG Act (confirmation of scheme membership) (as substituted by section 86(2) of the Disclosure Act) is to be read as if sub-paragraph (ii) is omitted.

Transitional provision relating to confirmation of scheme membership: disclosure of whether individual under consideration for listing

15.—(1) Paragraph (2) has effect until the day on which section 72 of the Disclosure Act (failure to apply for renewal of Scheme membership) comes into force.

(2) Section 77(2)(b) of the PVG Act (confirmation of scheme membership: disclosure of whether individual under consideration for listing) (as amended by paragraph 10(46)(c) of schedule 5 of the Disclosure Act) is to be read as if the words "or 45B(7)" are omitted.

(3) Paragraphs (4) to (6) have effect until the day on which section 76 of the Disclosure Act (conditions imposed on scheme members under consideration for listing) comes into force.

(4) Section 77(1) of the PVG Act (as amended by paragraph 10(46)(a)(ii) of schedule 5 of the Disclosure Act) is to be read as if the words "(or details of any conditions that Ministers have imposed under section 13A(1))" are omitted.

(5) Section 77(1A)(b) of the PVG Act (as inserted by paragraph 10(46)(b) of schedule 5 of the Disclosure Act) is to be read as if "or (iv)", on each occasion it appears, is omitted.

(6) Section 77(1A)(c) of the PVG Act (as inserted by paragraph 10(46)(b) of schedule 5 of the Disclosure Act) is to be read as if "or (c)" is omitted.".

(3) In the table in the schedule—

(a) for the row relating to section 16, substitute—

"Section 16(1), (2), (3), (4)(a)(i), (ii), (iii), (v) and (4)(b)(i), (ii), (iii), and (v)	Further information for certain purposes: non-PVG scheme members"

(b) for the row relating to section 17, substitute—

"Section 17(1), (2), (3)(a), (b), (d), (4), (5) and (6)	Further information for certain purposes: PVG scheme members"

(c) for the row relating to paragraph 10(1) to (40), (44) to (51), (53) and (54) of schedule 5, substitute—

"Paragraphs 10(1) to (19), (21) to (32), (34) to (40), (44) to (51), (53) and (54) of schedule 5	Consequential and minor modifications"

(d) after the row relating to paragraph 10(1) to (40), (44) to (51), (53) and (54) of schedule 5, insert—

"Paragraph 10(20)(b) to (e) of schedule 5	Consequential and minor modifications
Paragraph 10(33)(b) of schedule 5	Consequential and minor modifications".

NATALIE DON-INNES
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
13th March 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Disclosure (Scotland) Act 2020 (Commencement No. 5, Saving and Transitional Provision) Regulations 2025 ("the Principal Regulations") and come into force on 31 March 2025.

Regulation 2(2) inserts transitional provision relating to sections 77 and 86 and paragraph 10(46) of schedule 5 of the Disclosure (Scotland) Act 2020 ("the Disclosure Act"), which are brought into force by the Principal Regulations on 1 April 2025. Sections 30(3A)(a), 30(3B), 46(2)(c) and 77 of the Protection of Vulnerable Groups (Scotland) Act 2007 are modified for a transitional period so that references to other new provisions, inserted by sections 72 and 76 of the Disclosure Act, are omitted until such time as those sections are brought into force.

Regulation 2(3) amends the table in the schedule of the Principal Regulations to set out which provisions in certain sections of the Disclosure Act come into force on 1 April 2025.

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