SCOTTISH STATUTORY INSTRUMENTS

2024 No. 315

PROTECTION OF VULNERABLE GROUPS

The Level 1 and Level 2 Disclosure Information (Scotland) Regulations 2024

Made - - - - 31st October 2024

Laid before the Scottish Parliament 4th November 2024

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1(a), 8(1)(a), 16(1)(b) and (2), 16(4)(a)(ii) and (v), 16(4)(b)(ii) and (v), 17(3)(d), 36(a), 59(1) and 69 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 Level 1 and Level 2 Disclosure Information (Scotland) Regulations 2024 and come into force on the same day as section 8 of the Disclosure Act.

Interpretation

2. In these Regulations—

"the 1995 Act" means the Children (Scotland) Act 1995(**b**),

"the 2000 Act" means the Adults with Incapacity (Scotland) Act 2000(**c**),

"the 2003 Act" means the Sexual Offences Act 2003(**d**),

"the 2005 Act" means the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005(**e**),

"the 2016 Act" means the Abusive Behaviour and Sexual Harm (Scotland) Act 2016(**f**),

"the Disclosure Act" means the Disclosure (Scotland) Act 2020,

"the PVG Act" means the Protection of Vulnerable Groups (Scotland) Act 2007(**g**),

"the Sentencing Code" means the code contained in the Sentencing Act 2020 (see section 1 of that Act)(**h**),

(**a**) 2020 asp 13. Section 69 contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.
(**b**) 1995 c. 36.
(**c**) 2000 asp 4.
(**d**) 2003 c. 42.
(**e**) 2005 asp 9.
(**f**) 2016 asp 22.
(**g**) 2007 asp 14.
(**h**) 2020 c. 17.

"school" has the meaning given in section 135(1) of the Education (Scotland) Act 1980(**a**),

"school care accommodation service" has the meaning given in paragraph 3 of schedule 12 of the Public Services Reform (Scotland) Act 2010(**b**).

Central records: prescribed details

3. Information in any form relating to—

(a) convictions held in the criminal history database of the Police Service of Scotland for the use of police forces generally,

(b) convictions and cautions on a names database held by a Minister of the Crown for the use of police forces generally,

(c) convictions and cautions held on the criminal records database of the Criminal Justice System Northern Ireland for the use of police forces generally,

is prescribed as "central records" for the purposes of section 69 of the Disclosure Act.

Level 1 disclosures: prescribed details of unspent convictions

4. The following details of an unspent conviction are prescribed for the purposes of section 1(a) of the Disclosure Act—

(a) the date of the conviction,

(b) the convicting court,

(c) the offence,

(d) the method of disposal for the offence.

Level 2 disclosures: prescribed details of criminal disposals

5. The following details of a criminal disposal are prescribed for the purposes of section 8(1)(a) of the Disclosure Act—

(a) in the case of a spent conviction, an unspent conviction or unspent childhood conviction—

(i) the date of the conviction,

(ii) the convicting court,

(iii) the offence,

(iv) the method of disposal for the offence,

(b) in the case of an unspent caution—

(i) the date of the caution,

(ii) the police force which gave the caution,

(iii) the offence which the person given the caution has admitted.

Level 2 disclosures (non-PVG scheme members): prescribed purposes relating to children or adults

6.—(1) For the purposes of section 16(1)(b) and (2)(a) of the Disclosure Act, the purpose of the disclosure will be a prescribed purpose relating to children where the disclosure relates to a matter or to an individual mentioned in paragraph (2).

(2) The matters and individuals referred to in paragraph (1) are—

(**a**) 1980 c. 44.
(**b**) 2010 asp 8.

(a) an individual seeking appointment to a panel established by virtue of section 101(1) of the 1995 Act(**a**) (panel for curators ad litem, reporting officers and safeguarders),

(b) an individual being assessed by an adoption agency as to their suitability to adopt a child (this sub-paragraph and sub-paragraph (c) being construed in accordance with sections 1 and 119(1) and (2) of the Adoption and Children (Scotland) Act 2007(**b**)),

(c) an individual over the age of 16 residing in the same household as an individual being assessed by an adoption agency as to their suitability to adopt a child,

(d) proceedings before the Court of Session or a sheriff court in respect of a guardianship order made under section 11 of the 1995 Act(**c**),

(e) an individual over the age of 16 who—

(i) resides on the same premises as an individual being assessed as to their suitability to be a childminder within the meaning of paragraph 12(1) of schedule 12 to the Public Services Reform (Scotland) Act 2010 where the child minding normally takes place on those premises, or

(ii) regularly works on those premises at a time when the child minding takes place,

(f) an individual over the age of 16 residing in the same household as an individual being assessed as to their suitability to be a foster carer within the meaning of section 96 of the PVG Act(**d**),

(g) an individual over the age of 16 residing in the same household as an individual being assessed as to their suitability to be in charge of or caring for children, within the meaning of paragraph 12 of schedule 2 of the PVG Act(**e**), where that activity takes place solely or mainly on the household premises,

(h) an individual over the age of 16 who—

(i) resides in residential accommodation where a school care accommodation service is being provided,

(ii) is not a pupil to whom the school care accommodation service is being provided,

(iii) is not employed by the school, and

(iv) is not being assessed as to their suitability to carry out a regulated role with children,

(i) an individual who is being assessed for suitability to provide accommodation to a person who has permission to enter into or to stay in the United Kingdom granted under the immigration rules(**f**), as defined in section 33(1) of the Immigration Act 1971(**g**), in relation to the Homes for Ukraine Sponsorship Scheme,

(j) an individual over the age of 16 who—

(i) resides in the same household as an individual referred to in sub-paragraph (i), and

(ii) resides in the accommodation which is being provided.

(**a**) Section 101(1) was amended by section 75 of the Regulation of Care (Scotland) Act 2001 (asp 8), paragraph 9(9) of schedule 2 of the Adoption and Children (Scotland) Act 2007 (asp 4) and schedule 6 of the Children's Hearings (Scotland) Act 2011 (asp 1).

(**b**) 2007 asp 4. There are amendments to section 119(1) which are not relevant to these Regulations.

(**c**) Section 11 was amended by section 24 of the Family Law (Scotland) Act 2006 (asp 2), section 107, paragraph 9(2) of schedule 2 and schedule 3 of the Adoption and Children (Scotland) Act 2007 (asp 4), paragraph 52 of schedule 6 of the Human Fertilisation and Embryology Act 2008 (c. 22), section 15(2) of the Children (Scotland) Act 2020 (asp 16) and S.S.I. 2005/42, S.S.I. 2016/251 and S.I. 2018/987.

(**d**) Section 96 was amended by paragraph 10(51) and paragraph 12(9) of schedule 5 of the Disclosure (Scotland) Act 2020 ("the Disclosure Act").

(**e**) Schedule 2 was substituted by section 74(3) and schedule 3 of the Disclosure Act.

(**f**) The rules in relation to the Homes for Ukraine Sponsorship Scheme are set out at UKR 11.1 to UKR 20.2 of the Immigration Rules Appendix Ukraine Scheme (HC 395) (https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-ukraine-scheme.) "Permission to enter" and "permission to stay" are defined at paragraph 6.2 of the Immigration Rules: Introduction (https://www.gov.uk/guidance/immigration-rules/immigration-rules-introduction).

(**g**) 1971 c. 77. There are amendments to section 33(1) which are not relevant to these Regulations.

(3) For the purposes of section 16(1)(b) and (2)(b) of the Disclosure Act, the purpose of the disclosure will be a prescribed purpose relating to adults where the disclosure relates to a matter or to an individual mentioned in paragraph (4).

(4) The matters and individuals referred to in paragraph (3) are—

(a) proceedings before the sheriff under section 20 of the 2000 Act,

(b) proceedings before the Public Guardian or the sheriff under Part 3 of the 2000 Act(**a**),

(c) proceedings before the sheriff in respect of intervention orders or guardianship orders within the meaning of section 87(1) of the 2000 Act(**b**),

(d) an individual over the age of 16 residing in the same household as an individual being assessed as to their suitability to be a shared lives carer within the meaning of paragraph 24 of schedule 3 of the PVG Act(**c**),

(e) an individual who is being assessed for suitability to provide accommodation to a person who has permission to enter into or to stay in the United Kingdom granted under the immigration rules, as defined under section 33(1) of the Immigration Act 1971, in relation to the Homes for Ukraine Sponsorship Scheme,

(f) an individual over the age of 16 who—

(i) resides in the same household as an individual referred to in sub-paragraph (e), and

(ii) resides in the accommodation which is being provided.

Level 2 disclosures (non-PVG scheme members): prescribed details of circumstances in which an applicant is barred

7.—(1) For the purposes of section 16(4)(a)(ii) of the Disclosure Act, the detail of the list under which the applicant is barred from regulated roles with children is prescribed.

(2) For the purposes of section 16(4)(b)(ii) of the Disclosure Act, the detail of the list under which the applicant is barred from regulated roles with adults is prescribed.

Level 2 disclosures (non-PVG scheme members): prescribed court orders and prescribed details of court orders

8.—(1) Where the purpose of the disclosure is one relating to children—

(a) the civil court orders set out in Part 1 of schedule 1,

(b) the details of the civil court orders referred to in sub-paragraph (a) set out in Part 2 of schedule 1,

are prescribed for the purposes of section 16(4)(a)(v) of the Disclosure Act.

(2) Where the purpose of the disclosure is one relating to adults—

(a) the civil court orders set out in Part 3 of schedule 1,

(b) the details of the civil court orders referred to in sub-paragraph (a) set out in Part 4 of schedule 1,

are prescribed for the purposes of section 16(4)(b)(v) of the Disclosure Act.

Level 2 disclosures (PVG scheme members): prescribed civil court orders and prescribed details of civil court orders

9. For the purposes of section 17(3)(d) of the Disclosure Act the following are prescribed—

(a) the civil court orders set out in Part 1 of schedule 2,

(**a**) Part 3 was substituted by section 58 of the Adult Support and Protection (Scotland) Act 2007 (asp 10).
(**b**) There are amendments to section 87(1) which are not relevant to these Regulations.
(**c**) Schedule 3 was substituted by section 74(4) and schedule 4 of the Disclosure (Scotland) Act 2020 (asp 13).

(b) the details of the civil court orders referred to in sub-paragraph (a) set out in Part 2 of schedule 2.

Evidence of identity: fingerprints

10.—(1) All police stations in the United Kingdom are prescribed as places at which fingerprints may be taken for the purposes of section 59(1) of the Disclosure Act.

(2) Where the Scottish Ministers require an application under Part 1 to be supported by evidence of identity in the form of fingerprints under section 57(1) of the Disclosure Act, they must notify the applicant of this requirement and of the procedures set out in paragraphs (4) to (8).

(3) The procedures set out in paragraphs (4) to (8) are prescribed as the manner in which fingerprints may be taken for the purposes of section 59(1) of the Disclosure Act.

(4) Within 28 days of the date of a notice under paragraph (2), an applicant must provide the Scottish Ministers with the information set out in paragraph (5).

(5) The information is—

(a) where the applicant is—

(i) aged 16 years or over, that the applicant consents to the taking of their fingerprints, or

(ii) under the age of 16 years, that the applicant and the responsible person consent to the taking of the applicant's fingerprints, and

(b) the police station in the United Kingdom ("the nominated police station") at which the applicant proposes to attend for the purpose of having their fingerprints taken.

(6) The information in paragraph (5) must be given to the Scottish Ministers—

(a) in writing, and

(b) within the period specified in paragraph (4),

otherwise the application will be considered to have been withdrawn.

(7) The Scottish Ministers may, in such circumstances as they consider appropriate, specify another police station ("the specified police station") in place of the nominated police station.

(8) Any constable of the nominated police station, or of the specified police station, may take the applicant's fingerprints at the nominated police station, or at the specified police station, on such date and at such time notified to the applicant.

(9) In this regulation "responsible person" means—

(a) a person having, in relation to the applicant, parental responsibilities (within the meaning of section 1(3) of the 1995 Act) or parental rights (within the meaning of section 2(4) of that Act(**a**)),

(b) in England and Wales the applicant's parent, guardian or other person having parental responsibility for the applicant within the meaning of section 3 of the Children Act 1989(**b**), or

(c) in Northern Ireland, a person having, in relation to the applicant, parental responsibilities (within the meaning of article 6 of the Children (Northern Ireland) Order 1995(**c**)).

(10) Any notice or notification given under this regulation may be given by electronic means.

NATALIE DON-INNES
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
31st October 2024

(**a**) 1995 c. 36. There are amendments to sections 1 and 2 which are not relevant to these Regulations.
(**b**) 1989 c. 41.
(**c**) 1995 No. 755 (N.I. 2).

SCHEDULE 1

Regulation 8

Level 2 disclosures (non-PVG scheme members)

PART 1

Prescribed civil court orders where the purpose of the disclosure is one relating to children

1. A notification order made under section 97(5) of the 2003 Act(**a**).

2. An interim notification order, made under section 100(3) of the 2003 Act(**b**).

3. A sexual harm prevention order made under—

(a) section 103A(1) of the 2003 Act(**c**), or

(b) Chapter 2 of Part 11 of the Sentencing Code(**d**).

4. An interim sexual harm prevention order made under section 103F(3) of the 2003 Act(**e**).

5. A sexual harm prevention order made under section 11(2) or 12(1) of the 2016 Act(**f**).

6. An interim sexual harm prevention order made under section 21(1) of the 2016 Act.

7. A sexual offences prevention order made under section 104(1) or 105(3) of the 2003 Act(**g**).

8. An interim sexual offences prevention order made under section 109(3) of the 2003 Act(**h**).

9. A foreign travel order, made under section 114(3) of the 2003 Act(**i**).

10. A sexual risk order made under section 122A(6) of the 2003 Act(**j**).

11. An interim sexual risk order made under section 122E(3) of the 2003 Act(**k**).

12. A sexual risk order made under made under section 27(1) of the 2016 Act.

13. An interim sexual risk order made under section 31(1) of the 2016 Act.

14. A risk of sexual harm order made under section 123(4) of the 2003 Act(**l**).

(**a**) 2003 c. 42. Section 97(5) was amended by section 170(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**b**) Section 100(3) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) ("the 2013 Act") and in England and Wales by section 169(5) of the 2022 Act.

(**c**) Section 103A(1) was inserted by paragraph 2 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").

(**d**) Chapter 2 of Part 11 was amended by sections 173(1) and (2), 175(2) to (6), 177(1), 182(1) and 183 and paragraphs 3 and 5 of schedule 18 of the 2022 Act.

(**e**) Section 103F(3) was inserted by paragraph 2 of schedule 5 of the 2014 Act and was amended by section 175(12) of the 2022 Act.

(**f**) 2016 asp 22.

(**g**) Sections 104(1) and 105(3) were repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**h**) Section 109(3) was amended by section 5(4) of the 2013 Act, repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act, and repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**i**) Section 114(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**j**) Section 122A(6) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 174(3) of the 2022 Act.

(**k**) Section 122E(3) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(5) of the 2022 Act.

(**l**) Section 123(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

15. An interim risk of sexual harm order made under section 126(3) of the 2003 Act(**a**).

16. A risk of sexual harm order made under section 2(6) of the 2005 Act(**b**).

17. An interim risk of sexual harm order made under section 5(3) of the 2005 Act(**c**).

PART 2

Prescribed details of civil court orders where the purpose of the disclosure is one relating to children

18. If a notification order, made under section 97(5) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the notification period applying to the applicant by virtue of section 98(1)(b) of that Act(**d**).

19. If an interim notification order, made under section 100(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the period for which that order has effect by virtue of section 100(4) of that Act(**e**).

20. If a sexual harm prevention order, made under section 103A(1) of the 2003 Act or Chapter 2 of Part 11 of the Sentencing Code, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements described in that order have effect by virtue of—

(i) section 103C(2) or, as the case may be, 103D(1) of the 2003 Act(**f**), or

(ii) section 347(2) or, as the case may be, 348(1) of the Sentencing Code(**g**),

(d) details as to whether that order has been varied or renewed under section 103E(5) of the 2003 Act(**h**) or, as the case may be, section 350(6) of the Sentencing Code(**i**).

21. If an interim sexual harm prevention order, made under section 103F(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 103F(4) of that Act,

(d) details as to whether that order has been varied or renewed under section 103F(5) of that Act.

(**a**) Section 126(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").

(**b**) 2005 asp 9. Section 2(6) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 5(3) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**d**) Section 98(1)(b) was amended by section 170(3) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**e**) Section 100(4) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) and in England and Wales by section 169(5) of the 2022 Act.

(**f**) Sections 103C and 103D were inserted by paragraph 2 of schedule 5 of the 2014 Act. Section 103C(2) was amended by section 175(9) of the 2022 Act.

(**g**) Section 347(2) was amended by section 175(3) of the 2022 Act.

(**h**) Section 103E(5) was amended by section 175(11) of the 2022 Act.

(**i**) Section 350(6) was amended by section 175(5) of the 2022 Act.

22. If a sexual harm prevention order, made under section 11(2) or 12(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 16(3) or, as the case may be, 17(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 20(1) of that Act.

23. If an interim sexual harm prevention order, made under section 21(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 21(5) of that Act,

(d) details as to whether that order has been varied or renewed under section 21(10) of that Act.

24. If a sexual offences prevention order, made under section 104(1) or 105(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 107(1)(b) of that Act(**a**),

(d) details as to whether that order has been varied or renewed under section 108(4) of that Act(**b**).

25. If an interim sexual offences prevention order, made under section 109(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 109(4) of that Act(**c**),

(d) details as to whether that order has been varied or renewed under section 109(6) of that Act(**d**).

26. If a foreign travel order, made under section 114(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions specified in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 117(1) of that Act(**e**),

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(**a**) Section 107(1)(b) was repealed in England and Wales by paragraph 3 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 108(4) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 109(4) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**d**) Section 109(6) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**e**) Section 117(1) was amended by section 24(1) of the Policing and Crime Act 2009 (c. 26), repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act, and repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(d) details as to whether that order has been varied or renewed under section 118(3) of that Act(**a**).

27. If a sexual risk order, made under section 122A(6) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order, or each of the prohibitions and requirements described in that order, have effect by virtue of section 122A(8) or, as the case may be, 122C(1) of that Act(**b**),

(d) details as to whether that order has been varied or renewed under section 122D(4) of that Act(**c**).

28. If an interim sexual risk order, made under section 122E(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 122E(4) of that Act,

(d) details as to whether that order has been varied or renewed under section 122E(5) of that Act.

29. If a sexual risk order, made under section 27(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 28(3) or, as the case may be, 29(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 30(1) of that Act.

30. If an interim sexual risk order, made under section 31(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 31(5) of that Act,

(d) details as to whether that order has been varied or renewed under section 31(9) of that Act.

31. If a risk of sexual harm order, made under section 123(4) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 123(5)(b) of that Act(**d**),

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(**a**) Section 118(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 122A(8) was amended by section 176(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act"). Section 122C was inserted by paragraph 4 of schedule 5 of the 2014 Act.

(**c**) Section 122D(4) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(4) of the 2022 Act.

(**d**) Section 123(5)(b) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(d) details as to whether that order has been varied or renewed under section 125(3) of that Act(**a**).

32. If an interim risk of sexual harm order, made under section 126(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 126(4) of that Act(**b**),

(d) details as to whether that order has been varied or renewed under section 126(5) of that Act(**c**).

33. If a risk of sexual harm order, made under section 2(6) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 2(7)(b) of that Act(**d**),

(d) details as to whether that order has been varied or renewed under section 4(3) of that Act(**e**).

34. If an interim risk of sexual harm order, made under section 5(3) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 5(5) of that Act(**f**),

(d) details as to whether that order has been varied or renewed under section 5(6) of that Act(**g**).

PART 3

Prescribed civil court orders where the purpose of the disclosure is one relating to adults

35. A notification order made under section 97(5) of the 2003 Act(**h**).

36. An interim notification order made under section 100(3) of the 2003 Act(**i**).

37. A sexual harm prevention order made under—

(a) section 103A(1) of the 2003 Act(**j**), or

(**a**) Section 125(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 and amended by paragraph 71(2) of schedule 11 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").
(**b**) Section 126(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**c**) Section 126(5) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**d**) Section 2(7) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.
(**e**) Section 4(3) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.
(**f**) Section 5(5) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.
(**g**) Section 5(6) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.
(**h**) 2003 c. 42. Section 97(5) was amended by section 170(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").
(**i**) Section 100(3) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) and in England and Wales by section 169(5) of the 2022 Act.
(**j**) Section 103A(1) was inserted by paragraph 2 of schedule 5 of the 2014 Act.

(b) Chapter 2 of Part 11 of the Sentencing Code(**a**).

38. An interim sexual harm prevention order made under section 103F(3) of the 2003 Act(**b**).

39. A sexual harm prevention order made under section 11(2) or 12(1) of the 2016 Act(**c**).

40. An interim sexual harm prevention order made under section 21(1) of the 2016 Act.

41. A sexual offences prevention order made under section 104(1) or 105(3) of the 2003 Act(**d**).

42. An interim sexual offences prevention order made under section 109(3) of the 2003 Act(**e**).

43. A foreign travel order made under section 114(3) of the 2003 Act(**f**).

44. A sexual risk order made under section 122A(6) of the 2003 Act(**g**).

45. An interim sexual risk order made under section 122E(3) of the 2003 Act(**h**).

46. A sexual risk order made under made under section 27(1) of the 2016 Act.

47. An interim sexual risk order made under section 31(1) of the 2016 Act.

48. A risk of sexual harm order made under section 123(4) of the 2003 Act(**i**).

49. An interim risk of sexual harm order made under section 126(3) of the 2003 Act(**j**).

50. A risk of sexual harm order made under section 2(6) of the 2005 Act(**k**).

51. An interim risk of sexual harm order made under section 5(3) of the 2005 Act(**l**).

PART 4

Prescribed details of civil court orders where the purpose of the disclosure is one relating to adults

52. If a notification order, made under section 97(5) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the notification period applying to the applicant by virtue of section 98(1)(b) of that Act(**m**).

(**a**) Chapter 2 of Part 11 was amended by sections 173(1) and (2), 175(2) to (6), 177(1), 182(1) and 183 and paragraphs 3 and 5 of schedule 18 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**b**) Section 103F(3) was inserted by paragraph 2 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and was amended by section 175(12) of the 2022 Act.

(**c**) 2016 asp 22.

(**d**) Sections 104(1) and 105(3) were repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**e**) Section 109(3) was amended by section 5(4) of the Criminal Justice Act (Northern Ireland) 2013 (c. 7), repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act, and repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**f**) Section 114(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**g**) Section 122A(6) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 174(3) of the 2022 Act.

(**h**) Section 122E(3) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(5) of the 2022 Act.

(**i**) Section 123(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(**j**) Section 126(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(**k**) 2005 asp 9. Section 2(6) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**l**) Section 5(3) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**m**) Section 98(1)(b) was amended by section 170(3) of the 2022 Act.

53. If an interim notification order, made under section 100(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the period for which that order has effect by virtue of section 100(4) of that Act(**a**).

54. If a sexual harm prevention order, made under section 103A(1) of the 2003 Act or Chapter 2 of Part 11 of the Sentencing Code, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements described in that order have effect by virtue of—

(i) section 103C(2) or, as the case may be, 103D(1) of the 2003 Act(**b**), or

(ii) section 347(2) or, as the case may be, 348(1) of the Sentencing Code(**c**),

(d) details as to whether that order has been varied or renewed under section 103E(5) of the 2003 Act(**d**) or, as the case may be, section 350(6) of the Sentencing Code(**e**).

55. If an interim sexual harm prevention order, made under section 103F(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 103F(4) of that Act,

(d) details as to whether that order has been varied or renewed under section 103F(5) of that Act.

56. If a sexual harm prevention order, made under section 11(2) or 12(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 16(3) or, as the case may be, 17(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 20(1) of that Act.

57. If an interim sexual harm prevention order, made under section 21(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 21(5) of that Act,

(d) details as to whether that order has been varied or renewed under section 21(10) of that Act.

58. If a sexual offences prevention order, made under section 104(1) or 105(3) of the 2003 Act, is in effect in respect of the applicant—

(**a**) Section 100(4) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) and in England and Wales by section 169(5) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**b**) Sections 103C and 103D were inserted by paragraph 2 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14). Section 103C(2) was amended by section 175(9) of the 2022 Act.

(**c**) Section 347(2) was amended by section 175(3) of the 2022 Act.

(**d**) Section 103E(5) was amended by section 175(11) of the 2022 Act.

(**e**) Section 350(6) was amended by section 175(5) of the 2022 Act.

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 107(1)(b) of that Act(**a**),

(d) details as to whether that order has been varied or renewed under section 108(4) of that Act(**b**).

59. If an interim sexual offences prevention order, made under section 109(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 109(4) of that Act(**c**),

(d) details as to whether that order has been varied or renewed under section 109(6) of that Act(**d**).

60. If a foreign travel order, made under section 114(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions specified in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 117(1) of that Act(**e**),

(d) details as to whether that order has been varied or renewed under section 118(3) of that Act(**f**).

61. If a sexual risk order, made under section 122A(6) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order, or each of the prohibitions and requirements described in that order, have effect by virtue of section 122A(8) or, as the case may be, 122C(1) of that Act(**g**),

(d) details as to whether that order has been varied or renewed under section 122D(4) of that Act(**h**).

62. If an interim sexual risk order, made under section 122E(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 122E(4) of that Act,

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(**a**) Section 107(1)(b) was repealed in England and Wales by paragraph 3 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 108(4) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 109(4) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**d**) Section 109(6) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**e**) Section 117(1) was amended by section 24(1) of the Policing and Crime Act 2009 (c. 26), repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**f**) Section 118(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**g**) Section 122A(8) was amended by section 176(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act"). Section 122C was inserted by paragraph 4 of schedule 5 of the 2014 Act.

(**h**) Section 122D(4) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(4) of the 2022 Act.

(d) details as to whether that order has been varied or renewed under section 122E(5) of that Act.

63. If a sexual risk order, made under section 27(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 28(3) or, as the case may be, 29(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 30(1) of that Act.

64. If an interim sexual risk order, made under section 31(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 31(5) of that Act,

(d) details as to whether that order has been varied or renewed under section 31(9) of that Act.

65. If a risk of sexual harm order, made under section 123(4) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 123(5)(b) of that Act(**a**),

(d) details as to whether that order has been varied or renewed under section 125(3) of that Act(**b**).

66. If an interim risk of sexual harm order, made under section 126(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 126(4) of that Act(**c**),

(d) details as to whether that order has been varied or renewed under section 126(5) of that Act(**d**).

67. If a risk of sexual harm order, made under section 2(6) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 2(7)(b) of that Act(**e**),

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(**a**) Section 123(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").
(**b**) Section 125(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**c**) Section 126(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**d**) Section 126(5) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**e**) Section 2(7) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) subject to the saving and transitional provision in section 40 of that Act.

(d) details as to whether that order has been varied or renewed under section 4(3) of that Act(**a**).

68. If an interim risk of sexual harm order, made under section 5(3) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 5(5) of that Act(**b**),

(d) details as to whether that order has been varied or renewed under section 5(6) of that Act(**c**).

(**a**) Section 4(3) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act) subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 5(5) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 5(6) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

SCHEDULE 2

Regulation 9

Level 2 disclosures (PVG scheme members)

PART 1

Prescribed civil court orders

1. A notification order made under section 97(5) of the 2003 Act(**a**).

2. An interim notification order made under section 100(3) of the 2003 Act(**b**).

3. A sexual harm prevention order made under—

(a) section 103A(1) of the 2003 Act(**c**), or

(b) Chapter 2 of Part 11 of the Sentencing Code(**d**).

4. An interim sexual harm prevention order made under section 103F(3) of the 2003 Act(**e**).

5. A sexual harm prevention order made under section 11(2) or 12(1) of the 2016 Act(**f**).

6. An interim sexual harm prevention order made under section 21(1) of the 2016 Act.

7. A sexual offences prevention order made under section 104(1) or 105(3) of the 2003 Act(**g**).

8. An interim sexual offences prevention order made under section 109(3) of the 2003 Act(**h**).

9. A foreign travel order made under section 114(3) of the 2003 Act(**i**).

10. A sexual risk order made under section 122A(6) of the 2003 Act(**j**).

11. An interim sexual risk order made under section 122E(3) of the 2003 Act(**k**).

12. A sexual risk order made under made under section 27(1) of the 2016 Act.

13. An interim sexual risk order made under section 31(1) of the 2016 Act.

14. A risk of sexual harm order made under section 123(4) of the 2003 Act(**l**).

(**a**) 2003 c. 42. Section 97(5) was amended by section 170(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**b**) Section 100(3) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) ("the 2013 Act") and in England and Wales by section 169(5) of the 2022 Act.

(**c**) Section 103A(1) was inserted by paragraph 2 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").

(**d**) Chapter 2 of Part 11 was amended by sections 173(1) and (2), 175(2) to (6), 177(1), 182(1) and 183 and paragraphs 3 and 5 of schedule 18 of the 2022 Act.

(**e**) Section 103F(3) was inserted by paragraph 2 of schedule 5 of the 2014 Act and was amended by section 175(12) of the 2022 Act.

(**f**) 2016 asp 22.

(**g**) Sections 104(1) and 105(3) were repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**h**) Section 109(3) was amended by section 5(4) of the 2013 Act, repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act, and was repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**i**) Section 114(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**j**) Section 122A(6) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by sections 174(3) of the 2022 Act.

(**k**) Section 122E(3) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(5) of the 2022 Act.

(**l**) Section 123(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

15. An interim risk of sexual harm order made under section 126(3) of the 2003 Act(**a**).

16. A risk of sexual harm order made under section 2(6) of the 2005 Act(**b**).

17. An interim risk of sexual harm order made under section 5(3) of the 2005 Act(**c**).

PART 2

Prescribed details of civil court orders

18. If a notification order, made under section 97(5) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the notification period applying to the applicant by virtue of section 98(1)(b) of that Act(**d**).

19. If an interim notification order made under section 100(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the date of that order,

(b) the period for which that order has effect by virtue of section 100(4) of that Act(**e**).

20. If a sexual harm prevention order, made under section 103A(1) of the 2003 Act or Chapter 2 of Part 11 of the Sentencing Code, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements described in that order have effect by virtue of—

(i) section 103C(2) or, as the case may be, 103D(1) of the 2003 Act(**f**), or

(ii) section 347(2) or, as the case may be, 348(1) of the Sentencing Code(**g**),

(d) details as to whether that order has been varied or renewed under section 103E(5) of the 2003 Act(**h**) or, as the case may be, section 350(6) of the Sentencing Code(**i**).

21. If an interim sexual harm prevention order, made under section 103F(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 103F(4) of that Act,

(d) details as to whether that order has been varied or renewed under section 103F(5) of that Act.

(**a**) Section 126(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").

(**b**) 2005 asp 9. Section 2(6) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 5(3) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**d**) Section 98(1)(b) was amended by section 170(3) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**e**) Section 100(4) was repealed in Northern Ireland by Part 1 of schedule 4 of the Criminal Justice Act (Northern Ireland) 2013 (c. 7) and in England and Wales by section 169(5) of the 2022 Act.

(**f**) Sections 103C and 103D were inserted by paragraph 2 of schedule 5 of the 2014 Act. Section 103C(2) was amended by section 175(9) of the 2022 Act.

(**g**) Section 347(2) was amended by section 175(3) of the 2022 Act.

(**h**) Section 103E(5) was amended by section 175(11) of the 2022 Act.

(**i**) Section 350(6) was amended by section 175(5) of the 2022 Act.

22. If a sexual harm prevention order, made under section 11(2) or 12(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 16(3) or, as the case may be, 17(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 20(1) of that Act.

23. If an interim sexual harm prevention order, made under section 21(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 21(5) of that Act.

(d) details as to whether that order has been varied or renewed under section 21(10) of that Act,

24. If a sexual offences prevention order, made under section 104(1) or 105(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 107(1)(b) of that Act(**a**),

(d) details as to whether that order has been varied or renewed under section 108(4) of that Act(**b**).

25. If an interim sexual offences prevention order, made under section 109(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 109(4) of that Act(**c**),

(d) details as to whether that order has been varied or renewed under section 109(6) of that Act(**d**).

26. If a foreign travel order, made under section 114(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions specified in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 117(1) of that Act(**e**),

---

(**a**) Section 107(1)(b) was repealed in England and Wales by paragraph 3 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 108(4) was repealed in England and Wales by paragraph 3 of schedule 5 of 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**c**) Section 109(4) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**d**) Section 109(6) was repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**e**) Section 117(1) was amended by section 24(1) of the Policing and Crime Act 2009 (c. 26), repealed in England and Wales by paragraph 3 of schedule 5 of the 2014 Act and repealed in Scotland by section 39(1) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(d) details as to whether that order has been varied or renewed under section 118(3) of that Act(**a**).

27. If a sexual risk order, made under section 122A(6) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order, or each of the prohibitions and requirements described in that order, have effect by virtue of section 122A(8) or, as the case may be, 122C(1) of that Act(**b**),

(d) details as to whether that order has been varied or renewed under section 122D(4) of that Act(**c**).

28. If an interim sexual risk order, made under section 122E(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 122E(4) of that Act,

(d) details as to whether that order has been varied or renewed under section 122E(5) of that Act.

29. If a sexual risk order, made under section 27(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 28(3) or, as the case may be, 29(1) of that Act,

(d) details as to whether that order has been varied or renewed under section 30(1) of that Act.

30. If an interim sexual risk order, made under section 31(1) of the 2016 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements contained in that order,

(b) the date of that order,

(c) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 31(5) of that Act,

(d) details as to whether that order has been varied or renewed under section 31(9) of that Act.

31. If a risk of sexual harm order, made under section 123(4) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 123(5)(b) of that Act(**d**),

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(**a**) Section 118(3) was repealed in England and Wales by paragraph 3 of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act") and in Scotland by section 39(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) subject to the saving and transitional provision in section 40 of that Act.

(**b**) Section 122A(8) was amended by section 176(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act"). Section 122C was inserted by paragraph 4 of schedule 5 of the 2014 Act.

(**c**) Section 122D(4) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 176(4) of the 2022 Act.

(**d**) Section 123(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(d) details as to whether that order has been varied or renewed under section 125(3) of that Act(**a**).

32. If an interim risk of sexual harm order, made under section 126(3) of the 2003 Act, is in effect in respect of the applicant—

(a) the prohibitions described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 126(4) of that Act(**b**),

(d) details as to whether that order has been varied or renewed under section 126(5) of that Act(**c**).

33. If a risk of sexual harm order, made under section 2(6) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 2(7)(b) of that Act(**d**),

(d) details as to whether that order has been varied or renewed under section 4(3) of that Act(**e**).

34. If an interim risk of sexual harm order, made under section 5(3) of the 2005 Act, is in effect in respect of the applicant—

(a) the prohibitions and requirements described in that order,

(b) the date of that order,

(c) the period for which that order has effect by virtue of section 5(5) of that Act(**f**),

(d) details as to whether that order has been varied or renewed under section 5(6) of that Act(**g**).

(**a**) Section 125(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 14) ("the 2014 Act").

(**b**) Section 126(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(**c**) Section 126(5) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.

(**d**) Section 2(7) was repealed by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**e**) Section 4(3) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**f**) Section 5(5) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

(**g**) Section 5(6) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make detailed provision in relation to the information which may be included in Level 1 and Level 2 disclosures under Part 1 of the Disclosure (Scotland) Act 2020 ("the Disclosure Act").

Regulation 3 prescribes the information databases that are central records for the purposes of Part 1 of the Disclosure Act.

Regulation 4 prescribes the details of unspent convictions which are included on Level 1 disclosures.

Regulation 5 prescribes the details of criminal disposals which are included on Level 2 disclosures.

Regulation 6 prescribes the purposes for which further information will be included on a Level 2 disclosure where the applicant is not a PVG scheme member but the purpose of the disclosure is one relating to either children or adults. That further information is:

— prescribed details of circumstances in which the applicant became barred from regulated roles with children and/or adults (regulation 7),

— prescribed civil court orders and the prescribed details relating to those orders (regulation 8 and schedule 1).

Regulation 9 and schedule 2 prescribe the civil court orders for inclusion on Level 2 disclosures relating to PVG scheme members and the prescribed details relating to those orders.

Regulation 10 makes provision in relation to the taking of fingerprints from applicants where the Scottish Ministers require them for the purposes of ascertaining the identity of an applicant.

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