SCOTTISH STATUTORY INSTRUMENTS

2024 No. 314

PROTECTION OF VULNERABLE GROUPS

The Protection of Vulnerable Groups (Information for Listing and Vetting) (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 18(4)(b) and (5)(c) and 49(1)(a) of the Protection of Vulnerable Groups (Scotland) Act 2007(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Protection of Vulnerable Groups (Information for Listing and Vetting) (Scotland) Regulations 2024 and come into force on the same day as paragraph 5(2) and (13)(a)(i) of schedule 5 (consequential and minor modifications) of the Disclosure Act.

Interpretation

2. In these Regulations—

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

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

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

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

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

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

"spent" in relation to a conviction means spent for the purpose of the Rehabilitation of Offenders Act 1974(**g**).

(**a**) 2007 asp 14. Section 97(1) contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.
(**b**) 2003 c. 42.
(**c**) 2005 asp 9.
(**d**) 2016 asp 22.
(**e**) 2020 asp 13.
(**f**) 2020 c. 17.
(**g**) 1974 c. 53.

Information for listing: prescribed civil court orders

3. The civil court orders set out in Part 1 of schedule 1 are prescribed for the purposes of the definition of "relevant matter" in section 18(5) (police information etc.) of the PVG Act(**a**).

Information for listing: prescribed details of every relevant matter

4. The details of a relevant matter set out Part 2 of schedule 1 are prescribed for the purposes of section 18(4)(b) (police information etc.) of the PVG Act(**b**).

Vetting information: prescribed details of every relevant matter

5. The details of a relevant matter set out in schedule 2 are prescribed for the purposes of section 49(1)(a) (vetting information) of the PVG Act(**c**).

NATALIE DON-INNES
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
31st October 2024

(**a**) Section 18(5) was inserted by paragraph 5(2)(a) of schedule 5 of the Disclosure (Scotland) Act 2020 (asp 13) ("the Disclosure Act").
(**b**) Section 18(4)(b) was substituted by paragraph 5(2)(b) of the Disclosure Act.
(**c**) Section 49(1)(a) was substituted by paragraph 5(3)(a) of the Disclosure Act.

SCHEDULE 1

Regulations 3 and 4

Information for listing

PART 1

Prescribed 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 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 every relevant matter

18. In the case of a conviction, including a spent conviction—

(a) the date of the conviction,

(b) the convicting court,

(c) the offence,

(d) the method of disposal for the offence.

19. In the case of a caution—

(a) the date of the caution,

(b) the police force which gave the caution,

(c) the offence which the person given the caution had admitted.

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

(a) the date of that order,

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

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

(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**).

22. 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 individual—

(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**),

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(**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.

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

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

(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 103F(4) of that Act,

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

24. 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 individual—

(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.

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

(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.

26. 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 individual—

(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(**c**),

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

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

(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(**e**),

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(**a**) Section 103E(5) was amended by section 175(11) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

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

(**c**) 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.

(**d**) 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.

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

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

(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(**b**),

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

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

(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(**d**),

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

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

(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.

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

(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.

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

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

(b) the date of that order,

(**a**) Section 109(6) 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 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 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 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.

(**d**) 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(1) was inserted by paragraph 4 of schedule 5 of the 2014 Act.

(**e**) 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.

(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.

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

(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**).

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

(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**).

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

(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**),

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

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

(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(**g**),

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

(**a**) Section 123(5)(b) 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 and amended by paragraph 71(2) of schedule 11 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) ("the 2016 Act") subject to the saving and transitional provision in section 40 of that Act.

(**f**) 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.

(**g**) 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.

(**h**) 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 5

Vetting information: prescribed details of every relevant matter

1. In the case of a conviction, including a spent conviction—

(a) the date of the conviction,

(b) the convicting court,

(c) the offence,

(d) the method of disposal for the offence.

2. In the case of a caution—

(a) the date of the caution,

(b) the police force which gave the caution,

(c) the offence which the person given the caution had admitted.

3. If a notification order, made under section 97(5) of the 2003 Act(**a**), is in effect in respect of the scheme member—

(a) the date of that order,

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

4. If an interim notification order, made under section 100(3) of the 2003 Act(**c**), is in effect in respect of the scheme member—

(a) the date of that order,

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

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

(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(**g**), or

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

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

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

(**c**) 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.

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

(**e**) 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").

(**f**) Chapter 2 of Part 11 has been amended by sections 173(1) and (2), 172(2) to (6) and 177(1), 182(1), 183 and paragraphs 3 and 5 of schedule 18 of the 2022 Act.

(**g**) 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.

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

(**i**) Section 103E(5) was amended by section 175(11) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

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

6. If an interim sexual harm prevention order, made under section 103F(3) of the 2003 Act(**a**), is in effect in respect of the scheme member—

(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.

7. If a sexual harm prevention order, made under section 11(2) or 12(1) of the 2016 Act(**b**), is in effect in respect of the scheme member—

(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.

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

(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.

9. If a sexual offences prevention order, made under section 104(1) or 105(3) of the 2003 Act(**c**), is in effect in respect of the scheme member—

(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(**d**),

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

10. If an interim sexual offences prevention order, made under section 109(3) of the 2003 Act(**f**), is in effect in respect of the scheme member—

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

(b) the date of that order,

(**a**) 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.

(**b**) 2016 asp 22.

(**c**) Section 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.

(**d**) Section 107(1)(b) 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 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.

(**f**) 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.

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

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

11. If a foreign travel order, made under section 114(3) of the 2003 Act(**c**), is in effect in respect of the scheme member—

(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(**d**),

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

12. If a sexual risk order, made under section 122A(6) of the 2003 Act(**f**), is in effect in respect of the scheme member—

(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**).

13. If an interim sexual risk order, made under section 122E(3) of the 2003 Act(**i**), is in effect in respect of the scheme member—

(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.

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

(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,

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(**a**) Section 109(4) 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 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.

(**c**) 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.

(**d**) 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.

(**e**) 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.

(**f**) Section 122A(6) was inserted by paragraph 4 of schedule 5 of the 2014 Act and was amended by section 174(3) of Police, Crime, Sentencing and Courts Act 2022 (c. 32) ("the 2022 Act").

(**g**) Section 122A(8) was amended by section 176(2) of the 2022 Act. Section 122C(1) 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.

(**i**) 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.

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

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

(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.

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

(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(**b**),

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

17. If an interim risk of sexual harm order, made under section 126(3) of the 2003 Act(**d**), is in effect in respect of the scheme member—

(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(**e**),

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

18. If a risk of sexual harm order, made under section 2(6) of the 2005 Act(**g**), is in effect in respect of the scheme member—

(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(**h**),

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

(**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 123(5)(b) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**c**) 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 2014 Act.
(**d**) Section 126(3) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**e**) Section 126(4) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**f**) Section 126(5) was repealed in England and Wales by paragraph 5(1) of schedule 5 of the 2014 Act.
(**g**) 2005 asp 9. Section 2(6) was repealed in Scotland 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.
(**h**) Section 2(7) was repealed by section 39(2) of the 2016 Act subject to the saving and transitional provision in section 40 of that Act.
(**i**) 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.

19. If an interim risk of sexual harm order, made under section 5(3) of the 2005 Act(**a**), is in effect in respect of the scheme member—

(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 5(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.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make detailed provision in relation to information that can be used for listing and vetting purposes in respect of scheme members under the Protection of Vulnerable Groups (Scotland) Act 2007 ("the PVG Act").

Section 18(4) of the PVG Act permits the Scottish Ministers to require any person who holds records of convictions, cautions or other information for the use of police forces generally to provide the Scottish Ministers with the prescribed details of every relevant matter relating to an individual that is recorded in those records for the purpose of enabling or assisting the Scottish Ministers to decide whether to list an individual. Section 18(5) of the PVG Act includes a definition of "relevant matter" which includes prescribed civil orders. Regulation 3 and Part 1 of schedule 1 of these Regulations prescribe those civil court orders. Regulation 4 and Part 2 of schedule 1 of these Regulations prescribe the details of every relevant matter, including the prescribed civil court orders, for the purposes of section 18(4).

Section 49(1)(a) of the PVG Act provides that "vetting information", in relation to a scheme member, includes the prescribed details of every relevant matter relating to the scheme member that is recorded in central records. Regulation 5 and schedule 2 of these Regulations prescribe the details of every relevant matter for the purposes of section 49(1)(a).

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