SCOTTISH STATUTORY INSTRUMENTS

2024 No. 313

PROTECTION OF VULNERABLE GROUPS

The Protection of Vulnerable Groups (Referrals by Chief Constable) (Prescribed 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 section 6A 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 (Referrals by Chief Constable) (Prescribed Information) (Scotland) Regulations 2024 and come into force on the same day as section 80 of the Disclosure (Scotland) Act 2020(**b**).

Interpretation

2. In these Regulations—

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

"referral" means the prescribed information given to the Scottish Ministers under section 6A of the PVG Act,

"the relevant period" means any period during which the chief constable considers that the individual is, or has been, carrying out a regulated role while not participating in the Scheme in relation to that type of regulated role.

(**a**) 2007 asp 14. Section 6A was inserted by section 80(2) of the Disclosure (Scotland) Act 2020. Section 97(1) contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.
(**b**) 2020 asp 13.

Prescribed information for the purposes of section 6A of the PVG Act

3. The information detailed in the schedule is prescribed information for the purposes of section 6A of the PVG Act.

NATALIE DON-INNES
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
31st October 2024

SCHEDULE

Regulation 3

Prescribed information for the purposes of section 6A of the PVG Act

1. The following information relating to the identity of the individual—

(a) the individual's full name and any other names by which the individual is known, or has been known,

(b) the most recent address for the individual,

(c) any other addresses at which the individual is, or has been, resident in the 10 years preceding the date of the referral,

(d) the individual's date and place of birth.

2. Details of the type of regulated role that the chief constable considers the individual is, or has been, carrying out during the relevant period.

3. The dates of the relevant period.

4. Details of the individual's position and responsibilities during the relevant period.

5. Details of how the chief constable became aware that the individual is, or has been, carrying out a regulated role during the relevant period.

6. Details of the person for whom the chief constable considers that the individual is, or has been, carrying out a regulated role during the relevant period.

7. Details of the involvement of any other organisations or personnel suppliers in matters relating to the referral (including any regulatory body or court involvement).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 6A of the Protection of Vulnerable Groups (Scotland) Act 2007 ("the PVG Act").

Section 6A of the PVG Act provides that the chief constable must give the Scottish Ministers any prescribed information that the chief constable holds in relation to an individual whom the chief constable considers is or has been carrying out a type of regulated role while not participating in the Protecting Vulnerable Groups Scheme in relation to that type of regulated role.

Regulation 3 and the schedule set out the prescribed information for the purposes of section 6A.

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