



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

Fees, forms and other procedures

70 Fees

- (1) Ministers may charge such fee as may be prescribed—
 - (a) in respect of applications to join, or to be removed from, the Scheme,
 - (b) in respect of disclosure requests, and
 - (c) otherwise in respect of the performance of their functions under this Part.
- (2) Regulations may, in particular, provide for—
 - (a) different fees in different circumstances,
 - (b) annual or other recurring fees in respect of participation in the Scheme,
 - (c) reduction, waiver or refund of fees in prescribed circumstances.
- (3) Before prescribing fees under this section, Ministers must have regard to—
 - (a) the circumstances in which those fees are payable, and
 - (b) the desirability of maintaining an appropriate balance among—
 - (i) the quality of the performance of their vetting, barring and disclosure functions,
 - (ii) the cost of that performance, and
 - (iii) the fees paid to them in respect of that performance.
- (4) Where regulations provide for a fee to be charged in respect of—
 - (a) an application to join, or to be removed from, the Scheme, or
 - (b) a disclosure request,

Ministers need not consider the application or request unless the fee is paid.

71 Forms

- (1) It is for Ministers to determine the form and manner in which—
 - (a) applications to join, or to be removed from, the Scheme,
 - (b) requests to correct a scheme record, and
 - (c) disclosure requests (including disclosure declarations made in relation to them),must be made.
- (2) Ministers may, in particular, determine that any such application, request or declaration may be made in electronic form.
- (3) Ministers need not consider any such application, request or declaration unless it is made in the form and manner determined by them (or in a form and manner as close to that as circumstances permit).

72 Procedure

- (1) Ministers may, by regulations, make such further provision about the administration of the Scheme as they think fit.
- (2) Regulations may, in particular—
 - (a) prescribe further procedure relating to applications to join, or to be removed from, the Scheme,
 - (b) prescribe circumstances in which scheme members are to be removed from the Scheme,
 - (c) prescribe circumstances in which disclosure condition A (see section 55) is to be treated as being satisfied when a person other than a scheme member makes a disclosure request in respect of that member,
 - (d) prescribe further procedure relating to making disclosure requests and to disclosing information in pursuance of such requests.