



# Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

## PART 1

### THE LISTS

*Listing: supplementary*

#### **32 Relevant offences etc.**

- (1) For the purposes of this Part an individual commits a relevant offence if the individual—
  - (a) commits an offence which falls within paragraph 1 of schedule 1, or
  - (b) falls within paragraph 2 of that schedule,and references to being convicted of, or charged with, a relevant offence are to be construed accordingly.
- (2) Ministers may by order modify schedule 1 so as to modify the circumstances in which an individual is to be treated for the purposes of this Part as having committed a relevant offence.
- (3) Subsection (4) applies to an individual if—
  - (a) the individual is charged with an offence,
  - (b) either—
    - (i) the individual is acquitted of the charge [<sup>F1</sup> by reason of the special defence set out in section 51A of the 1995 Act ], or
    - (ii) the court makes a finding under section 55(2) of the 1995 Act in respect of the individual, and
  - (c) the court makes any order mentioned in section 57(2)(a) to (d) of the 1995 Act in relation to the acquittal or finding.
- (4) An individual to whom this subsection applies is to be treated, for the purposes of sections 7, 17 and 24, as having been convicted of the offence.

**Changes to legislation:** Protection of Vulnerable Groups (Scotland) Act 2007, Section 32 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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### Textual Amendments

- F1** Words in s. 32(3)(b)(i) substituted (with application in accordance with art. 3 of the commencing S.S.I.) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), s. 206(1), [Sch. 7 para. 84](#); [S.S.I. 2012/160](#), art. 3, Sch.

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### Commencement Information

- I1** S. 32(1)(3)(4) in force at 28.2.2011 by [S.S.I. 2011/157](#), [art. 2\(a\)](#)  
**I2** S. 32(2) in force at 18.4.2010 for specified purposes by [S.S.I. 2010/133](#), [art. 2](#), [Sch.](#)  
**I3** S. 32(2) in force at 28.2.2011 in so far as not already in force by [S.S.I. 2011/157](#), [art. 2\(a\)](#)

**Changes to legislation:**

Protection of Vulnerable Groups (Scotland) Act 2007, Section 32 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 32 Title substituted by [2020 asp 13 s. 81\(3\)\(b\)](#)
- s. 32(1)(2) repealed by [2020 asp 13 s. 81\(2\)\(c\)](#)
- s. 32(4) word repealed by [2020 asp 13 s. 81\(3\)\(a\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6A inserted by [2020 asp 13 s. 80\(2\)](#)
- s. 8(3)(za) inserted by [2020 asp 13 s. 82\(3\)](#)
- s. 10(1)(aa) inserted by [2020 asp 13 s. 80\(3\)](#)
- s. 13A-13C inserted by [2020 asp 13 s. 76\(2\)](#)
- s. 18(5) inserted by [2020 asp 13 sch. 5 para. 5\(2\)\(b\)](#)
- s. 30(3A)-(3C) inserted by [2020 asp 13 s. 77\(3\)](#)
- s. 45A inserted by [2020 asp 13 s. 71](#)
- s. 45B inserted by [2020 asp 13 s. 72](#)
- s. 45C-45G inserted by [2020 asp 13 s. 73\(2\)](#)
- s. 45H inserted by [2020 asp 13 s. 88\(3\)](#)
- s. 46A inserted by [2020 asp 13 s. 79](#)
- s. 49(3) inserted by [2020 asp 13 sch. 5 para. 5\(3\)\(c\)](#)
- s. 70(2)(d) inserted by [2020 asp 13 sch. 5 para. 10\(41\)\(b\)](#)
- s. 77(1A) inserted by [2020 asp 13 sch. 5 para. 10\(46\)\(b\)](#)
- s. 94(2A)(2B) inserted by [2020 asp 13 s. 75\(3\)](#)