



# Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

## PART 2

### VETTING AND DISCLOSURE

#### *Vetting information*

#### **49 Vetting information**

- (1) Vetting information, in relation to a scheme member, is—
- (a) the information referred to in section 113A(3)(a) of the 1997 Act (prescribed details of every relevant matter relating to the scheme member which is recorded in central records),
  - (b) if the scheme member is subject to notification requirements under Part 2 of the Sexual Offences Act 2003 (c. 42), information about those requirements,
  - [<sup>F1</sup>(c) information which—
    - (i) the chief officer of a relevant police force reasonably believes to be relevant in relation to the type of regulated work in relation to which the scheme member participates in the Scheme, and
    - (ii) in the chief officer's opinion, ought to be included in the scheme member's scheme record, and]
  - (d) such other information as may be prescribed.

[<sup>F2</sup>(1A) For the avoidance of doubt, information such as is mentioned in subsection (1)(c) may include information with respect to relevant behaviour (within the meaning of section 5(1)(a) of the Age of Criminal Responsibility (Scotland) Act 2019).]

- (2) Regulations prescribing information for the purposes of subsection (1)(d) may require persons holding information of the type prescribed to disclose it to Ministers for the purposes of this Act.

**Changes to legislation:** Protection of Vulnerable Groups (Scotland) Act 2007, Section 49 is up to date with all changes known to be in force on or before 19 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

### Textual Amendments

- F1** S. 49(1)(c) substituted (10.9.2015) by [The Police Act 1997 and the Protection of Vulnerable Groups \(Scotland\) Act 2007 Remedial Order 2015 \(S.S.I. 2015/330\)](#), arts. 1(2), **4(3)** (with arts. 5-10) which S.S.I. is revoked ands. 49(1)(c) substituted (8.2.2016) by [The Police Act 1997 and the Protection of Vulnerable Groups \(Scotland\) Act 2007 Remedial \(No. 2\) Order 2015 \(S.S.I. 2015/423\)](#), arts. 1(2), **4(3)** (with arts. 5-10)
- F2** S. 49(1A) inserted (30.11.2020) by [Age of Criminal Responsibility \(Scotland\) Act 2019 \(asp 7\)](#), ss. **10(3)**, 84(2); S.S.I. 2020/369, reg. 2, sch.

### Modifications etc. (not altering text)

- C1** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **22**
- C2** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **21**

### Commencement Information

- I1** S. 49(1)(a)-(c) (2) in force at 28.2.2011 by [S.S.I. 2011/157](#), **art. 2(a)**
- I2** S. 49(1)(d) in force at 18.4.2010 for specified purposes by [S.S.I. 2010/133](#), art. 2, **Sch.**
- I3** S. 49(1)(d) 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 49 is up to date with all changes known to be in force on or before 19 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. 49(1)(a) substituted by [2020 asp 13 sch. 5 para. 5\(3\)\(a\)](#)
- s. 49(1)(c)(i) word substituted by [2020 asp 13 sch. 5 para. 10\(30\)](#)
- s. 49(1A) inserted by [2020 asp 13 sch. 5 para. 5\(3\)\(b\)](#)

**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\(3\)](#)