



# Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

## PART 6

### INTERPRETATION

#### 95 Meaning of “work”

- (1) In this Act “work” means work of any kind and, in particular, includes—
  - (a) paid and unpaid work,
  - (b) work under a contract (for example: under a contract of service or apprenticeship or under a contract for services),
  - (c) carrying out the functions of any office established by virtue of an enactment,
  - (d) being a foster carer, and
  - (e) caring for, or supervising, individuals participating in any organised activity, and references to a “worker” and to “working” are to be construed accordingly.
- (2) Despite the generality of subsection (1), “work” does not include work falling within subsection (3) or (4).
- (3) Work falls within this subsection if it is done for an individual (“A”)—
  - (a) in the course of a family relationship, and
  - (b) for the benefit of A or a member of A's family.
- (4) Work falls within this subsection if it is done for an individual (“B”)—
  - (a) in the course of a personal relationship,
  - (b) for no commercial consideration, and
  - (c) for the benefit of B, a member of B's family or B's friend.
- (5) A family relationship includes a relationship between two individuals who—
  - (a) live in the same household, and
  - (b) treat each other as though they were members of the same family.
- (6) A personal relationship is a relationship between or among friends.

*Changes to legislation: Protection of Vulnerable Groups (Scotland) Act 2007, Section 95 is up to date with all changes known to be in force on or before 21 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*

- (7) Any friend of a member of an individual's family is to be regarded as being the individual's friend.
- (8) “Benefit” does not include commercial benefit.
- (9) Ministers may prescribe circumstances in which work either is or is not to be treated for the purposes of this Act as being done in the course of a family or personal relationship.

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**Commencement Information**

**II** [S. 95](#) in force at 28.2.2011 by [S.S.I. 2011/157](#), [art. 2\(a\)](#)

**Changes to legislation:**

Protection of Vulnerable Groups (Scotland) Act 2007, Section 95 is up to date with all changes known to be in force on or before 21 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. 95 repealed by [2020 asp 13 sch. 5 para. 10\(50\)](#)

**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\(3\)](#)