



# Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

## PART 2

### DISCLOSURE OF CONVICTIONS AND OTHER INFORMATION RELATING TO TIME WHEN PERSON UNDER 12

#### CHAPTER 3

##### GENERAL PROVISIONS

#### 25 Amendments consequential on Chapter 2

- (1) The 1997 Act is amended as follows.
- (2) In section 117 (disputes about accuracy of certificates)—
  - (a) in subsection (3), at the beginning insert “ Subject to subsection (3A), ”,
  - (b) after that subsection insert—

“(3A) But an application under this section may not request a review of information contained in a certificate by virtue of section 113B(4) which was or could have been the subject of an appeal under section 20 of the Age of Criminal Responsibility (Scotland) Act 2019.”,
  - (c) in subsection (4), for “such a request” substitute “ a request mentioned in subsection (3) ”.
- (3) The 2007 Act is amended as follows.
- (4) In section 51 (correction of inaccurate scheme record)—
  - (a) in subsection (4), at the beginning insert “ Subject to subsection (4A), ”,
  - (b) after that subsection insert—

“(4A) But a scheme member may not request a review of information included in a scheme record by virtue of section 49(1)(c) which was

*Changes to legislation: Age of Criminal Responsibility (Scotland) Act 2019, CHAPTER 3 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*

- or could have been the subject of an appeal under section 20 of the Age of Criminal Responsibility (Scotland) Act 2019.”,
- (c) in subsection (5), for “such a request” substitute “ a request mentioned in subsection (4) ”.

**Commencement Information**

**I1** S. 25 in force at 30.11.2020 by S.S.I. 2020/369, reg. 2, sch.

**26 Interpretation of Part 2**

In this Part—

- “1974 Act” means the Rehabilitation of Offenders Act 1974,
- “1997 Act” means the Police Act 1997,
- “2007 Act” means the Protection of Vulnerable Groups (Scotland) Act 2007,
- “applicant” means the person who applies under section 113B of the 1997 Act for an enhanced criminal record certificate,
- “chief constable” means the chief constable of the Police Service of Scotland,
- “enhanced criminal record certificate” has the meaning given by section 113B(3) of the 1997 Act,
- “independent reviewer” means the independent reviewer appointed under section 12,
- “regulated work” has the meaning given by section 91 of the 2007 Act,
- “relevant behaviour” and “circumstances ancillary to relevant behaviour” have the meanings given by section 5,
- “scheme member” has the meaning given by section 45(2) of the 2007 Act,
- “scheme record” has the meaning given by section 48 of the 2007 Act,
- “the scheme” has the meaning given by section 44 of the 2007 Act.

**Commencement Information**

**I2** S. 26 in force at 30.11.2020 by S.S.I. 2020/369, reg. 2, sch.

**Changes to legislation:**

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**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. 18(1A) inserted by [2020 asp 13 sch. 5 para. 7\(8\)\(b\)](#)
- s. 20A inserted by [2020 asp 13 sch. 5 para. 7\(9\)](#)