



Disclosure (Scotland) Act 2020

2020 asp 13

PART 2

PROTECTION OF VULNERABLE GROUPS

Scheme members under consideration for listing

78 Withdrawal from Scheme when under consideration for listing

- (1) The PVG Act is amended as follows.
- (2) After section 59 insert—

“59A Withdrawal from Scheme when under consideration for listing

- (1) Where—
 - (a) Ministers remove an individual who is a scheme member from the Scheme under section 59, and
 - (b) at the time of the removal, they are considering whether to list the individual by virtue of sections 10 to 13 or section 45B(7),they may decide not to continue to consider whether to list the individual.
- (2) Where Ministers decide under subsection (1) not to continue to consider whether to list an individual, that decision is not to be treated as a decision not to list the individual after considering whether to do so for the purposes of subsection (3C) or (4) of section 30 (and accordingly no notice of the decision under subsection (1) is to be given under either of those subsections of that section).”
- (3) In section 60 (notice of removal), after subsection (2) insert—

“(2A) Where Ministers decide under section 59A(1) not to continue to consider whether to list the individual a notice under subsection (1) must also give notice of that fact.”

Changes to legislation: There are currently no known outstanding effects for the
Disclosure (Scotland) Act 2020, Section 78. (See end of Document for details)

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Commencement Information

II S. 78 in force at 10.12.2021 by [S.S.I. 2021/380](#), reg. 2, **sch.** (with [reg. 3](#))

Changes to legislation:

There are currently no known outstanding effects for the Disclosure (Scotland) Act 2020, Section 78.