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STATUTORY INSTRUMENTS

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**2009 No. 1503 (C. 76)**

**CHILDREN AND YOUNG  
PERSONS, ENGLAND AND WALES  
CHILDREN AND YOUNG  
PERSONS, NORTHERN IRELAND  
PROTECTION OF VULNERABLE  
ADULTS, ENGLAND AND WALES  
PROTECTION OF VULNERABLE  
ADULTS, NORTHERN IRELAND**

The Safeguarding Vulnerable Groups Act  
2006 (Commencement No. 4) Order 2009

*Made* - - - -

*17th June 2009*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 61(5) and 65 of the Safeguarding Vulnerable Groups Act 2006<sup>(1)</sup>.

In accordance with section 56(3)(p) of that Act he has consulted the Welsh Ministers.

**Citation and interpretation**

1.—(1) This Order may be cited as the Safeguarding Vulnerable Groups Act 2006 (Commencement No. 4) Order 2009.

(2) In this Order—

“the Act” means the Safeguarding Vulnerable Groups Act 2006;

“independent school” has the meaning given by section 463(2) of the Education Act 1996<sup>(3)</sup>;

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(1) 2006 c.47.

(2) Section 463 was substituted by section 172 of the Education Act 2002 (c. 32).

(3) 1996 c. 56.

“non-maintained special school” has the meaning given by section 337(4) of the Education Act 1996.

**Provisions coming into force on 22nd June 2009 for the purposes of making regulations**

2. 22nd June 2009 is the appointed day for the coming into force of the following provisions of the Act for the purposes of making regulations:

- (a) paragraph 14(1) and (4) of Schedule 9 (amendments);
- (b) section 63(1) (amendments and repeals) insofar as it relates to the provisions set out in paragraph (a).

**Further provisions coming into force on 22nd June 2009**

3.—(1) 22nd June 2009 is the appointed day for the coming into force of section 50 of the Act (provision of information to supervisory authorities) for the purpose set out in paragraph (2).

(2) The purpose is the provision to Her Majesty’s Chief Inspector of Schools in England(5) of information relating to—

- (a) non-maintained special schools in England, and
- (b) independent schools in England.

Home Office  
17th June 2009

*David Hanson*  
Minister of State

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(4) Section 337 together with section 337A were substituted for section 337 by section 142(1) of the Education and Skills Act 2008 (c. 25). Section 142(1) of that Act was not in force at the date of the making of this Order.

(5) Section 45(7)(g) of the Safeguarding Vulnerable Groups Act 2006 refers to Her Majesty’s Chief Inspector of Schools in England. That office was abolished by section 113(8) of the Education and Inspections Act 2006 (c. 40) but the functions of that office were transferred to Her Majesty’s Chief Inspector of Education, Children’s Services and Skills by section 122 of that Act.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force section 63(1) of, and paragraph 14(1) and (4) of Schedule 9 to, the Safeguarding Vulnerable Groups Act 2006 (c. 47) (“the Act”), insofar as those provisions insert sections 113BA (suitability information relating to children) and 113BB (suitability information relating to vulnerable adults) into the Police Act 1997 (1997 c. 50). The Order further specifies that sections 113BA and 113BB are brought into force only for the purpose of making regulations under those sections.

The Order also brings into force section 50 of the Act (provision of information to supervisory authorities) but only insofar as it requires the Independent Barring Board established under section 1 of the Act to provide information relating to non-maintained special schools and independent schools in England to Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (section 113(8) of the Education and Inspections Act 2006 (c. 40) abolished the office of Her Majesty’s Chief Inspector of Schools in England, but section 122 of that Act transferred the functions of that office to the office of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills, established under that Act).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 1 in relation to England and Wales	2nd January 2008	2007/3545 (C.153)
section 1 in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
sections 2(2) to (5) partially	31st December 2007	2007/3545 (C.153)
section 2 partially	11th February 2008	2007/3545 (C.153)
section 2(2), (3) and (4) partially	19th May 2008	2008/1320 (C.57)
section 2 partially	20th January 2009	2009/39 (C.3)
section 3(1), (2)(a) and (b) and (3)(b) partially	19th May 2008	2008/1320 (C.57)
section 4(8)	31st December 2007	2007/3545 (C.153)
section 4 in so far as not already in force	19th May 2008	2008/1320 (C.57)
section 5(1) and (2) partially	11th February 2008	2007/3545 (C.153)
section 5 partially	19th May 2008	2008/1320 (C.57)
section 5 for in so far as not already in force	20th January 2009	2009/39 (C.3)
section 6 partially	11th February 2008	2007/3545 (C.153)
section 6(12) partially	19th May 2008	2008/1320 (C.57)
section 6(1) to (11) partially	20th January 2009	2009/31 (C.4)
section 11(2) partially	19th May 2008	2008/1320 (C.57)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 12 partially	19th May 2008	2008/1320 (C.57)
section 13(1) and (5) partially	19th May 2008	2008/1320 (C.57)
section 14(1), (2) and (3) partially	19th May 2008	2008/1320 (C.57)
section 21 partially	20th January 2009	2009/31 (C.3)
section 22(1) to (4), 5(a) and (b) and (6) partially	20th January 2009	2009/31 (C.3)
section 23(3) partially	20th January 2009	2009/31 (C.3)
section 24(1)(c) and (d), (8)(a) and (c), (10), (11) and (12)(d) partially	19th May 2008	2008/1320 (C.57)
section 25	19th May 2008	2008/1320 (C.57)
section 26(1) partially	19th May 2008	2008/1320 (C.57)
section 28	20th January 2009	2009/39 (C.3)
section 29	20th January 2009	2009/39 (C.3)
section 30(7) and (8) partially	19th May 2008	2008/1320 (C.57)
section 31(6) partially	19th May 2008	2008/1320 (C.57)
section 32(10) partially	19th May 2008	2008/1320 (C.57)
section 33(3) and (4)(b) partially	19th May 2008	2008/1320 (C.57)
section 35(1) partially	19th May 2008	2008/1320 (C.57)
section 36(1), (2) and (3) partially	19th May 2008	2008/1320 (C.57)
section 37 partially	11th February 2008	2007/3545 (C.153)
section 37(2) partially	19th May 2008	2008/1320 (C.57)
section 37 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 38 partially	11th February 2008	2007/3545 (C.153)
section 38 partially	20th January 2009	2009/31 (C.3)
section 39(1) and (5) partially	19th May 2008	2008/1320 (C.57)
section 40 partially	11th February 2008	2007/3545 (C.153)
section 40(2) partially	19th May 2008	2008/1320 (C.57)
section 40 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 41(1), (5) and (8) partially	19th May 2008	2008/1320 (C.57)
section 41(7) partially	20th January 2009	2009/31 (C.57)
section 42 partially	11th February 2008	2007/3545 (C.153)
section 42(2) partially	19th May 2008	2008/1320 (C.57)
section 42 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 43(3) to (5) partially	11th February 2008	2007/3545 (C.153)
section 43(7) partially	19th May 2008	2008/1320 (C.57)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 44(6) and (7) partially	19th May 2008	2008/1320 (C.57)
section 45(1), (5) and (9) partially	19th May 2008	2008/1320 (C.57)
section 45(7) partially	20th January 2009	2009/31 (C.3)
section 46 partially	11th February 2008	2007/3545 (C.153)
section 46(1)(a) and (2) partially	19th May 2008	2008/1320 (C.57)
section 46 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 47(6) and (7) partially	19th May 2008	2008/1320 (C.57)
section 47 partially	20th January 2009	2009/31 (C.3)
section 48(6), (7) and (8) partially	19th May 2008	2008/1320 (C.57)
section 49(6), (7) and (8) partially	19th May 2008	2008/1320 (C.57)
section 50 partially	11th February 2008	2007/3545 (C.153)
section 51 partially	11th February 2008	2007/3545 (C.153)
section 53 partially	11th February 2008	2007/3545 (C.153)
section 53 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 54(1) and (2) partially	19th May 2008	2008/1320 (C.57)
section 56	31st December 2007	2007/3545 (C.153)
section 57 partially	11th February 2008	2007/3545 (C.153)
section 57 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 58 partially	11th February 2008	2007/3545 (C.153)
section 58(6) partially	19th May 2008	2008/1320 (C.57)
section 59 partially, in relation to England and Wales	11th February 2008	2007/3545 (C.153)
section 59 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 60(1) partially, in relation to England and Wales	31st December 2007	2007/3545 (C.153)
section 60(1) and (4) partially, in relation to England and Wales	11th February 2008	2007/3545 (C.153)
section 60 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 61, in relation to England and Wales	31st December 2007	2007/3545 (C.153)
section 61 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 62 partially	31st December 2007	2007/3545 (C.153)
section 62 in so far as not already in force	11th February 2008	2007/3545 (C.153)
section 63(1) partially	19th May 2008	2008/1320 (C.57)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 63(1) partially	17th December 2008	2008/3204 (C.145)
section 63(1) partially	20th January 2009	2009/31 (C.3)
section 64	31st December 2007	2007/3545 (C.153)
section 66	31st December 2007	2007/3545 (C.153)
section 67	31st December 2007	2007/3545 (C.153)
Schedule 1 in relation to England and Wales	2nd January 2008	2007/3545 (C.153)
Schedule 1 in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
Schedule 2	2nd January 2008	2007/3545 (C.153)
Schedule 3		
Paragraphs 1(1), 2(1), 7(1) and 8(1) partially	31st December 2007	2007/3545 (C.153)
Paragraphs 15, 18(3)(b) and (6) and 24(1), (2) and (9)	31st December 2007	2007/3545 (C.153)
Paragraphs 1 to 14, 16, 17, 18(1), (2), (3) (a), (4) and (5), 19 to 23, 24(3) to (8) and 25 partially	11th February 2008	2007/3545 (C.153)
Paragraphs 6(1)(b), (2) and (3), 12(1)(b), (2) and (3), 16(5), 19(1)(b) and 21 partially	19th May 2008	2008/1320 (C.57)
Paragraphs 1 to 3, 4(1) to (4) and (6), 5, 7 to 9, 10(1) to (4) and (6), 11, 14 to 20, 22, 23, 24(3) to (7) and 25 in so far as not already in force	20th January 2009	2009/31 (C.3)
Schedule 4		
Schedule 4 partially	11th February 2008	2007/3545 (C.153)
Schedule 4 partially	19th May 2008	2008/1320 (C.57)
Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially	19th May 2008	2008/1320 (C.57)
Schedule 5		
Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 8, 9(1)(c) and (2), 10(1)(c) and (2) and 14 partially	19th May 2008	2008/1320 (C.57)
Schedule 6		
Paragraphs 2(1) and 5 partially	19th May 2008	2008/1320 (C.57)
Schedule 7		
Paragraphs 1 and 2 partially	19th May 2008	2008/1320 (C.57)
Schedule 8		
Paragraphs 2 to 4, partially	31st December 2007	2007/3545 (C.153)
Paragraphs 1 to 5	11th February 2008	2007/3545 (C.153)
Schedule 9		

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Paragraphs 2, 5(1) and 6(1) partially	17th December 2008	<a href="#">2008/3204 (C.145)</a>
Paragraphs 5(2), (3) (6) and (7), 6(2), (3) and (6) and 7 in relation to England	17th December 2008	<a href="#">2008/3204 (C.145)</a>
Paragraphs 5(4) and 6(4)	17th December 2008	<a href="#">2008/3204 (C.145)</a>
Paragraphs 10 and 15	19th May 2008	<a href="#">2008/1320 (C.57)</a>
Paragraphs 5(2), (3), (6) and (7), 6(2), (3) and (6) and 7 in relation to England in so far as not already in force	20th January 2009	<a href="#">2009/39 (C.3)</a>
Paragraphs 2, 5(1) and 6(1) partially	20th January 2009	<a href="#">2009/39 (C.3)</a>
Paragraphs 5(4) and 6(4)	20th January 2009	<a href="#">2009/39 (C.3)</a>