

---

STATUTORY INSTRUMENTS

---

**2007 No. 1351**

**The Safeguarding Vulnerable Groups  
(Northern Ireland) Order 2007**

*Professional bodies and supervisory authorities*

**Registers: [F<sup>1</sup> provision of barring information to keepers of registers]**

45.—[F<sup>2</sup>(1) Paragraph (2) applies if—

- (a) [F<sup>3</sup>DBS] knows or thinks that a person (A) appears on a relevant register, and
- (b) either—
  - (i) A is included in a barred list, or
  - (ii) [F<sup>3</sup>DBS] is aware that A is subject to a relevant disqualification.

(2) [F<sup>3</sup>DBS] must—

- (a) notify the keeper of the register of the circumstances mentioned in paragraph (1)(b)(i) or (as the case may be) (ii), and
- (b) in the case where A is included in a barred list, provide the keeper of the register with such of the information on which [F<sup>3</sup>DBS] relied in including A in the list as [F<sup>3</sup>DBS] considers—
  - (i) to be relevant to the exercise of any function of the keeper, and
  - (ii) otherwise appropriate to provide.

(3) Paragraph (4) applies if the keeper of a relevant register applies to [F<sup>3</sup>DBS] to ascertain in relation to a person (A) whether—

- (a) A is included in a barred list, or
- (b) [F<sup>3</sup>DBS] is aware that A is subject to a relevant disqualification.

(4) [F<sup>3</sup>DBS] must notify the keeper of the register as to whether the circumstances are as mentioned in paragraph (3)(a) or (as the case may be) (b).

(5) [F<sup>3</sup>DBS] may (whether on an application by the keeper or otherwise) provide to the keeper of a relevant register such relevant information as [F<sup>3</sup>DBS] considers appropriate.

(5A) Paragraph (5B) applies if—

- (a) a keeper of a register has applied to [F<sup>4</sup>DBS] to be notified in relation to a person (A) if—
  - (i) A is included in a barred list, or
  - (ii) [F<sup>4</sup>DBS] is aware that A is subject to a relevant disqualification, and
- (b) the application has not been withdrawn.

(5B) [F<sup>4</sup>DBS] must notify the keeper of the register if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii).

(5C) For the purposes of paragraph (5A)(b) an application is withdrawn if—

---

**Changes to legislation:** The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Section 45 is up to date with all changes known to be in force on or before 19 May 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

---

- (a) the keeper of the register notifies [F5DBS] that the keeper no longer wishes to be notified if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii) in relation to A, or
- (b) [F5DBS] cancels the application on either of the following grounds—
  - (i) that the keeper has not answered, within such reasonable period as was required by [F5DBS] , a request from [F5DBS] as to whether the keeper still wishes to be notified if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii), or
  - (ii) that A neither appears in the register nor is being considered for inclusion in the register.

(5D) A keeper of a relevant register may apply for information under this Article, or to be notified under this Article, in relation to a person (A) only if—

- (a) A appears in the register, or
- (b) A is being considered for inclusion in the register.

(5E) The duties in paragraphs (2), (4) and (5B) do not apply if [F3DBS]<sup>F6</sup>... is satisfied that the keeper of the register already has the information concerned.

(5F) [F7DBS] may determine the form, manner and contents of an application for the purposes of this Article.

(5G) In this Article relevant information is information—

- (a) which—
  - (i) relates to the protection of children or vulnerable adults in general, or of any child or vulnerable adult in particular, and
  - (ii) is relevant to the exercise of any function of the keeper of the register, but
- (b) which is not—
  - (i) information that the circumstances are as mentioned in paragraph (1)(b)(i) or (ii) in relation to a person,
  - (ii) any information provided under paragraph (2)(b), or
  - (iii) information falling within paragraph 19(5) of Schedule 1.

(5H) The Secretary of State may by order amend paragraph (5G).]

(6) In this Article—

- (a) a relevant register is a register appearing in column 1 <sup>F8</sup> . . . of the table in Article 43(7), and
- (b) in relation a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the Table.

(7) A person is subject to a relevant disqualification if he is included in a list maintained under the law of England and Wales or Scotland which the Secretary of State specifies by order as corresponding to a barred list.

#### Textual Amendments

- F1** Words in art. 45 heading substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(3\); S.I. 2012/2234, art. 2\(z\)\(v\)](#)
- F2** Art. 45(1)-(5H) substituted for art. 45(1)-(5) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157))

---

**Changes to legislation:** *The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Section 45 is up to date with all changes known to be in force on or before 19 May 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*

---

for specified purposes) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 7 para. 12(2)**; S.I. 2012/2234, art. 2(z)(iv)

- F3** Word in art. 45 substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **6(c)** (with Pt. 4)
- F4** Words in art. 45(5A)(5B) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(d)** (with Pt. 4)
- F5** Words in art. 45(5C) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(d)** (with Pt. 4)
- F6** Words in art. 45(5E) omitted (1.12.2012) by virtue of The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **62** (with Pt. 4)
- F7** Words in art. 45(5F) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(d)** (with Pt. 4)
- F8** Words in art. 45(6)(a) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 23**

---

#### **Commencement Information**

- I1** Art. 45 partly in operation; art. 45 not in operation at date of making see art. 1(3); art. 45(3)-(5) in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(i)**; art. 45(7) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 5(g)**
- I2** Art. 45(6) in operation at 10.9.2012 by S.R. 2012/330, **art. 2(a)**
- I3** Art. 45(7) in operation at 10.9.2012 in so far as not already in operation by S.R. 2012/330, **art. 2(b)**

**Changes to legislation:**

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Section 45 is up to date with all changes known to be in force on or before 19 May 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 5A inserted by [2012 c. 9 Sch. 7 para. 11\(1\)](#)
- Sch. 1 para. 11A inserted by [2012 c. 9 Sch. 7 para. 11\(3\)](#)
- art. 32A32B substituted for art. 32-34 by [2012 c. 9 Sch. 7 para. 9\(1\)](#)
- art. 35(3A)-(3D) inserted by [2012 c. 9 Sch. 7 para. 9\(2\)\(c\)](#)
- art. 36ZA inserted by [2012 c. 9 Sch. 7 para. 10](#)
- art. 50(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(c\)](#)
- art. 50(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(f\)](#)
- art. 51(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(c\)](#)
- art. 51(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(f\)](#)