

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Paragraph 24 is up to date with all changes known to be in force on or before 20 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

SCHEDULES

SCHEDULE 1

BARRED LISTS

Modifications etc. (not altering text)

- C1** Sch. 1 modified (12.10.2009) by [Safeguarding Vulnerable Groups \(Regulated Activity, Transitional Provisions and Commencement No. 4\) Order \(Northern Ireland\) 2009 \(S.R. 2009/304\)](#), **art. 10** (with art. 5)
- C1** Sch. 1 modified (13.3.2009) by [Safeguarding Vulnerable Groups \(Transitory Provisions\) Order \(Northern Ireland\) 2009 \(S.R. 2009/38\)](#), **art. 6**
- C1** Sch. 1 revocation of earlier affecting provision S.R. 2009/304, arts. 5, 10 (10.9.2012) by [The Safeguarding Vulnerable Groups \(Miscellaneous Amendments\) Order \(Northern Ireland\) 2012 \(S.R. 2012/320\)](#), arts. 1, 4

PART III

SUPPLEMENTARY

Modifications etc. (not altering text)

- C1** Sch. 1 Pt. III modified (16.6.2008) by [Safeguarding Vulnerable Groups \(Transitional Provisions\) Order \(Northern Ireland\) 2008 \(S.R. 2008/200\)](#), **art. 3(5)**
- C1** Sch. 1 Pt. III modified (16.6.2008) by [Safeguarding Vulnerable Groups \(Transitional Provisions\) Order \(Northern Ireland\) 2008 \(S.R. 2008/200\)](#), **art. 5(5)**

Prescribed criteria

- 24.**—(1) The criteria which may be prescribed for the purposes of paragraphs 1, 2, 7 and 8 are—
- (a) that a person has been convicted of, or cautioned in relation to, an offence of a specified description;
 - (b) that an order of a specified description requiring the person to do or not to do anything has been made against him;
 - (c) that a person is included in a specified list maintained for the purposes of a country or territory outside the United Kingdom;
 - (d) that an order or direction of a specified description requiring the person to do or not to do anything has been made against him for the purposes of a country or territory outside the United Kingdom.
- (2) The power to specify offences for the purposes of sub-paragraph (1) includes power to specify offences under—

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[^{F1}(a) the law of a country or territory outside Northern Ireland;]

- (b) section 70 of the Army Act 1955 (3 & 4 Eliz. 2 c. 18);
- (c) section 70 of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19);
- (d) section 42 of the Naval Discipline Act 1957 (c. 53);
- (e) section 42 of the Armed Forces Act 2006 (c. 52).

(3) The Secretary of State may specify a list for the purposes of sub-paragraph (1)(c) only if he thinks that inclusion in the list has a corresponding or similar effect to inclusion in a barred list.

(4) For the purposes of determining whether any of the criteria is satisfied in relation to a person, ignore—

- (a) any offence committed before he attained the age of 18;
- (b) any order or direction made before that time.

(5) The criteria which may be prescribed for the purposes of paragraph 1 or 2 must not consist only of circumstances in which the person has committed an offence against a child before the commencement of Article 6 if the court, having considered whether to make a disqualification order, decided not to.

(6) In sub-paragraph (5)—

- (a) the reference to an offence committed against a child must be construed in accordance with Chapter II of Part II of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (NI 4);
- (b) a disqualification order is an order under Article 23 or 24 of that Order.

(7) For the purposes of sub-paragraph (4) an offence committed over a period of time must be treated as committed on the last day of the period.

^{F2}(8)

^{F2}(9)

[^{F3}(10) For the purposes of sub-paragraph (2)(a) in its application to an offence committed outside the British Islands the Secretary of State must not specify the offence unless—

- (a) the conduct which constitutes the offence would, if carried out in Northern Ireland, amount to an offence under the law of Northern Ireland (the equivalent offence), and
- (b) the equivalent offence is also specified for the purposes of paragraph 1, 2, 7 or 8 (as the case may be).]

Textual Amendments

- F1** Sch. 1 para. 24(2)(a) substituted (27.2.2009) by [Safeguarding Vulnerable Groups \(Prescribed Criteria\) \(Foreign Offences\) Order \(Northern Ireland\) 2009 \(S.R. 2009/21\)](#), **art. 3(2)**
- F2** Sch. 1 para. 24(8) (9) repealed (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. 9 para. 101\(2\)](#), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(aa)(v)(bb)
- F3** Sch. 1 para. 24(10) inserted (27.2.2009) by [Safeguarding Vulnerable Groups \(Prescribed Criteria\) \(Foreign Offences\) Order \(Northern Ireland\) 2009 \(S.R. 2009/21\)](#), **art. 3(3)**

Commencement Information

- II** Sch. 1 para. 24 partly in operation; Sch. 1 para. 24 not in operation at date of making see art. 1(3); Sch. 1 para. 24(1)(2)(9) in operation at 14.3.2008 by [S.R. 2008/127](#), **art. 3(f)**; Sch. 1 para. 24 in operation for

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certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(a)**; Sch. 1 para. 24(3)-(7) in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(i)**

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Changes and effects yet to be applied to :

- Sch. 1 para. 24(8) words substituted by [2009 c. 26 s. 92\(6\)](#) (This amendment not applied to legislation.gov.uk. S. 92 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))

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\(4\)\(f\)](#)