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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 304**

**Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009**

**PART 1**

**Introduction**

**Citation and commencement**

**1.** This Order may be cited as the Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 and comes into operation on 12th October 2009.

**Interpretation**

**2.—(1)** In this Order—

“the 1999 Act” means the Protection of Children Act 1999<sup>(1)</sup>;

“the 2000 Act” means the Care Standards Act 2000<sup>(2)</sup>;

“the 2002 Act” means the Education Act 2002<sup>(3)</sup>;

“the 2003 Act” means the Protection of Children (Scotland) Act 2003<sup>(4)</sup>;

“the 2003 Order” means the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003<sup>(5)</sup>;

“the 2006 Act” means the Safeguarding Vulnerable Groups Act 2006<sup>(6)</sup>;

“the 2007 Order” means the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007;

“the 2007 Regulations” means the Education (Prohibition from Teaching or Working with Children) Regulations (Northern Ireland) 2007<sup>(7)</sup>;

“relevant person” means a person who immediately before the relevant day—

- (a) is engaging in regulated activity with the permission of a regulated activity provider, and
- (b) is not included in the list kept under Article 3 or 35 of the 2003 Order or the list kept under regulation 8 of the 2007 Regulations or barred from regulated activity;

“relevant day” means the first day on which a person may make a monitoring application;

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(1) 1999 c. 14.

(2) 2000 c. 14.

(3) 2002 c. 32.

(4) 2003 asp 5.

(5) S.I. 2003/417 (N.I. 4). The 2003 Order is to be repealed by Schedule 8 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

(6) 2006 c. 47.

(7) S.R. 2007 No. 288.

“the first transitional period” means the period starting on and including the day on which this Order comes into operation and ending immediately before the relevant day;

“the second transitional period” means the period starting on and including the relevant day and ending on and including the day on which—

- (c) Schedule 7 comes into operation in relation to the Education and Libraries (Northern Ireland) Order 1986<sup>(8)</sup>;
- (d) Schedule 8 to the 2007 Order comes into operation in relation to the 2003 Order for all purposes;
- (e) Schedule 10 to the 2006 Act comes into force in relation to the 1999 Act, the 2000 Act and the 2002 Act for all purposes; and
- (f) Schedule 4 to the Protection of Vulnerable Groups (Scotland) Act 2007<sup>(9)</sup> comes into force in relation to the 2003 Act.

“the third transitional period” means the period starting on and including the day on which this Order comes into operation and ending on and including the day on which Article 28 of the 2007 Order comes into operation in relation to relevant persons.

### **Provisions coming into operation on 12th October 2009**

**3.** 12th October 2009 is the day appointed for the coming into operation of the following provisions of the 2007 Order—

- (a) paragraph 3 of Schedule 7;
- (b) Schedule 8 in so far as it relates to the repeal of sections 113C, D and F of the Police Act 1997<sup>(10)</sup>;
- (c) Article 60 in so far as it relates to the provisions specified in paragraphs (a) and (b).

### **Revocations**

**4.** The Safeguarding Vulnerable Groups (Transitory Provisions) Order (Northern Ireland) 2009<sup>(11)</sup> is revoked.

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<sup>(8)</sup> S.I. 1986/594 (N.I. 3).

<sup>(9)</sup> 2007 asp 14.

<sup>(10)</sup> 1997 c. 50.

<sup>(11)</sup> S.R. 2009 No. 38.