

**2004 No. 522 (C.38)**

**EDUCATION**

**The Protection of Children (Scotland) Act 2003  
(Commencement No. 1) Order 2004**

*Made* - - - -

*1st December 2004*

The Scottish Ministers, in exercise of the powers conferred by section 22(2) and (3) of the Protection of Children (Scotland) Act 2003<sup>(a)</sup>, hereby make the following Order:

**Citation**

1. This Order may be cited as the Protection of Children (Scotland) Act 2003 (Commencement No. 1) Order 2004.

**Appointed day**

2. The day appointed for the coming into force of those provisions of the Protection of Children (Scotland) Act 2003 not yet in force, with the exception of section 11(3)(b) (offence for an organisation to fail to remove an individual from a child care position who is disqualified from working with children), is 10th January 2005.

*EUAN MACFARLANE ROBSON*  
Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
1st December 2004

## EXPLANATORY NOTE

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

This Order brings into force on 10th January 2005 all the provisions of the Protection of Children (Scotland) Act 2003 (“the 2003 Act”) so far as not yet in force with the exception of the offence provision where an organisation fails to remove an individual from a child care position who is disqualified from working with children within the meaning of section 17 of the 2003 Act. Sections 21 (provision on orders and regulations) and 22 (the short title and commencement) came into force on Royal Assent. The provisions in section 24 of the Criminal Procedure (Amendment) (Scotland) Act 2004 (asp 5) which amended section 10 of the 2003 Act (references of individuals to the Scottish Ministers for inclusion in the list of those disqualified from working with children) were brought into force on 4th October 2004 by S.S.I. 2004 No. 405 (c.28).

£3.00

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under the authority and superintendence of Carol Tullo, the Queen’s Printer for Scotland  
150 12/04 19593

