

2007 No. 385 (C. 32)

SOCIAL CARE

POLICE

EDUCATION

CHILDREN AND YOUNG PERSONS

**The Protection of Vulnerable Groups (Scotland) Act 2007
(Commencement No. 1) Order 2007**

Made - - - -

22nd August 2007

The Scottish Ministers make the following Order in exercise of the powers conferred by section 101(2) and (3) of the Protection of Vulnerable Groups (Scotland) Act 2007(a).

Citation and interpretation

1.—(1) This Order may be cited as the Protection of Vulnerable Groups (Scotland) Act 2007 (Commencement No. 1) Order 2007.

(2) In this Order “the Act” means the Protection of Vulnerable Groups (Scotland) Act 2007.

Appointed day

2.—(1) The day appointed for the coming into force of the provisions of the Act specified in column 1 of the Schedule to this Order is 1st September 2007.

(2) The subject matter of each provision of the Act is mentioned in column 2 of the Schedule.

(3) Where a particular purpose is specified in column 3 of the Schedule, in relation to a provision, that provision only comes into force for the purpose specified in that column.

KENNY MACASKILL

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
22nd August 2007

SCHEDULE

Article 2

<i>Column 1</i> <i>Provision of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 82	Meaning of “school care accommodation service”.	
Section 83	Application of fire safety rules to school care accommodation service.	
Section 86	Transfer of Disclosure Scotland staff etc.	
Section 88	Modification of enactments.	Only in relation to paragraphs 1, 3 and 4 of Schedule 4 to the Act.
Section 97(1)	General interpretation.	
Schedule 4 paragraphs 1, 3 and 4	Minor and consequential amendments and repeals relating to the Teaching Council (Scotland) Act 1965(a).	

(a) 1965 c.19.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Protection of Vulnerable Groups (Scotland) Act 2007 (“the Act”). Article 2(1) brings into force, on 1st September 2007, all the provisions of the Act listed in the Schedule to the Order.

The commencement of section 82 of the Act amends the definition of “school care accommodation service” within the Regulation of Care (Scotland) Act 2001 (asp 8) to include the provision of residential accommodation within domestic premises to a pupil both during and outwith term time for the purpose of, or in connection with, the pupil’s attendance at school. The commencement of section 83 of the Act removes such school care accommodation from the scope of Part 3 of the Fire (Scotland) Act 2005 (asp 5), thus disapplying the fire safety duties in Part 3 for individuals providing such accommodation on domestic premises.

The power is brought into force for the Scottish Ministers to make a staff transfer order to transfer Disclosure Scotland staff into the Scottish Administration (section 86). Some consequential amendments and repeals in Schedule 4 to the Act, relating to the Teaching Council (Scotland) Act 1965 (c.19), are brought into force by section 88. The interpretation provision in section 97(1) is also brought into force.

This is the first Commencement Order in respect of the Act. Part 7 (sections 98 to 102) came into force on Royal Assent (18th April 2007).

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