

2007 No. 564 (C. 46)

POLICE

CHILDREN AND YOUNG PERSONS

PROTECTION OF VULNERABLE ADULTS

**The Protection of Vulnerable Groups (Scotland) Act 2007
(Commencement No. 2) Order 2007**

Made - - - - 18th December 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. 2) Order 2007.

(2) In this Order, “the Act” means the Protection of Vulnerable Groups (Scotland) Act 2007; and “the Schedule” means the Schedule to this Order.

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 is 11th January 2008.

(2) The subject matter of each provision of the Act specified in column 1 of the Schedule 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.

FIONA HYSLOP
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
18th December 2007

SCHEDULE

Article 2(1)

Column 1 Provision of the Act	Column 2 Subject matter	Column 3 Purpose
Section 79	Form of Part 5 applications	
Section 80	Payment of fee for information from certain police forces	
Section 87	Power to give effect to corresponding legislation in England, Wales and Northern Ireland	
Section 88	Modification of enactments	Only in relation to paragraphs 27, 33, 34, 38, 40 and 46 of schedule 4 to the Act
Schedule 4, paragraphs 27, 33, 34, 38, 40 and 46	Minor and consequential amendments and repeals relating to the Police Act 1997 ^(a) and the Police, Public Order and Criminal Justice (Scotland) Act 2006 ^(b)	Schedule 4, paragraph 27 only insofar as it applies to paragraphs 33, 34, 38, 40 and 46 of that schedule

(a) 1997 c.50.
(b) 2006 asp 10.

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 11 January 2008, the provisions listed in the Schedule to the Order.

The commencement of sections 79 and 80 provides for repeals of, and amendments to provisions within Part 5 of the Police Act 1997 (“the 1997 Act”).

Section 79 amends sections 112(1)(a), 113A(1)(a), 113B(1)(a), 114(1)(a), 116(1)(a), 117(1) and 120(2) of the 1997 Act and inserts a new section 125A into it. The changes enable the Scottish Ministers to determine the form of applications under Part 5 of the 1997 Act administratively, rather than requiring forms to be prescribed in regulations.

Section 80 inserts a new subsection (5A) into section 113B of the 1997 Act. This new subsection enables the Scottish Ministers to prescribe the bodies to which fees are payable for information provided by a body listed in section 113B(10)(j) to (m) of the 1997 Act.

Section 87 enables the Scottish Ministers by Order, to make such provision as they consider appropriate in consequence of, or for the purpose of giving full effect to the Safeguarding Vulnerable Groups Act (c.47) or legislation which forms part of the law of Northern Ireland which Ministers consider corresponds to provision made by virtue of the Act, or which affects the operation of any provision made by virtue of the Act.

Section 88 and Schedule 4, paragraphs 27, 33, 34, 38, 40 and 46 make some consequential amendments and repeals to the 1997 Act and the Police, Public Order and Criminal Justice (Scotland) Act 2006.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The Act received Royal Assent on 18th April 2007 and Part 7, sections 98 to 102, came into force on that day. The first commencement order, the Protection of Vulnerable Groups (Scotland) Act 2007 (Commencement No. 1) Order 2007 (S.S.I. 2007/385) was made on 22nd August 2007. The provisions of the Act commenced by that Order are detailed in the table below.

Provision	Date of Commencement	S.S.I. No.
Sections 82, 83, 86, 88 (partially), 97(1) and Schedule 4, paragraphs 1, 3 and 4	1st September	2007/385

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