



Safeguarding Vulnerable Groups Act 2006

2006 CHAPTER 47

Offences: supplementary

18 Offences: companies &c.

- (1) If an offence under section 9^{F1} ... or 38^{F2} ... is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of—
 - (a) a director, manager, secretary or other similar officer of the body, or
 - (b) a person purporting to act in such a capacity,he (as well as the body) commits the offence.
- (2) If an offence under section 9^{F3} ... or 38^{F4} ... is committed by a partnership (whether or not a limited partnership) and is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of—
 - (a) a partner, or
 - (b) a person purporting to act as a partner,he (as well as the partnership) commits the offence.
- (3) In subsection (1), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body.

Textual Amendments

- F1** Words in s. 18(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection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. 58\(2\)\(a\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F2** Words in s. 18(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection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. 58\(2\)\(b\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F3** Words in s. 18(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection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](#)

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Offences: supplementary is up to date with all changes known to be in force on or before 15 March 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

Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 58(3)(a), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

- F4** Words in s. 18(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by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. 58(3)(b), Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

Commencement Information

- I1** S. 18 in force at 12.10.2009 for specified purposes by **S.I. 2009/2611, art. 2, Sch.**

19 Offences: other persons

^{F5}(1)

- (2) A person commits an offence if, in the course of acting or appearing to act on behalf of a personnel supplier—
- he supplies an individual (B) to another (P),
 - he knows or has reason to believe that P will make arrangements for B to engage in regulated activity from which B is barred, and
 - he knows or has reason to believe that B is barred from the activity.

^{F6}(3)

^{F6}(4)

- (5) A person guilty of an offence under subsection (2) is liable—
- on conviction on indictment, to imprisonment for a term not exceeding five years, or to a fine, or to both;
 - on summary conviction, to imprisonment for a term not exceeding [^{F7}the general limit in a magistrates' court], or to a fine not exceeding the statutory maximum, or to both.

^{F8}(6)

^{F8}(7)

- (8) For the purpose of [^{F9}subsection (2)(b)], Schedule 4 is modified as follows—

(a) in paragraph 1, sub-paragraphs (1)(b) and (2)(a) must be disregarded;

^{F10}(b)

^{F10}(c)

^{F11}(9)

- (10) In relation to an offence committed [^{F12}2 May 2022], the reference in subsection (5) (b) to [^{F13}the general limit in a magistrates' court] must be taken to be a reference to six months.

Textual Amendments

- F5** S. 19(1) 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. 59(2), Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

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- F6** S. 19(3)(4) 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. 59(3), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F7** Words in s. 19(5)(b) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**
- F8** S. 19(6)(7) 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. 59(4), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F9** Words in s. 19(8) substituted (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. 59(5)(a)** (with s. 97); S.I. 2012/2234, art. 2(aa)(ii)
- F10** S. 19(8)(b)(c) 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. 59(5)(b), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F11** S. 19(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. 59(6), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F12** Words in s. 19(10) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), **5(1), Sch. Pt. 1**
- F13** Words in s. 19(10) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

Commencement Information

- I2** S. 19(2)(5)(10) in force at 12.10.2009 by S.I. 2009/2611, art. 2, **Sch.**
- I3** S. 19(8) in force at 12.10.2009 for specified purposes by S.I. 2009/2611, art. 2, **Sch.**

20 Section 19: exclusions and defences

(1) A person does not commit an offence under section 19 if B has not attained the age of 16.

- F14**(2)
- F14**(3)
- F14**(4)
- F14**(5)
- F14**(6)
- F14**(7)

Textual Amendments

- F14** S. 20(2)-(7) 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. 60, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

Changes to legislation: *Safeguarding Vulnerable Groups Act 2006, Cross Heading: Offences: supplementary is up to date with all changes known to be in force on or before 15 March 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*

Commencement Information

I4 S. 20(1) in force at 12.10.2009 for specified purposes by [S.I. 2009/2611](#), [art. 2](#), [Sch.](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(8A)(8B) inserted by [2008 c. 14 Sch. 14 para. 8](#)
- s. 6(8A) word omitted by [S.I. 2016/413 reg. 253\(a\)\(i\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 6(8A) words inserted by [S.I. 2016/413 reg. 253\(a\)\(ii\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 13(1A) inserted by [2009 c. 26 s. 82\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 13(3A) inserted by [2009 c. 26 s. 82\(4\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 13(6) inserted by [2009 c. 26 s. 82\(6\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 13(11) substituted by [2009 c. 26 s. 82\(7\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 30(2)(aa)(ab) inserted by [2009 c. 26 s. 85\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 30(6A)(6B) inserted by [2009 c. 26 s. 85\(6\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 30A30B substituted for s. 30-32 by [2012 c. 9 s. 72\(1\)](#)
- s. 32(3)(aa) inserted by [2009 c. 26 s. 86\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 33(3A)-(3D) inserted by [2012 c. 9 s. 72\(2\)\(c\)](#)
- s. 34A-34C inserted by [2009 c. 26 s. 87\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 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))
- s. 34ZA inserted by [2012 c. 9 s. 73](#)
- s. 41(4A)-(4C) inserted by [S.I. 2009/1182 Sch. 5 para. 9\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. It comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 48(2A) inserted by [2012 c. 9 s. 76\(3\)\(c\)](#)
- s. 49(2A) inserted by [2012 c. 9 s. 76\(4\)\(c\)](#)
- s. 56(3)(fa) inserted by [2012 c. 9 Sch. 9 para. 68\(4\)\(b\)](#)
- Sch. 3 para. 5A inserted by [2012 c. 9 s. 74\(1\)](#)
- Sch. 3 para. 11A inserted by [2012 c. 9 s. 74\(3\)](#)

– Sch. 4 para. 1(9B)(ia) inserted by [2022 asc 1 Sch. 4 para. 21\(2\)](#)