

Status: This version of this provision is prospective.

Changes to legislation: Protection of Freedoms Act 2012, Section 74 is up to date with all changes known to be in force on or before 09 April 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



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 5

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

CHAPTER 1

SAFEGUARDING OF VULNERABLE GROUPS

Main amendments relating to new arrangements: England and Wales

PROSPECTIVE

74 Restrictions on duplication with Scottish and Northern Ireland barred lists

(1) Before paragraph 6 of Schedule 3 to the Safeguarding Vulnerable Groups Act 2006 (restriction on inclusion in children's barred list for Scottish cases), and after the italic cross-heading before that paragraph, insert—

“5A (1) ISA must not include a person in the children's barred list if ISA knows that the person is included in a corresponding list.

(2) ISA must remove a person from the children's barred list if ISA knows that the person is included in a corresponding list.

(3) A corresponding list is a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the children's barred list.”

(2) In paragraph 6(1)(a) of that Schedule to that Act—

(a) after “if” insert “ ISA knows that ”,

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- (b) after “authority” insert “—
 (i)”,
 and
- (c) for the words from “(whether” to “list)” substitute “, and
 (ii) has decided not to include the person in the list”.
- (3) Before paragraph 12 of that Schedule to that Act (restriction on inclusion in adults' barred list for Scottish cases), and after the italic cross-heading before that paragraph, insert—
- “11A (1) ISA must not include a person in the adults' barred list if ISA knows that the person is included in a corresponding list.
- (2) ISA must remove a person from the adults' barred list if ISA knows that the person is included in a corresponding list.
- (3) A corresponding list is a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the adults' barred list.”
- (4) In paragraph 12(1)(a) of that Schedule to that Act—
- (a) after “if” insert “ ISA knows that ”,
- (b) after “authority” insert “—
 (i)”,
 and
- (c) for the words from “(whether” to “list)” substitute “, and
 (ii) has decided not to include the person in the list”.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2234 art. 13 by [S.I. 2014/831 art. 2\(2\)](#)
- specified provision(s) transitional provisions and savings for commencing S.I. 2013/1814 by [S.I. 2013/1813 art. 2-9](#)

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):

- Sch. 1 para. 7A inserted by [2019 c. 3 Sch. 2 para. 20](#)