STATUTORY INSTRUMENTS

2009 No. 1503 (C. 76)

CHILDREN AND YOUNG PERSONS, ENGLAND AND WALES CHILDREN AND YOUNG PERSONS, NORTHERN IRELAND PROTECTION OF VULNERABLE ADULTS, ENGLAND AND WALES PROTECTION OF VULNERABLE ADULTS, NORTHERN IRELAND

The Safeguarding Vulnerable Groups Act 2006 (Commencement No. 4) Order 2009

Made - - - -

17th June 2009

The Secretary of State makes the following Order in exercise of the powers conferred by sections 61(5) and 65 of the Safeguarding Vulnerable Groups Act 2006(1).

In accordance with section 56(3)(p) of that Act he has consulted the Welsh Ministers.

Citation and interpretation

1.—(1) This Order may be cited as the Safeguarding Vulnerable Groups Act 2006 (Commencement No. 4) Order 2009.

(2) In this Order—

"the Act" means the Safeguarding Vulnerable Groups Act 2006;

"independent school" has the meaning given by section 463(2) of the Education Act 1996(3);

⁽**1**) 2006 c.47.

⁽²⁾ Section 463 was substituted by section 172 of the Education Act 2002 (c. 32).

⁽**3**) 1996 c. 56.

"non-maintained special school" has the meaning given by section 337(4) of the Education Act 1996.

Provisions coming into force on 22nd June 2009 for the purposes of making regulations

2. 22nd June 2009 is the appointed day for the coming into force of the following provisions of the Act for the purposes of making regulations:

- (a) paragraph 14(1) and (4) of Schedule 9 (amendments);
- (b) section 63(1) (amendments and repeals) insofar as it relates to the provisions set out in paragraph (a).

Further provisions coming into force on 22nd June 2009

3.—(1) 22nd June 2009 is the appointed day for the coming into force of section 50 of the Act (provision of information to supervisory authorities) for the purpose set out in paragraph (2).

(2) The purpose is the provision to Her Majesty's Chief Inspector of Schools in England(5) of information relating to—

- (a) non-maintained special schools in England, and
- (b) independent schools in England.

Home Office 17th June 2009

David Hanson Minister of State

⁽⁴⁾ Section 337 together with section 337A were substituted for section 337 by section 142(1) of the Education and Skills Act 2008 (c. 25). Section 142(1) of that Act was not in force at the date of the making of this Order.

⁽⁵⁾ Section 45(7)(g) of the Safeguarding Vulnerable Groups Act 2006 refers to Her Majesty's Chief Inspector of Schools in England. That office was abolished by section 113(8) of the Education and Inspections Act 2006 (c. 40) but the functions of that office were transferred to Her Majesty's Chief Inspector of Education, Children's Services and Skills by section 122 of that Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 63(1) of, and paragraph 14(1) and (4) of Schedule 9 to, the Safeguarding Vulnerable Groups Act 2006 (c. 47) ("the Act"), insofar as those provisions insert sections 113BA (suitability information relating to children) and 113BB (suitability information relating to vulnerable adults) into the Police Act 1997 (1997 c. 50). The Order further specifies that sections 113BA and 113BB are brought into force only for the purpose of making regulations under those sections.

The Order also brings into force section 50 of the Act (provision of information to supervisory authorities) but only insofar as it requires the Independent Barring Board established under section 1 of the Act to provide information relating to non-maintained special schools and independent schools in England to Her Majesty's Chief Inspector of Education, Children's Services and Skills (section 113(8) of the Education and Inspections Act 2006 (c. 40) abolished the office of Her Majesty's Chief Inspector of Schools in England, but section 122 of that Act transferred the functions of that office to the office of Her Majesty's Chief Inspector of Education, Children's Services and Skills, established under that Act).

Provision	Date of Commencement	S.I. No.
section 1 in relation to England and Wales	2nd January 2008	2007/3545 (C.153)
section 1 in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
sections 2(2) to (5) partially	31st December 2007	2007/3545 (C.153)
section 2 partially	11th February 2008	2007/3545 (C.153)
section 2(2), (3) and (4) partially	19th May 2008	2008/1320 (C.57)
section 2 partially	20th January 2009	2009/39 (C.3)
section 3(1), (2)(a) and (b)and (3)(b) partially	19th May 2008	2008/1320 (C.57)
section 4(8)	31st December 2007	2007/3545 (C.153)
section 4 in so far as not already in force	19th May 2008	2008/1320 (C.57)
section 5(1) and (2) partially	11th February 2008	2007/3545 (C.153)
section 5 partially	19th May 2008	2008/1320 (C.57)
section 5 for in so far as not already in force	20th January 2009	2009/39 (C.3)
section 6 partially	11th February 2008	2007/3545 (C.153)
section 6(12) partially	19th May 2008	2008/1320 (C.57)
section $6(1)$ to (11) partially	20th January 2009	2009/31 (C.4)
section 11(2) partially	19th May 2008	2008/1320 (C.57)

(This note is not part of the Order)

NOTE AS TO EARLIER COMMENCEMENT ORDERS

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Provision	Date of Commencement	S.I. No.
ection 12 partially	19th May 2008	2008/1320 (C.57)
ection 13(1) and (5) partially	19th May 2008	2008/1320 (C.57)
ection 14(1), (2) and (3) partially	19th May 2008	2008/1320 (C.57)
ection 21 partially	20th January 2009	2009/31 (C.3)
action 22(1) to (4), 5(a) and (b) and (6) artially	20th January 2009	2009/31 (C.3)
ection 23(3) partially	20th January 2009	2009/31 (C.3)
ection 24(1)(c) and (d), (8)(a) and (c), (10), 1) and (12)(d) partially	19th May 2008	2008/1320 (C.57)
action 25	19th May 2008	2008/1320 (C.57)
ection 26(1) partially	19th May 2008	2008/1320 (C.57)
ection 28	20th January 2009	2009/39 (C.3)
ection 29	20th January 2009	2009/39 (C.3)
ection 30(7) and (8) partially	19th May 2008	2008/1320 (C.57)
ection 31(6) partially	19th May 2008	2008/1320 (C.57)
ection 32(10) partially	19th May 2008	2008/1320 (C.57)
ection 33(3) and (4)(b) partially	19th May 2008	2008/1320 (C.57)
ection 35(1) partially	19th May 2008	2008/1320 (C.57)
ection 36(1), (2) and (3) partially	19th May 2008	2008/1320 (C.57)
ection 37 partially	11th February 2008	2007/3545 (C.153)
ection 37(2) partially	19th May 2008	2008/1320 (C.57)
ection 37 in so far as not already in force	20th January 2009	2009/31 (C.3)
ection 38 partially	11th February 2008	2007/3545 (C.153)
ection 38 partially	20th January 2009	2009/31 (C.3)
ection 39(1) and (5) partially	19th May 2008	2008/1320 (C.57)
ection 40 partially	11th February 2008	2007/3545 (C.153)
ection 40(2) partially	19th May 2008	2008/1320 (C.57)
ection 40 in so far as not already in force	20th January 2009	2009/31 (C.3)
ection 41(1), (5) and (8) partially	19th May 2008	2008/1320 (C.57)
ection 41(7) partially	20th January 2009	2009/31 (C.57
ection 42 partially	11th February 2008	2007/3545 (C.153)
ection 42(2) partially	19th May 2008	2008/1320 (C.57)
ection 42 in so far as not already in force	20th January 2009	2009/31 (C.3)
ection 43(3) to (5) partially	11th February 2008	2007/3545 (C.153)
ection 43(7) partially	19th May 2008	2008/1320 (C.57)

Provision	Date of Commencement	S.I. No.
section 44(6) and (7) partially	19th May 2008	2008/1320 (C.57)
section 45(1), (5) and (9) partially	19th May 2008	2008/1320 (C.57)
section 45(7) partially	20th January 2009	2009/31 (C.3)
section 46 partially	11th February 2008	2007/3545 (C.153)
section 46(1)(a) and (2) partially	19th May 2008	2008/1320 (C.57)
section 46 in so for as not already in force	20th January 2009	2009/31 (C.3)
section 47(6) and (7) partially	19th May 2008	2008/1320 (C.57)
section 47 partially	20th January 2009	2009/31 (C.3)
section 48(6), (7) and (8) partially	19th May 2008	2008/1320 (C.57)
section 49(6), (7) and (8) partially	19th May 2008	2008/1320 (C.57)
section 50 partially	11th February 2008	2007/3545 (C.153)
section 51 partially	11th February 2008	2007/3545 (C.153)
section 53 partially	11th February 2008	2007/3545 (C.153)
section 53 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 54(1) and (2) partially	19th May 2098	2008/1320 (C.57)
section 56	31st December 2007	2007/3545 (C.153)
section 57 partially	11th February 2008	2007/3545 (C.153)
section 57 in so far as not already in force	20th January 2009	2009/31 (C.3)
section 58 partially	11th February 2008	2007/3545 (C.153)
section 58(6) partially	19th May 2008	2008/1320 (C.57)
section 59 partially, in relation to England and Wales	11th February 2008	2007/3545 (C.153)
section 59 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 60(1) partially, in relation to England and Wales	31st December 2007	2007/3545 (C.153)
section 60(1) and (4) partially, in relation to England and Wales	11th February 2008	2007/3545 (C.153)
section 60 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 61, in relation to England and Wales	31st December 2007	2007/3545 (C.153)
section 61 partially, in relation to Northern Ireland	31st March 2008	2008/930 (C.45)
section 62 partially	31st December 2007	2007/3545 (C.153)
section 62 in so far as not already in force	11th February 2008	2007/3545 (C.153)
section 63(1) partially	19th May 2008	2008/1320 (C.57)

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section 63(1) partially 17th December 2008 2008/3204 (C.145) section 63(1) partially 20th January 2009 2009/31 (C.3) section 64 31st December 2007 2007/3545 (C.153) section 67 31st December 2007 2007/3545 (C.153) section 67 31st December 2007 2007/3545 (C.153) Schedule 1 in relation to England and Wales 2nd January 2008 2007/3545 (C.153) Schedule 2 2nd January 2008 2007/3545 (C.153) Schedule 3 2nd January 2008 2007/3545 (C.153) Paragraphs 1(1), 2(1), 7(1) and 8(1) partially 31st December 2007 2007/3545 (C.153) Paragraphs 1(1), 2(1), 7(1) and 8(1) partially 31st December 2007 2007/3545 (C.153) Paragraphs 1(1), 2(1), 7(1) and 8(1) partially 31st December 2007 2007/3545 (C.153) Paragraphs 1(1), 2(1), 7(1) and 8(1) partially 31st December 2007 2007/3545 (C.153) Paragraphs 1(1), 2(1), 7(1) and 2(1)(b), (2) and (4) 2007/3545 (C.153) Paragraphs 6(1)(b), (2) and (3), 12(1)(b), (2) 19th May 2008 2008/1320 (C.57) Paragraphs 1(1), 2(1)(a), 3(1)(1) (a) (1) (a) (2), 22, 23, 24(3) 10(1) to (4) and (6), 5, 7 to 9,	Provision	Date of Commencement	S.I. No.
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(a), (4) and (5), 19 to 23, 24(3) to (8) and 25 partially Paragraphs 6(1)(b), (2) and (3), 12(1)(b), (2) and (3), 16(5), 19(1)(b) and 21 partially Paragraphs 1 to 3, 4(1) to (4) and (6), 5, 7 to 9, 10(1) to (4) and (6), 11, 14 to 20, 22, 23, 24(3) to (7) and 25 in so far as not already in force Schedule 4 Schedule 4 partially Schedule 4 partially 11th February 2008 2008/1320 (C.57) Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially 19th May 2008 2008/1320 (C.57) Schedule 5 Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) (c) and (2), 10(1)(c) and (2), 7(1)(c) and (2), (c) and (2), 10(1)(c) and (2), and 14 partially Schedule 6 Paragraphs 2(1) and 5 partially 19th May 2008 2008/1320 (C.57) Schedule 6 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 7 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 Paragraphs 2 to 4, partially		31st December 2007	2007/3545 (C.153)
and (3), 16(5), 19(1)(b) and 21 partially 20th January 2009 2009/31 (C.3) Paragraphs 1 to 3, 4(1) to (4) and (6), 5, 7 to 9, 10(1) to (4) and (6), 11, 14 to 20, 22, 23, 24(3) to (7) and 25 in so far as not already in force 20th January 2009 2009/31 (C.3) Schedule 4 Schedule 4 2007/3545 (C.153) 2008/1320 (C.57) Schedule 4 partially 11th February 2008 2008/1320 (C.57) Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially 19th May 2008 2008/1320 (C.57) Schedule 5 2008/1320 (C.57) 2008/1320 (C.57) Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) 19th May 2008 2008/1320 (C.57) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 4(1) 19th May 2008 2008/1320 (C.57) Schedule 6 2008/1320 (C.57) 2008/1320 (C.57) 2008/1320 (C.57) Schedule 7 19th May 2008 2008/1320 (C.57) 2008/1320 (C.57) Schedule 7 19th May 2008 2008/1320 (C.57) 2008/1320 (C.57) Schedule 8 119th May 2008 2008/1320 (C.57) 2007/3545 (C.153) Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 2008/1320 (C.57) 2007/3545 (C.153) Paragraphs 1 to 5 11th Fe	(a), (4) and (5), 19 to 23, 24(3) to (8) and 25	11th February 2008	2007/3545 (C.153)
10(1) to (4) and (6), 11, 14 to 20, 22, 23, 24(3) to (7) and 25 in so far as not already in force Schedule 4 Schedule 4 I1th February 2008 2007/3545 (C.153) Schedule 4 partially 19th May 2008 2008/1320 (C.57) Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially 19th May 2008 2008/1320 (C.57) Schedule 5 Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) 19th May 2008 2008/1320 (C.57) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 8, 9(1)(c) and (2), 10(1)(c) and (2) and 14 19th May 2008 2008/1320 (C.57) Schedule 6 Paragraphs 2(1) and 5 partially 19th May 2008 2008/1320 (C.57) Schedule 7 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 Interventional state of the state		19th May 2008	2008/1320 (C.57)
Schedule 4 partially 11th February 2008 2007/3545 (C.153) Schedule 4 partially 19th May 2008 2008/1320 (C.57) Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially 19th May 2008 2008/1320 (C.57) Schedule 5 2008/1320 (C.57) 2008/1320 (C.57) Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) 19th May 2008 2008/1320 (C.57) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 8(1) 19th May 2008 2008/1320 (C.57) Schedule 6 2008/1320 (C.57) Schedule 7 Paragraphs 2(1) and 5 partially 19th May 2008 2008/1320 (C.57) Schedule 7 19th May 2008 2008/1320 (C.57) Schedule 8 2008/1320 (C.57) Schedule 8 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 2008/1320 (C.57) Schedule 8 Paragraphs 2 to 4, partially 19th May 2008 2007/3545 (C.153) Paragraphs 1 to 5 11th February 2008 2007/3545 (C.153)	10(1) to (4) and (6), 11, 14 to 20, 22, 23, 24(3)	20th January 2009	2009/31 (C.3)
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Schedule 5 Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 8, 9(1)(c) and (2), 10(1)(c) and (2) and 14 partially Schedule 6 Paragraphs 2(1) and 5 partially 19th May 2008 2008/1320 (C.57) Schedule 7 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 Paragraphs 2 to 4, partially Paragraphs 1 to 5 11th February 2008 2007/3545 (C.153)	Schedule 4 partially	19th May 2008	2008/1320 (C.57)
Paragraphs 1(1), 2(1)(a), 3(1)(c) and (2), 4(1) 19th May 2008 2008/1320 (C.57) (c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 19th May 2008 2008/1320 (C.57) Schedule 6	Paragraphs 2(1)(f), 6, 7(1)(f) and 9 partially	19th May 2008	2008/1320 (C.57)
(c) and (2), 5, 6(1)(c) and (2), 7(1)(c) and (2), 8, 9(1)(c) and (2), 10(1)(c) and (2) and 14 partially Schedule 6 Paragraphs 2(1) and 5 partially 19th May 2008 2008/1320 (C.57) Schedule 7 Paragraphs 1 and 2 partially 19th May 2008 2008/1320 (C.57) Schedule 8 Paragraphs 2 to 4, partially 31st December 2007 2007/3545 (C.153) Paragraphs 1 to 5 11th February 2008 2007/3545 (C.153)	Schedule 5		
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Paragraphs 2 to 4, partially 31st December 2007 2007/3545 (C.153) Paragraphs 1 to 5 11th February 2008 2007/3545 (C.153)	Paragraphs 1 and 2 partially	19th May 2008	2008/1320 (C.57)
Paragraphs 1 to 5 11th February 2008 2007/3545 (C.153)	Schedule 8		
	Paragraphs 2 to 4, partially	31st December 2007	2007/3545 (C.153)
Schedule 9	Paragraphs 1 to 5	11th February 2008	2007/3545 (C.153)
	Schedule 9		

Provision	Date of Commencement	S.I. No.
Paragraphs 2, 5(1) and 6(1) partially	17th December 2008	2008/3204 (C.145)
Paragraphs 5(2), (3) (6) and (7), 6(2), (3) and (6) and 7 in relation to England	17th December 2008	2008/3204 (C.145)
Paragraphs 5(4) and 6(4)	17th December 2008	2008/3204 (C.145)
Paragraphs 10 and 15	19th May 2008	2008/1320 (C.57)
Paragraphs 5(2), (3), (6) and (7), 6(2), (3) and (6) and 7 in relation to England in so far as not already in force	20th January 2009	2009/39 (C.3)
Paragraphs 2, 5(1) and 6(1) partially	20th January 2009	2009/39 (C.3)
Paragraphs 5(4) and 6(4)	20th January 2009	2009/39 (C.3)