

2014 No. 955

POLICE, ENGLAND AND WALES

**The Police Act 1997 (Criminal Records) (Amendment No. 2)
Regulations 2014**

<i>Made</i>	- - - -	<i>8th April 2014</i>
<i>Laid before Parliament</i>		<i>11th April 2014</i>
<i>Coming into force</i>	- -	<i>6th May 2014</i>

The Secretary of State, in exercise of the powers conferred by sections 113B(2)(b) and 125 of the Police Act 1997(a), makes the following Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Act 1997 (Criminal Records) (Amendment No. 2) Regulations 2014 and shall come into force on 6th May 2014.

(2) These Regulations extend to England and Wales.

Amendment of the Police Act 1997 (Criminal Records) Regulations 2002

2.—(1) The Police Act 1997 (Criminal Records) Regulations 2002(b) are amended as follows.

(2) In regulation 5A—

(a) for paragraph (a) substitute—

“(a) considering the applicant’s suitability in the circumstances set out in regulation 5C;
”;

(b) for paragraph (b) substitute—

“(b) considering the applicant’s suitability in the circumstances set out in regulation 5B;
”;

(c) at the appropriate place insert—

“(zf) considering the applicant’s suitability to obtain or hold a taxi driver licence.”.

(3) In regulation 5B—

(a) for the heading substitute “Work with adults”;

(b) in paragraph (1), for “For the purposes of regulation 5A(b) “work with adults” means” substitute “The circumstances referred to in regulation 5A(b) are”.

(a) 1997 c. 50. Section 113B(2) was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (c. 15) and amended by section 63(1) of, and paragraph 14(1) and (3) of Schedule 9 to, the Safeguarding Vulnerable Groups Act 2006 (c. 47).

(b) S.I. 2002/233. Regulation 5A was inserted by S.I. 2006/748 and has been amended by 2006/2181, 2007/1892, 2007/3224, 2008/2143, 2009/1882, 2010/817, 2010/1836, 2012/523, 2012/979, 2012/2114, 2012/3006, 2012/3016, 2013/1194 and 2013/2669. Regulation 5B was inserted by 2013/1194. Regulation 5C was inserted by S.I. 2013/2669.

(4) In regulation 5C—

- (a) for the heading substitute “Work with children”;
- (b) for “For the purposes of regulation 5A(a) “work with children” means” substitute “The circumstances referred to in regulation 5A(a) are”;
- (c) omit paragraph (h).

Home Office
8th April 2014

Taylor of Holbeach
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Act 1997 (Criminal Records) Regulations 2002 (“the Regulations”) to make clearer that the purposes for which an enhanced criminal record certificate can be obtained (under section 113B of the Police Act 1997) mentioned in regulations 5B and 5C of the Regulations relate to the person making the application for a particular position, rather than the person deciding the application.

These Regulations also make considering an applicant’s suitability to obtain or hold a taxi driving licence a prescribed purpose for which an enhanced criminal record certificate can be obtained a prescribed purpose in its own right, rather than grouping such a purpose alongside other matters relating to work with children as a single composite prescribed purpose.

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