



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2 **S**

VETTING AND DISCLOSURE

Fees, forms and other procedures

70 **Fees** **S**

- (1) Ministers may charge such fee as may be prescribed—
 - (a) in respect of applications to join, or to be removed from, the Scheme,
 - (b) in respect of disclosure requests, and
 - (c) otherwise in respect of the performance of their functions under this Part.
- (2) Regulations may, in particular, provide for—
 - (a) different fees in different circumstances,
 - (b) annual or other recurring fees in respect of participation in the Scheme,
 - (c) reduction, waiver or refund of fees in prescribed circumstances.
- (3) Before prescribing fees under this section, Ministers must have regard to—
 - (a) the circumstances in which those fees are payable, and
 - (b) the desirability of maintaining an appropriate balance among—
 - (i) the quality of the performance of their vetting, barring and disclosure functions,
 - (ii) the cost of that performance, and
 - (iii) the fees paid to them in respect of that performance.
- (4) Where regulations provide for a fee to be charged in respect of—
 - (a) an application to join, or to be removed from, the Scheme, or
 - (b) a disclosure request,

Ministers need not consider the application or request unless the fee is paid.

Changes to legislation: Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: Fees, forms and other procedures is up to date with all changes known to be in force on or before 26 June 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

Modifications etc. (not altering text)

- C1** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **22**
- C2** Pt. 2 modified (28.2.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Provisions\) Order 2010 \(S.I. 2010/2660\)](#), arts. 1, **21**

Commencement Information

- I1** S. 70(1)-(3) in force at 18.4.2010 for specified purposes by [S.S.I. 2010/133](#), art. 2, **Sch.**
- I2** S. 70(1)-(3) in force at 28.2.2011 in so far as not already in force by [S.S.I. 2011/157](#), art. **2(a)**
- I3** S. 70(4) in force at 28.2.2011 by [S.S.I. 2011/157](#), art. **2(a)**

71 Forms **S**

- (1) It is for Ministers to determine the form and manner in which—
- applications to join, or to be removed from, the Scheme,
 - requests to correct a scheme record, and
 - disclosure requests (including disclosure declarations made in relation to them),
- must be made.
- (2) Ministers may, in particular, determine that any such application, request or declaration may be made in electronic form.
- (3) Ministers need not consider any such application, request or declaration unless it is made in the form and manner determined by them (or in a form and manner as close to that as circumstances permit).

Commencement Information

- I4** [S. 71](#) in force at 12.10.2010 by [S.S.I. 2010/344](#), art. **2(a)(iii)**

72 Procedure **S**

- (1) Ministers may, by regulations, make such further provision about the administration of the Scheme as they think fit.
- (2) Regulations may, in particular—
- prescribe further procedure relating to applications to join, or to be removed from, the Scheme,
 - prescribe circumstances in which scheme members are to be removed from the Scheme,
 - prescribe circumstances in which disclosure condition A (see section 55) is to be treated as being satisfied when a person other than a scheme member makes a disclosure request in respect of that member,
 - prescribe further procedure relating to making disclosure requests and to disclosing information in pursuance of such requests.

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Commencement Information

- I5** S. 72 in force at 18.4.2010 for specified purposes by [S.S.I. 2010/133](#), [art. 2](#), [Sch.](#)
- I6** S. 72 in force at 28.2.2011 in so far as not already in force by [S.S.I. 2011/157](#), [art. 2\(a\)](#)

Changes to legislation:

Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: Fees, forms and other procedures is up to date with all changes known to be in force on or before 26 June 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.

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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. 6A inserted by [2020 asp 13 s. 80\(2\)](#)
- s. 8(3)(za) inserted by [2020 asp 13 s. 82\(3\)](#)
- s. 10(1)(aa) inserted by [2020 asp 13 s. 80\(3\)](#)
- s. 13A-13C inserted by [2020 asp 13 s. 76\(2\)](#)
- s. 18(5) inserted by [2020 asp 13 sch. 5 para. 5\(2\)\(b\)](#)
- s. 30(3A)-(3C) inserted by [2020 asp 13 s. 77\(3\)](#)
- s. 45A inserted by [2020 asp 13 s. 71](#)
- s. 45B inserted by [2020 asp 13 s. 72](#)
- s. 45C-45G inserted by [2020 asp 13 s. 73\(2\)](#)
- s. 45H inserted by [2020 asp 13 s. 88\(3\)](#)
- s. 46A inserted by [2020 asp 13 s. 79](#)
- s. 49(3) inserted by [2020 asp 13 sch. 5 para. 5\(3\)\(c\)](#)
- s. 70(2)(d) inserted by [2020 asp 13 sch. 5 para. 10\(41\)\(b\)](#)
- s. 77(1A) inserted by [2020 asp 13 sch. 5 para. 10\(46\)\(b\)](#)
- s. 94(2A)(2B) inserted by [2020 asp 13 s. 75\(3\)](#)
- sch. 2 para. 31(1) words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(i\)](#)
- sch. 2 para. 31 words substituted by [2024 asp 5 Sch. para. 19\(2\)](#)
- sch. 2 para. 31 words substituted by [2024 asp 5 Sch. para. 25\(2\)\(b\)](#)
- sch. 3 para. 24 words substituted by [2024 asp 5 Sch. para. 19\(3\)](#)