



Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

The Scheme

44 The Scheme

Ministers are to administer a scheme (“the Scheme”) under which information about individuals who do, or wish to do, regulated work with children or protected adults is—

- (a) collated, and
- (b) disclosed,

in accordance with this Part.

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. 44](#) in force at 28.2.2011 by [S.S.I. 2011/157](#), **art. 2(a)** (with art. 4)

45 Participation in Scheme

- (1) An individual may apply to Ministers to join the Scheme in relation to—
- (a) regulated work with children,
 - (b) regulated work with adults, or
 - (c) both types of regulated work.

Changes to legislation: Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: The Scheme is up to date with all changes known to be in force on or before 22 May 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

- (2) Ministers must allow an individual to be a member of the Scheme (a “scheme member”) in relation to a type of regulated work if the individual is not barred from doing that work.

Commencement Information
I2 S. 45 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

46 Statement of scheme membership

- (1) Ministers must disclose a statement of scheme membership to each scheme member.
- (2) A statement of scheme membership is a document which—
 - (a) sets out the type of regulated work in relation to which an individual participates in the Scheme,
 - (b) confirms that the individual is not barred from doing that work,
 - (c) if Ministers are considering whether to list the individual in relation to that type of work, says so, and
 - (d) contains such other information about the individual as may be prescribed.
- (3) Ministers need not comply with subsection (1) where—
 - (a) the individual makes a disclosure request at the same time as the individual applies to join the Scheme, ^{F1}...
 - ^{F1}(b)

Textual Amendments
F1 S. 46(3)(b) and word repealed (8.2.2016) by The Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial (No. 2) Order 2015 (S.S.I. 2015/423), arts. 1(2), 4(2) (with arts. 5-10)

Commencement Information
I3 S. 46 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

Changes to legislation:

Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: The Scheme is up to date with all changes known to be in force on or before 22 May 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\(3\)](#)