

SCHEDULES

SCHEDULE 1

BARRED LISTS

PART III

SUPPLEMENTARY

Information

19.—(1) IBB may require—

- (a) any person who holds records of convictions or cautions for the use of police forces generally to provide to it any relevant information relating to a person to whom any of paragraphs 1 to 5 or 7 to 11 applies;
- (b) any person who holds such records to provide to it prescribed details of relevant matter (within the meaning of section 113A of the Police Act 1997 (c. 50)) relating to a person to whom any of those paragraphs apply;
- (c) the chief officer of a relevant police force to provide to it any such relevant information;
- (d) any person who holds information prescribed for the purposes of Article 28(8)(c) to provide to it any such information relating to a person to whom any of paragraphs 1 to 5 or 7 to 11 applies.

(2) For the purposes of sub-paragraph (1)(a), relevant information relating to a person is information which the person holding the records thinks might be relevant in relation to the regulated activity concerned.

(3) For the purposes of sub-paragraph (1)(c), relevant information relating to a person is information which the chief officer thinks might be relevant in relation to the regulated activity concerned.

(4) IBB must pay to the appropriate police authority such fee as the Secretary of State thinks appropriate for information provided to IBB in accordance with sub-paragraph (1)(c).

(5) For the purpose of deciding under this Schedule whether or not a person is included in a barred list IBB must not take account of relevant police information if the chief officer of the relevant police force thinks that it would not be in the interests of the prevention or detection of crime to disclose the information to the person.

(6) In sub-paragraph (5) relevant police information is information which falls within sub-paragraph (3), whether it is obtained by IBB in pursuance of subparagraph (1)(c) or paragraph 20(2).

(7) In this paragraph—

“caution” has the same meaning as in section 126 of the Police Act 1997 (c. 50);

“relevant police force” must be construed in accordance with subsection (9) of section 113B of that Act as if the person had made an application for the purposes of that section.

Status: This is the original version (as it was originally made).

(8) If IBB so requests, the Secretary of State must inform IBB which police forces are relevant police forces in relation to a person.

20.—(1) The Department of Health, Social Services and Public Safety may provide to IBB any information relating to a person which is held by that Department in connection with its functions under Part II or III of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003.

(2) The Department of Education may provide to IBB any information relating to a person which is held by that Department in connection with its functions under Articles 70(2)(e)(iii) and 88A(2)(b)(iii) of the [Education and Libraries \(Northern Ireland\) Order 1986 \(NI 3\)](#).

(3) The Secretary of State must provide to IBB any information relating to a person which is held by him in connection with his functions under this Order (except information he holds relating to an offence prescribed for the purposes of paragraph 4(5) or 10(5) of this Schedule).

21. IBB must provide the Secretary of State with the prescribed information relating to a person if—

- (a) it includes that person in a barred list;
- (b) it is considering whether to include him in a barred list;
- (c) it thinks that any of the criteria prescribed for the purposes of paragraph 1, 2, 7 or 8 is satisfied in relation to him and that the Secretary of State does not already have the information.

22. The Secretary of State must inform the Scottish Ministers if a person is included in a barred list.

23. IBB may—

- (a) at the request of the Secretary of State provide him with such information relating to the exercise of its functions as IBB thinks may be relevant to the exercise by the Secretary of State of any of his functions;
- (b) at the request of a Northern Ireland department provide it with such information relating to the exercise of IBB's functions as IBB thinks may be relevant to the exercise by that Department of any of its functions.