

STATUTORY INSTRUMENTS

2007 No. 1351

**The Safeguarding Vulnerable Groups
(Northern Ireland) Order 2007**

Professional bodies and supervisory authorities

Registers: [^{F1}power] to refer **N.I.**

43.—(1) A keeper of a relevant register [^{F2}may] provide [^{F3}DBS] with any ^{F4}... information he holds relating to a person if the first and second conditions are satisfied.

(2) The first condition is that the keeper thinks—

- (a) that paragraph 1, 2, 7 or 8 of Schedule 1 applies to the person,
- (b) that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 1) occurring after the commencement of this Article, or
- (c) that the harm test is satisfied.

(3) The harm test is that the person may—

- (a) harm a child or vulnerable adult,
- (b) cause a child or vulnerable adult to be harmed,
- (c) put a child or vulnerable adult at risk of harm,
- (d) attempt to harm a child or vulnerable adult, or
- (e) incite another to harm a child or vulnerable adult.

(4) The second condition is that the keeper thinks—

- (a) that the person is [^{F5}or has been, or might in future be, engaged] in regulated activity ^{F6}..., and
- (b) (except in a case where paragraph 1 [^{F7}or 7] of Schedule 1 applies) that [^{F3}DBS] may consider it appropriate for the person to be included in a barred list.

^{F8}[^{F9}(4A)

^{F8}(4B)

^{F8}(4C)]

(5) A keeper of a relevant register may provide [^{F3}DBS] with any ^{F10}... information he holds relating to a person if—

- (a) he thinks that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 1) occurring before the commencement of this Article, and
- (b) the condition in paragraph (4) is satisfied.

(6) For the purposes of paragraph (2)(b) or (5)(a), conduct is inappropriate if it appears to the keeper to be inappropriate having regard to the guidance issued by the Secretary of State under paragraph 4(6) or 10(6) of Schedule 1.

(7) In this Article—

Changes to legislation: *The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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*

- (a) a relevant register is a register appearing in column 1 of the following table, and
 (b) in relation a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the table.

Relevant register	Keeper of the register
1. The register of teachers maintained under Article 35 of the Education (Northern Ireland) Order 1998 (NI 13)	The General Teaching Council for Northern Ireland
2. The register of pharmaceutical chemists maintained under Article 6 of the Pharmacy (Northern Ireland) Order 1976 (NI 22)	The registrar appointed under Article 9(1) of that Order
3. ^[F11] Any of] the lists of medical practitioners kept under section 2 of the Medical Act 1983 (c. 54)	The registrar of the General Medical Council
4. The dentists register kept under section 14 of the Dentists Act 1984 (c. 24) or the dental care professionals register kept under section 36B of that Act	The registrar appointed under section 14 of that Act
5. The register of optometrists or the register of dispensing opticians maintained under section 7 of the Opticians Act 1989 (c. 44), or the register of persons undertaking training as optometrists or the register of persons undertaking training as dispensing opticians maintained under section 8A of that Act	The registrar of the General Optical Council
6. The register of osteopaths maintained under section 2 of the Osteopaths Act 1993 (c. 21)	The Registrar of Osteopaths
7. The register of chiropractors maintained under section 2 of the Chiropractors Act 1994 (c. 17)	The Registrar of Chiropractors
8. The register of social workers and social care workers maintained under section 3 of the Health and Personal Social Services Act (Northern Ireland) 2001 (c. 3)	The Northern Ireland Social Care Council

9. The register of qualified nurses and midwives maintained under Article 5 of the Nursing and Midwifery Order 2001 (S.I. 2002/253)

The registrar appointed under Article 4 of that Order

10. The register of members of relevant professions maintained under Article 5 of the [F12Health Professions Order 2001] (S.I. 2002/254)

The registrar appointed under Article 4 of that Order

(8) The Secretary of State may by order amend the table in paragraph (7) by inserting an entry or amending or omitting an entry for the time being contained in the Table.

Textual Amendments

- F1** Word in art. 43 heading substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(e\)](#); S.I. 2012/2234, art. 2(z)(iii)
- F2** Word in art. 43(1) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(a\)\(i\)](#); S.I. 2012/2234, art. 2(z)(iii)
- F3** Word in arts. 37-44 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 6\(b\)](#) (with Pt. 4)
- F4** Word in art. 43(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(a\)\(ii\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(iii) (bb)
- F5** Words in art. 43(4)(a) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(b\)\(i\)](#); S.I. 2012/2234, art. 2(z)(iii)
- F6** Words in art. 43(4)(a) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(b\)\(ii\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(iii) (bb)
- F7** Words in art. 43(4)(b) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(b\)\(iii\)](#); S.I. 2012/2234, art. 2(z)(iii)
- F8** Art. 43(4A)-(4C) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(c\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(iii) (bb)
- F9** Art. 43(4A)-(4C) inserted (1.4.2010) by [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 22\(a\)](#)
- F10** Word in art. 43(5) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(1\)\(d\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(iii) (bb)
- F11** Words in art. 43(7) Table substituted (1.4.2010) by [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 22\(b\)](#)

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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

F12 Words in art. 43(7) table substituted (coming into force in accordance with reg. 1 of the amending S.I.) by The Children and Social Work Act 2017 (Consequential Amendments) (Social Workers) Regulations 2019 (S.I. 2019/1094), reg. 1, **Sch. 2 para. 23**

Commencement Information

I1 Art. 43 wholly in operation; art. 43 not in operation at date of making see art. 1(3); art. 43(1)(5) (8) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 4(n)**, **art. 5(f)**; art. 43(7) in operation for certain purposes at 13.3.2009 by S.R. 2009/41, **art. 3(1)(e)**; art. 43 in operation at 12.10.2009 in so far as it is not already in operation by S.R. 2009/346, **art. 3**, **Sch.**

Registers: duty to provide information on request **N.I.**

44.—(1) This Article applies if [^{F3}DBS] is considering—

- (a) whether to include in a barred list a person who appears on a relevant register;
- (b) whether to remove such a person from a barred list.

(2) [^{F3}DBS] may require the keeper of the register to provide it with any prescribed information he holds relating to the person.

(3) The keeper of the register must comply with a requirement under paragraph (2).

(4) References to a relevant register and the keeper of a relevant register must be construed in accordance with Article 43(7).

Textual Amendments

F3 Word in arts. 37-44 substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **6(b)** (with Pt. 4)

Commencement Information

I2 Art. 44 wholly in operation; art. 44 not in operation at date of making see art. 1(3); art. 44 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(h)**; art. 44(2) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 4(o)**; art. 44 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(e)**

Registers: [^{F13} provision of barring information to keepers of registers] **N.I.**

45.—[^{F14}(1) Paragraph (2) applies if—

- (a) [^{F15}DBS] knows or thinks that a person (A) appears on a relevant register, and
- (b) either—
 - (i) A is included in a barred list, or
 - (ii) [^{F15}DBS] is aware that A is subject to a relevant disqualification.

(2) [^{F15}DBS] must—

- (a) notify the keeper of the register of the circumstances mentioned in paragraph (1)(b)(i) or (as the case may be) (ii), and
- (b) in the case where A is included in a barred list, provide the keeper of the register with such of the information on which [^{F15}DBS] relied in including A in the list as [^{F15}DBS] considers—
 - (i) to be relevant to the exercise of any function of the keeper, and

(ii) otherwise appropriate to provide.

(3) Paragraph (4) applies if the keeper of a relevant register applies to [F¹⁵DBS] to ascertain in relation to a person (A) whether—

- (a) A is included in a barred list, or
- (b) [F¹⁵DBS] is aware that A is subject to a relevant disqualification.

(4) [F¹⁵DBS] must notify the keeper of the register as to whether the circumstances are as mentioned in paragraph (3)(a) or (as the case may be) (b).

(5) [F¹⁵DBS] may (whether on an application by the keeper or otherwise) provide to the keeper of a relevant register such relevant information as [F¹⁵DBS] considers appropriate.

(5A) Paragraph (5B) applies if—

- (a) a keeper of a register has applied to [F¹⁶DBS] to be notified in relation to a person (A) if—
 - (i) A is included in a barred list, or
 - (ii) [F¹⁶DBS] is aware that A is subject to a relevant disqualification, and
- (b) the application has not been withdrawn.

(5B) [F¹⁶DBS] must notify the keeper of the register if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii).

(5C) For the purposes of paragraph (5A)(b) an application is withdrawn if—

- (a) the keeper of the register notifies [F¹⁷DBS] that the keeper no longer wishes to be notified if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii) in relation to A, or
- (b) [F¹⁷DBS] cancels the application on either of the following grounds—
 - (i) that the keeper has not answered, within such reasonable period as was required by [F¹⁷DBS], a request from [F¹⁷DBS] as to whether the keeper still wishes to be notified if the circumstances are, or become, as mentioned in paragraph (5A)(a)(i) or (as the case may be) (ii), or
 - (ii) that A neither appears in the register nor is being considered for inclusion in the register.

(5D) A keeper of a relevant register may apply for information under this Article, or to be notified under this Article, in relation to a person (A) only if—

- (a) A appears in the register, or
- (b) A is being considered for inclusion in the register.

(5E) The duties in paragraphs (2), (4) and (5B) do not apply if [F¹⁵DBS]^{F18}... is satisfied that the keeper of the register already has the information concerned.

(5F) [F¹⁹DBS] may determine the form, manner and contents of an application for the purposes of this Article.

(5G) In this Article relevant information is information—

- (a) which—
 - (i) relates to the protection of children or vulnerable adults in general, or of any child or vulnerable adult in particular, and
 - (ii) is relevant to the exercise of any function of the keeper of the register, but
- (b) which is not—

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- (i) information that the circumstances are as mentioned in paragraph (1)(b)(i) or (ii) in relation to a person,
 - (ii) any information provided under paragraph (2)(b), or
 - (iii) information falling within paragraph 19(5) of Schedule 1.
- (5H) The Secretary of State may by order amend paragraph (5G).]
- (6) In this Article—
- (a) a relevant register is a register appearing in column 1 ^{F20} . . . of the table in Article 43(7), and
 - (b) in relation a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the Table.
- (7) A person is subject to a relevant disqualification if he is included in a list maintained under the law of England and Wales or Scotland which the Secretary of State specifies by order as corresponding to a barred list.

Textual Amendments

- F13** Words in art. 45 heading substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(3\)](#); S.I. 2012/2234, art. 2(z)(v)
- F14** Art. 45(1)-(5H) substituted for art. 45(1)-(5) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157) for specified purposes) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(2\)](#); S.I. 2012/2234, art. 2(z)(iv)
- F15** Word in art. 45 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 6\(c\)](#) (with Pt. 4)
- F16** Words in art. 45(5A)(5B) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(d\)](#) (with Pt. 4)
- F17** Words in art. 45(5C) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(d\)](#) (with Pt. 4)
- F18** Words in art. 45(5E) omitted (1.12.2012) by virtue of [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 62](#) (with Pt. 4)
- F19** Words in art. 45(5F) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(d\)](#) (with Pt. 4)
- F20** Words in art. 45(6)(a) omitted (1.4.2010) by virtue of [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 23](#)

Commencement Information

- I3** Art. 45 partly in operation; art. 45 not in operation at date of making see art. 1(3); art. 45(3)-(5) in operation for certain purposes at 14.4.2008 by [S.R. 2008/127, art. 4\(i\)](#); art. 45(7) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 5\(g\)](#)
- I4** Art. 45(6) in operation at 10.9.2012 by [S.R. 2012/330, art. 2\(a\)](#)
- I5** Art. 45(7) in operation at 10.9.2012 in so far as not already in operation by [S.R. 2012/330, art. 2\(b\)](#)

Registers: power to apply for vetting information **N.I.**

^{F21}46.

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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

Textual Amendments

F21 Art. 46 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 12\(4\), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2\(z\)\(v\)\(bb\)](#)

Commencement Information

I6 Art. 46 partly in operation; art. 46 not in operation at date of making see art. 1(3); art. 46(6)(7) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 4\(p\), art. 5\(h\)](#)

Supervisory authorities: [F22power] to refer **N.I.**

47.—(1) A supervisory authority [F23may] provide [F24DBS] with any F25... information it holds relating to a person if the first and second conditions are satisfied.

- (2) The first condition is that the supervisory authority thinks, on the basis of relevant evidence—
 - (a) that paragraph 1, 2, 7 or 8 of Schedule 1 applies to the person,
 - (b) that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 1) occurring after the commencement of this Article, or
 - (c) that the harm test is satisfied.

- (3) The harm test is that the person may—
 - (a) harm a child or vulnerable adult,
 - (b) cause a child or vulnerable adult to be harmed,
 - (c) put a child or vulnerable adult at risk of harm,
 - (d) attempt to harm a child or vulnerable adult, or
 - (e) incite another to harm a child or vulnerable adult.

- (4) The second condition is that the supervisory authority thinks—
 - (a) that the person is [F26or has been, or might in future be, engaged] in regulated activity F27..., and
 - (b) (except in a case where paragraph 1 [F28or 7] of Schedule 1 applies) that [F24DBS] may consider it appropriate for the person to be included in a barred list.

(5) The supervisory authority may provide [F24DBS] with any F29... information it holds relating to a person if—

- (a) it thinks, on the basis of relevant evidence, that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 1) occurring before the commencement of this Article, and
- (b) the condition in paragraph (4) is satisfied.

F30(6)

(7) A supervisory authority is—

- (a) [F31RQIA] in respect of its functions under the 2003 Order;
- (b) an inspector appointed under Article 102 of the Education and Libraries (Northern Ireland) Order 1986 in the exercise of his functions.

[F32(c) the Charity Commission for Northern Ireland in respect of its functions under the Charities Act (Northern Ireland) 2008 (c.12)]

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(8) Relevant evidence is evidence obtained by the supervisory authority in the exercise of the functions mentioned in paragraph (7).

(9) The Secretary of State may by order amend paragraph (7) by inserting a sub-paragraph or amending or omitting a sub-paragraph for the time being contained in that paragraph.

(10) For the purposes of paragraph (2)(b) or (5)(a), conduct is inappropriate if it appears to the supervisory authority to be inappropriate having regard to the guidance issued by the Secretary of State under paragraph 4(6) or 10(6) of Schedule 1.

Textual Amendments

- F22** Word in art. 47 substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(e\)](#); S.I. 2012/2234, art. 2(z)(vi)
- F23** Word in art. 47(1) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(a\)\(i\)](#); S.I. 2012/2234, art. 2(z)(vi)
- F24** Word in arts. 47-49 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 6\(d\)](#) (with Pt. 4)
- F25** Word in art. 47(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(a\)\(ii\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vi)(bb)
- F26** Words in art. 47(4)(a) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(b\)\(i\)](#); S.I. 2012/2234, art. 2(z)(vi)
- F27** Words in art. 47(4)(a) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), Pt. 5s. 120, Sch. 7 para. 13\(1\)\(b\)\(ii\)](#) Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(z)(vi)(bb)
- F28** Words in art. 47(4)(b) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(b\)\(iii\)](#); S.I. 2012/2234, art. 2(z)(vi)
- F29** Word in art. 47(5) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(c\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vi)(bb)
- F30** Art. 47(6) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(1\)\(d\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vii) (bb)
- F31** Words in art. 47(7)(a) substituted (1.4.2010) by [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 15\(2\)](#)
- F32** Art. 47(7)(c) inserted (12.10.2009) by [Safeguarding Vulnerable Groups \(Miscellaneous Provisions\) Order \(Northern Ireland\) 2009 \(S.R. 2009/305\), art. 7\(5\)](#)

Commencement Information

- I7** Art. 47 wholly in operation; art. 47 not in operation at date of making see art. 1(3); art. 47(1)(5) (9) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 4\(q\), art. 5\(i\)](#); art. 47(7) in operation for certain purposes at 13.3.2009 by [S.R. 2009/41, art. 3\(1\)\(f\)](#); art. 47 in operation at 12.10.2009 in so far as it is not already in operation by [S.R. 2009/346, art. 3, Sch.](#)

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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

Supervisory authorities: duty to provide information on request **N.I.**

- 48.—(1) This Article applies if ^{F24}[DBS] is considering—
- (a) whether to include in a barred list a person in relation to whom ^{F24}[DBS] thinks that a supervisory authority may have prescribed information;
 - (b) whether to remove such a person from a barred list.
- (2) ^{F24}[DBS] may require the supervisory authority to provide it with any prescribed information it holds relating to the person.
- (3) The supervisory authority must comply with a requirement under paragraph (2).

Textual Amendments

F24 Word in arts. 47-49 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **6(d)** (with Pt. 4)

Commencement Information

I8 Art. 48 wholly in operation; art. 48 not in operation at date of making see art. 1(3); art. 48 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127](#), **art. 4(j)**; art. 48(1)(a)(2) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233](#), **art. 4(r)**; art. 48 in operation at 13.3.2009 by [S.R. 2009/41](#), **art. 3(1)(f)**

Supervisory authorities: power to apply for ^{F33}certain barring] information **N.I.**

- 49.—(1) If a supervisory authority applies to the ^{F24}[DBS] for information within paragraph (2) or (3) relating to a person (B), the ^{F24}[DBS] must provide the supervisory authority with that information.
- (2) The information within this paragraph is—
- (a) whether B is barred from regulated activity relating to children,
 - ^{F34}(b)
 - ^{F34}(c)
 - ^{F34}(d)
 - ^{F34}(e)
- (3) The information within this paragraph is—
- (a) whether B is barred from regulated activity relating to vulnerable adults,
 - ^{F35}(b)
 - ^{F35}(c)
 - ^{F35}(d)
 - ^{F35}(e)
- (4) A supervisory authority may apply for information under this Article only if the information is required in connection with the exercise of a function of the supervisory authority mentioned in Article 47(7).
- ^{F36}(5)
- (6) The Secretary of State may by order amend this Article for the purpose of altering the information within paragraph (2) or (3).

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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

(7) [F37DBS] may [F38determine] the form, manner and contents of an application for the purposes of this Article.

Textual Amendments

- F24** Word in arts. 47-49 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **6(d)** (with Pt. 4)
- F33** Words in art. 49 heading substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(2\)\(a\)](#); S.I. 2012/2234, art. 2(z)(vi)
- F34** Art. 49(2)(b)-(e) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(2\)\(c\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vi)(bb)
- F35** Art. 49(3)(b)-(e) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(2\)\(d\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vi)(bb)
- F36** Art. 49(5) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(2\)\(e\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(vi)(bb)
- F37** Words in art. 49(7) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **49(e)** (with Pt. 4)
- F38** Word in art. 49(7) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(2\)\(f\)](#); S.I. 2012/2234, art. 2(z)(vi)

Commencement Information

- I9** Art. 49 partly in operation; art. 49 not in operation at date of making see art. 1(3); art. 49(6)(7) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 4\(s\), art. 5\(j\)](#)
- I10** Art. 49(1)-(4) in operation at 10.9.2012 by [S.R. 2012/330, art. 2\(c\)](#)
- I11** Art. 49(7) in operation at 10.9.2012 in so far as not already in operation by [S.R. 2012/330, art. 2\(d\)](#)

Supervisory authorities: notification of barring, etc in respect of children N.I.

50.—(1) This Article applies if—

- (a) a person is ^{F39}... included in the children's barred list,
- (b) [^{F40}DBS] becomes aware that a person is subject to a relevant children's disqualification,
^{F41}...

^{F41}(c)

(2) [^{F42}DBS] must notify every interested supervisory authority of the circumstance mentioned in sub-paragraph (a), (b) or (c) (as the case may be) of paragraph (1).

(3) A supervisory authority is an interested supervisory authority only if—

- (a) it has applied to [^{F43}DBS] to be notified if any of the circumstances mentioned in paragraph (1) occurs in relation to the person, and
- (b) the application has not been withdrawn.

(4) A supervisory authority may apply to [^{F44}DBS] under paragraph (3)(a) only if the notification is required in connection with the exercise of a function of the supervisory authority mentioned in Article 47(7).

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(5) For the purposes of paragraph (3)(b) an application is withdrawn if the supervisory authority notifies [^{F45}DBS] that it no longer wishes to be notified if any of the circumstances mentioned in paragraph (1) occurs in relation to the person.

(6) A person is subject to a relevant children's disqualification if he is included in a list maintained under the law of England and Wales or Scotland which the Secretary of State specifies by order as corresponding to the children's barred list.

(7) The Secretary of State may provide that in prescribed circumstances a supervisory authority is not an interested supervisory authority for the purposes of this Article.

(8) [^{F46}DBS] may [^{F47}determine] the form, manner and contents of an application for the purposes of this Article.

Textual Amendments

F39 Word in art. 50(1)(a) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 7 para. 13(3)(a)(ii), **Sch. 10 Pt. 5**; S.I. 2012/2234, **art. 2(bb)**

F40 Words in art. 50(1) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F41 Art. 50(1)(c) and preceding word repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 7 para. 78, **Sch. 10 Pt. 5**; S.I. 2012/2234, **art. 2(bb)**

F42 Words in art. 50(2) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F43 Words in art. 50(3) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F44 Words in art. 50(4) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F45 Words in art. 50(5) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F46 Words in art. 50(8) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **49(f)** (with Pt. 4)

F47 Word in art. 50(8) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 7 para. 13(3)(g)**; S.I. 2012/2234, art. 2(z)(vi)

Commencement Information

I12 Art. 50 partly in operation; art. 50 not in operation at date of making see art. 1(3); art. 50(6)(7)(8) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 4(t)**, **art. 5(k)**

Supervisory authorities: notification of barring, etc. in respect of vulnerable adults **N.I.**

51.—(1) This Article applies if—

(a) a person is ^{F48}... included in the adults' barred list,

(b) [^{F49}DBS] becomes aware that a person is subject to a relevant adults' disqualification, ^{F50}...

^{F50}(c)

(2) [^{F51}DBS] must notify every interested supervisory authority of the circumstance mentioned in sub-paragraph (a), (b) or (c) (as the case may be) of paragraph (1).

(3) A supervisory authority is an interested supervisory authority only if—

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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

- (a) it has applied to [F52DBS] to be notified if any of the circumstances mentioned in paragraph (1) occurs in relation to the person, and
- (b) the application has not been withdrawn.
- (4) A supervisory authority may apply to [F53DBS] under paragraph (3)(a) only if the notification is required in connection with the exercise of a function of the supervisory authority mentioned in Article 47(7).
- (5) For the purposes of paragraph (3)(b) an application is withdrawn if the supervisory authority notifies [F54DBS] that it no longer wishes to be notified if any of the circumstances mentioned in paragraph (1) occurs in relation to the person.
- (6) A person is subject to a relevant adults' disqualification if he is included in a list maintained under the law of England and Wales or Scotland which the Secretary of State specifies by order as corresponding to the adults' barred list.
- (7) The Secretary of State may provide that in prescribed circumstances a supervisory authority is not an interested supervisory authority for the purposes of this Article.
- (8) [F55DBS] may [F56determine] the form, manner and contents of an application for the purposes of this Article.

Textual Amendments

- F48** Word in art. 51(1)(a) repealed (10.9.2012 immediately after the coming into force of the [Safeguarding Vulnerable Groups \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2157\)](#)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(4\)\(a\)\(ii\), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2\(bb\)](#)
- F49** Words in art. 51(1) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F50** Art. 51(1)(c) and preceding word repealed (10.9.2012 immediately after the coming into force of the [Safeguarding Vulnerable Groups \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2157\)](#)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(4\)\(a\)\(v\), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2\(bb\)](#)
- F51** Words in art. 51(2) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F52** Words in art. 51(3) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F53** Words in art. 51(4) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F54** Words in art. 51(5) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F55** Words in art. 51(8) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\), arts. 1\(1\), 49\(g\) \(with Pt. 4\)](#)
- F56** Word in art. 51(8) substituted (10.9.2012 immediately after the coming into force of the [Safeguarding Vulnerable Groups \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2157\)](#)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 13\(4\)\(g\); S.I. 2012/2234, art. 2\(z\)\(vi\)](#)

Commencement Information

- I13** Art. 51 partly in operation; art. 51 not in operation at date of making see art. 1(3); art. 51(6)(7)(8) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 4\(u\), art. 5\(l\)](#)

Provision of information to supervisory authorities **N.I.**

52.—(1) This Article applies if [^{F57}DBS] has information that it thinks is relevant to a supervisory authority.

(2) [^{F57}DBS][^{F58} may (whether on an application by the authority or otherwise)] provide the supervisory authority with the information.

(3) Information is relevant to a supervisory authority if—

- (a) it relates to the protection of children or vulnerable adults in general, or of any child or vulnerable adult in particular, and
- (b) is relevant to the exercise of any function of the authority [^{F59} which is mentioned in Article 47(7)] ,

but does not include information falling within paragraph 19(5) of Schedule 1 [^{F60} or of any circumstance mentioned in Article 50(1) or 51(1)] in relation to a person.

[^{F61}(4) A supervisory authority may apply to [^{F57}DBS] under this Article only if the information is required in connection with the exercise of a function of the supervisory authority which is mentioned in Article 47(7).

(5) [^{F62}DBS] may determine the form, manner and contents of an application for the purposes of this Article.]

Textual Amendments

- F57** Word in art. 52 substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **6(e)** (with Pt. 4)
- F58** Words in art. 52(2) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 13(5)(a)**; S.I. 2012/2234, art. 2(z)(vi)
- F59** Words in art. 52(3)(b) inserted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 13(5)(b)(i)**; S.I. 2012/2234, art. 2(z)(vi)
- F60** Words in art. 52(3) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 13(5)(b)(ii)**; S.I. 2012/2234, art. 2(z)(vi)
- F61** Art. 52(4)(5) inserted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 13(5)(c)**; S.I. 2012/2234, art. 2(z)(vi)
- F62** Words in art. 52(5) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **49(h)** (with Pt. 4)

Commencement Information

- I14** Art. 52 partly in operation; art. 52 not in operation at date of making see art. 1(3); art. 52 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127](#), **art. 4(k)**
- I15** Art. 52 in operation at 10.9.2012 in so far as not already in operation by [S.R. 2012/330](#), **art. 2(e)**

Changes to legislation:

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 14 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 Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 5A inserted by [2012 c. 9 Sch. 7 para. 11\(1\)](#)
- Sch. 1 para. 11A inserted by [2012 c. 9 Sch. 7 para. 11\(3\)](#)
- art. 32A32B substituted for art. 32-34 by [2012 c. 9 Sch. 7 para. 9\(1\)](#)
- art. 35(3A)-(3D) inserted by [2012 c. 9 Sch. 7 para. 9\(2\)\(c\)](#)
- art. 36ZA inserted by [2012 c. 9 Sch. 7 para. 10](#)
- art. 50(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(c\)](#)
- art. 50(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(f\)](#)
- art. 51(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(c\)](#)
- art. 51(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(f\)](#)