
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

**The Rehabilitation of Offenders Act 1974 (Exclusions
and Exceptions) (Scotland) Amendment Order 2007**

Amendment of Schedule 4

5. In Schedule 4—

(a) in Part 1, for paragraph 4 substitute—

“**4.** Dentist or any profession complementary to dentistry for which a title is specified in regulations under section 36A(2) of the Dentists Act 1984(1) (professions complementary to dentistry) by virtue of section 36A(3) of that Act.”;

(b) in Part 2—

(i) in paragraph 7, for “employment” substitute “office, employment or work”;

(ii) in paragraph 13, after “employment” insert “or work”;

(iii) in paragraph 14, for “or employment” substitute “, employment or work”;

(iv) in paragraph 15(2), for “or employment” substitute “, employment or work”;

(v) in paragraph 16(3), for “or employment” substitute “, employment or work”;

(vi) for paragraph 19, substitute—

“**19.** Her Majesty’s Inspectors, or any person appointed by the Scottish Ministers for the purposes of section 66 of the Education (Scotland) Act 1980(4) or section 9 of the Standards in Scotland’s Schools etc. Act 2000(5), or members of any Management Board established to assist either Her Majesty’s Inspectors or any such person, or any individual undertaking employment or work for Her Majesty’s Inspectors or any such person in relation to the carrying out of inspections under section 66 of the Education (Scotland) Act 1980, section 9 of the Standards in Scotland’s Schools etc. Act 2000 or section 1 of the Joint Inspection of Children’s Services and Inspection of Social Work Services (Scotland) Act 2006(6), or otherwise in regard to matters associated with such inspections.”; and

(vii) after paragraph 21 insert—

“**22.** Any office or employment in the Risk Management Authority.

23. Any office or employment in the Scottish Criminal Cases Review Commission.

(1) 1984 c. 24. Section 36A was inserted by S.I.2005/2011.
(2) Paragraph 15 was amended by S.S.I. 2006/194.
(3) Paragraph 16 was amended by S.S.I. 2006/194.
(4) 1980 c. 44.
(5) 2000 asp 6.
(6) 2006 asp 3.

24. Members of the Mental Welfare Commission appointed under paragraph 3(1) of Part 1 of schedule 1 to the Mental Health (Care and Treatment) (Scotland) Act 2003⁽⁷⁾.

25. Any office or employment in a relevant authority as defined in section 6 of the Fire (Scotland) Act 2005⁽⁸⁾.

26. Social work inspectors appointed under section 4 of the Joint Inspection of Children’s Services and Inspection of Social Work Services (Scotland) Act 2006, or members of any Management Board established to assist the social work inspectors, or any individual undertaking employment or work for the social work inspectors in relation to the carrying out of inspections, or otherwise in regard to matters associated with such inspections.

27. Any employment or work in a body concerned primarily with the provision of counselling or other support to individuals who are or appear to be victims of, or witnesses to, offences, and which involves having access to personal information about such individuals.”;

(c) in Part 3–

(i) in paragraph 2, for “Gaming Board for Great Britain” substitute “Gambling Commission”;

(ii) in paragraph 4, for the words from “, as occupier” to the end substitute “ is required pursuant to regulation 4 of the Control of Explosives Regulations 1991 to obtain from the chief officer of police an explosives certificate certifying that person to be a fit person to acquire or acquire and keep explosives”;

(iii) after paragraph 5, insert–

“**6.** Any occupation in respect of which an application to the Security Industry Authority for a licence is required by the Private Security Industry Act 2001.

7. Any occupation which is concerned with visiting persons detained in police stations, for the purposes of examining and reporting on the conditions under which they are held.”; and

(d) in Part 4, after the definition of “judicial appointment”, insert–

““personal information” means any information which relates to a living individual who can be identified from that data, which is of a confidential nature and is not in the public domain, and it includes information in any form;”.

(7) 2003 asp 13.

(8) 2005 asp 5.