
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 2006 section 70(2), (5) and (6) and (8) (partially) of the Criminal Justice (Scotland) Act 2003.

The provisions commenced amend Part 5 of the Police Act 1997 (c. 50) (“the 1997 Act”) in connection with the provision of criminal record and enhanced criminal record certificates.

Section 70(2) inserts a new section 120A into the 1997 Act. The new section 120A falls to be amended by sections 165(2) and 166(1) of the Serious Organised Crime and Police Act 2005 (c. 15) and by paragraph 9 of Schedule 14 to that Act. These provisions will also be brought into force on 1st April 2006, by virtue of the Serious Organised Crime and Police Act 2005 (Commencement No. 2) (Scotland) Order 2006(1).

Section 70(5) inserts a new section 119A into the 1997 Act, which similarly falls to be amended by the Serious Organised Crime and Police Act 2005, section 163(3) and paragraph 5 of Schedule 14. These amending provisions will be brought into force on 1st April 2006, by virtue of the Serious Organised Crime and Police Act 2005 (Commencement No. 2) (Scotland) Order 2006.

Section 70(6) amends section 120 of the 1997 Act.

Section 70(8) is brought into force for the limited purpose of inserting section 124A into the 1997 Act.