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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 168**

**The Police Act 1997 (Criminal  
Records) (Scotland) Regulations 2010**

**Enhanced criminal record certificates: relevant police forces**

**8.—(1)** For the purposes of an application for an enhanced criminal record certificate under section 113B, “relevant police force” means—

- (a) the police force maintained for any police area in Great Britain—
  - (i) within which the applicant resides or has resided within the period of 5 years preceding the date of the application;
  - (ii) in which the applicant was born;
  - (iii) in which the applicant was convicted at any time; or
  - (iv) which has indicated on central records<sup>(1)</sup> or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;
- (b) the Police Service of Northern Ireland if—
  - (i) the applicant resides or has resided within the period of 5 years preceding the date of the application within Northern Ireland;
  - (ii) the applicant was born in Northern Ireland;
  - (iii) the applicant was convicted in Northern Ireland at any time;
  - (iv) that Service has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant; or
  - (v) the Scottish Ministers have reason to believe that it holds non-conviction information relating to the applicant;
- (c) the Royal Navy Police, the Royal Military Police or the Royal Air Force Police (together known as “the Service Police”), as the case may be, if—
  - (i) the applicant is serving or has served in any of the naval, military or air forces of the Crown, including reserve forces, over which the Service Police exercise jurisdiction;
  - (ii) the applicant resides or has resided in an establishment operated by any of those forces; or
  - (iii) any one of the Service Police has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;
- (d) the Ministry of Defence Police, the British Transport Police or the Civil Nuclear Constabulary (together known as “the specialist police forces”) if any one of the specialist police forces has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;

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<sup>(1)</sup> By virtue of section 113B(9), “central records” has the same meaning as in section 113A.

- (e) the States of Jersey Police Force if—
    - (i) the applicant resides or has resided within the period of 5 years preceding the date of the application on the Island of Jersey;
    - (ii) the applicant was born on the Island of Jersey;
    - (iii) the applicant was convicted on the Island of Jersey at any time; or
    - (iv) that Force has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;
  - (f) the salaried police force of the Island of Guernsey if—
    - (i) the applicant resides or has resided within the period of 5 years preceding the date of the application on the Island of Guernsey;
    - (ii) the applicant was born on the Island of Guernsey;
    - (iii) the applicant was convicted on the Island of Guernsey at any time; or
    - (iv) that force has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;
  - (g) the Isle of Man Constabulary if—
    - (i) the applicant resides or has resided within the period of 5 years preceding the date of the application on the Isle of Man;
    - (ii) the applicant was born on the Isle of Man;
    - (iii) the applicant was convicted on the Isle of Man at any time; or
    - (iv) that Constabulary has indicated on central records or the Interim Police Local Cross Reference Database that it holds non-conviction information relating to the applicant;
  - (h) the Serious Organised Crime Agency;
  - (i) the Garda Síochána if—
    - (i) the applicant resides or has resided within the period of 5 years preceding the date of the application in the Republic of Ireland; or
    - (ii) the applicant was born in the Republic of Ireland;
  - (j) the Scottish Crime and Drug Enforcement Agency if the Agency has indicated on central records that it holds non-conviction information relating to the applicant;
  - (k) the Child Exploitation and Online Protection Centre; and
  - (l) such other police force as the chief officer of police of a police force identified as a relevant police force by virtue of paragraph (a) to (k) determines.
- (2) In paragraph (1)(l), “police force” has the meaning given in section 126(1) as read with section 113B(10) and (11).