

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Protection of Vulnerable Groups (Scotland) Act 2007 (Applications for Removal from List and Late Representations) Regulations 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCOTTISH STATUTORY INSTRUMENTS

2010 No. 179

The Protection of Vulnerable Groups (Scotland) Act 2007 (Applications for Removal from List and Late Representations) Regulations 2010

PROSPECTIVE

Transitional provision in relation to those individuals transferred to the children's list under section 43 of the Act

10.—(1) Paragraph (2) applies where an individual has been listed in the children's list by virtue of section 43 of the Act and has not made an application for removal under section 14 (application for removal from list) of the 2003 Act.

(2) Where this paragraph applies the prescribed period under regulation 3(a) or (b) is to be calculated from the date that the individual was included (otherwise than provisionally) in the list kept under section 1 of the 2003 Act.

(3) Paragraph (4) applies where an individual has been listed in the children's list by virtue of section 43 of the Act and has made an application under section 14 of the 2003 Act which was dismissed prior to the coming into force of these Regulations.

(4) Where this paragraph applies, the prescribed period for the purposes of section 25(3)(a) of the Act is ten years from the date on which the application for leave to make an application under section 14 of the 2003 Act was made, unless a different period has been specified by order by the Inner House under section 15(8) of the 2003 Act.

(5) Where the Inner House has by order specified a period under section 15(8) of the 2003 Act as the period during which an individual may not make an application to the sheriff for leave to make a further application for an order under section 14(2) of that Act, that order is to be treated as if that order had been made under section 27(6) of the Act.

(6) Where an individual has been listed in the children's list by virtue of section 43 of the Act, the individual is to be treated as a child for the purposes of regulation 3 if they would have been treated as a child under section 14 of the 2003 Act.

Commencement Information

11 Reg. 10 in force at 28.2.2011 in accordance with reg. 1

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Changes and effects yet to be applied to :

- reg. 10 coming into force by [S.S.I. 2010/179 reg. 1](#)