

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under sections 49(1)(d) and 97(1) of the [Protection of Vulnerable Groups \(Scotland\) Act 2007 \(asp 14\)](#) (“the Act”) and prescribe additional vetting information in relation to scheme members.

Section 49 of the Act specifies what vetting information is in relation to a scheme member. Under section 47 of the Act the Scottish Ministers must make enquiries for the purpose of discovering whether any vetting information exists in relation to new scheme members. Section 49(1)(d) enables other information to be prescribed as vetting information, in addition to the information detailed in section 49(1)(a) to (c).

Regulation 3 provides that vetting information will now include whether a scheme member is subject to:

- a sexual offences prevention order or an interim sexual offences prevention order made under the [Sexual Offences Act 2003 \(c.42\)](#) (“the 2003 Act”).
- a foreign travel order made under the 2003 Act.
- a risk of sexual harm order or an interim risk of sexual harm order made under the 2003 Act.
- a notification order or interim notification order made under the 2003 Act.
- a risk of sexual harm order or an interim risk of sexual harm order made under the [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005 \(asp 9\)](#).

In addition to whether a scheme member is subject to these orders, vetting information will also include certain details of the order, the date the order was made and the period for which the order has effect, as well as details of whether the order has been varied or renewed by a further court order.