2010 No. 193

CHILDREN AND YOUNG PERSONS

PROTECTION OF VULNERABLE ADULTS

The Protection of Vulnerable Groups (Scotland) Act 2007 (Administration of the Scheme) Regulations 2010

Made - - - -	*12th May 2010*
Laid before the Scottish Parliament	*13th May 2010*
Coming into force in accordance with regulation 1	

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 72(1) of the Protection of Vulnerable Groups (Scotland) Act 2007(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Protection of Vulnerable Groups (Scotland) Act 2007 (Administration of the Scheme) Regulations 2010 and come into force on the same day as section 44 of the Protection of Vulnerable Groups (Scotland) Act 2007.

Interpretation

2. In these Regulations "the Act" means the Protection of Vulnerable Groups (Scotland) Act 2007.

Notice of certain changes under section 50 of the Act

3.—(1) Where a scheme member gives notice under section 50(1)(a) of the Act of a change in the member's name, Ministers may require the member to provide documents in support of that notice, in such manner and within such time as Ministers may specify.

(2) Where a scheme member gives notice under section 50(1)(b) of the Act of the issue of a full gender recognition certificate, Ministers may require the member to provide the full gender recognition certificate within such time as Ministers may specify.

Time limit for request for correction of vetting information in scheme record under section 51 of the Act

4.—(1) Subject to paragraph (2), a request by a scheme member for correction of vetting information under section 51 of the Act must be made to Ministers within 3 months of the date of

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(**a**) 2007 asp 14.

the scheme record containing vetting information which the scheme member considers to be inaccurate.

(2) Ministers may, on cause shown or otherwise where they consider it reasonable to do so, extend the period of 3 months specified in paragraph (1) as they consider appropriate.

ADAM INGRAM
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
12th May 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 72(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14) ("the Act") and make provision about the administration of the Scheme established by section 44 of the Act, under which information about individuals who do, or wish to do, regulated work with children or protected adults is collated and disclosed. Section 72(1) allows the Scottish Ministers to make such further provision about the administration of the Scheme as they see fit. These Regulations make provision in relation to notification of certain changes by scheme members and introduce a time limit for requests to correct vetting information.

Section 50 of the Act requires scheme members to notify the Scottish Ministers of certain changes (a change of name or issue of a full gender recognition certificate). The Scottish Ministers may require scheme members to provide documents in support of a notice of change of name (regulation 3(1)) or may require scheme members to provide a full gender recognition certificate in support of a notice of change of gender (regulation 3(2)).

Regulation 4 imposes a time limit of 3 months for scheme members who wish to request a correction of vetting information which they consider to be inaccurate in terms of section 51 of the Act. The time limit applies only to requests to correct vetting information and does not affect other requests to correct scheme records. The Scottish Ministers may extend the period of 3 months as they think appropriate.

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