

**2021 No. 71**

**CHILDREN AND YOUNG PERSONS**

**PROTECTION OF VULNERABLE ADULTS**

**POLICE**

**The Police Act 1997 and the Protection of Vulnerable Groups  
(Scotland) Act 2007 (Fees) (Coronavirus) Amendment  
Regulations 2021**

*Made* - - - - *10th February 2021*

*Laid before the Scottish Parliament* *12th February 2021*

*Coming into force* - - *25th March 2021*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997<sup>(a)</sup> and section 70(1) and (2) of the Protection of Vulnerable Groups (Scotland) Act 2007<sup>(b)</sup>, and all other powers enabling them to do so.

In accordance with section 70(3) of the Protection of Vulnerable Groups (Scotland) Act 2007, the Scottish Ministers have had regard to the circumstances in which the fees are payable, and the desirability of maintaining an appropriate balance among the quality of the performance of their vetting, barring and disclosure functions, the cost of that performance and the fees paid to them in respect of that performance.

**Citation and commencement**

**1.** These Regulations may be cited as the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Amendment Regulations 2021 and come into force on 25 March 2021.

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(a) 1997 c.50; section 112(1) was amended by the Protection of Vulnerable Groups (Scotland) Act 2007 (asp. 14) (“the 2007 Act”) and S.S.I. 2006/50; sections 113A and 113B were inserted by the Serious Organised Crime and Police Act 2005 (“the 2005 Act”) and relevantly amended by the 2007 Act; sections 114 and 116 were relevantly amended by S.S.I. 2006/50 and the 2007 Act. Section 125(1) of the Police Act 1997 contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. Section 126(3), as inserted by section 166(2) of the 2005 Act, provides that in the application of Part 5 to Scotland, references to the Secretary of State must be construed as references to the Scottish Ministers.

(b) 2007 asp 14. Section 97(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

**Amendment of Expiry Period of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020**

2. In paragraph (1) of regulation 5 (expiry) of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020<sup>(a)</sup> for the words from “at the end of the period” to the end substitute “on 25 March 2022”.

*MAREE TODD*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
10th February 2021

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<sup>(a)</sup> S.S.I. 2020/163, amended by S.S.I. 2020/376.

## **EXPLANATORY NOTE**

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

These Regulations amend the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020 (“the 2020 Regulations”). The 2020 Regulations make provision for free disclosure checks and applications to join the PVG Scheme for work relating to the coronavirus response.

Regulation 2 amends the 2020 Regulations so that they will cease to have effect on 25 March 2022.

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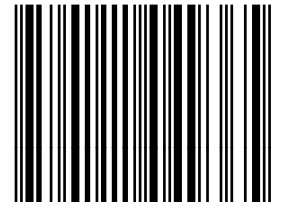
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