

2022 No. 34

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 2022**

Made - - - - *31st January 2022*

Laid before the Scottish Parliament *1st February 2022*

Coming into force - - *25th March 2022*

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^(a) and section 70(1) and (2) of the Protection of Vulnerable Groups (Scotland) Act 2007^(b), 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 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 2022 and come into force on 25 March 2022.

(a) 1997 c. 50 (“the 1997 Act”); 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 (c. 15) (“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 1997 Act provides that anything authorised or required by any provision of that Part of the Act to be prescribed shall be prescribed by regulations made by the Secretary of State. Section 126(3) of the 1997 Act, 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 the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020

2. In regulation 5(1) (expiry) of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 (Fees) (Coronavirus) Regulations 2020^(a), for the words “25 March 2022” substitute “24 June 2022”.

CLARE HAUGHEY

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
31st January 2022

^(a) S.S.I. 2020/163, amended by S.S.I. 2020/376 and S.S.I. 2021/71.

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 of these Regulations amends the expiry date of the 2020 Regulations so that they will cease to have effect on 24 June 2022.

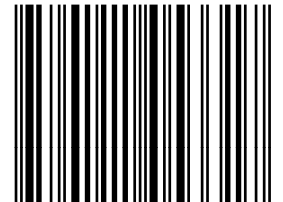
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