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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 18**

**The Human Trafficking and Exploitation (Independent Child Trafficking Guardians) (Scotland) Regulations 2023**

**Register of independent child trafficking guardians**

**3.—(1)** These Regulations apply where the Scottish Ministers have made arrangements with a service provider under section 11(1) of the Act.

(2) The service provider must establish a register of independent child trafficking guardians.

(3) A person who is included in the register must comply with any condition of registration as notified in writing to that person by the service provider.

(4) A person who is included in the register—

(a) must be registered or become registered as fit to provide immigration advice and immigration services by the Office of the Immigration Services Commissioner in terms of sections 84, 85 and schedule 6 the Immigration and Asylum Act 1999<sup>(1)</sup>, and

(b) must not be barred from regulated work with children by virtue of the Protection of Vulnerable Groups (Scotland) Act 2007<sup>(2)</sup>.

(5) The service provider may remove a person from the register if at any point it considers that the person no longer meets, or is no longer able to meet, the requirements for inclusion in the register as mentioned in this regulation and regulation 4.

(6) The service provider must keep under review the operation and management of the register.

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(1) 1999 c. 33; sections 84 and 85 relevantly amended by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), section 37(1) and schedule 4, paragraph 1; the Legal Services Act 2007 (c. 29), schedule 18(2), paragraphs 12(2)(a), (b), and 12(3); and the Immigration Act 2014 (c. 22), schedule 7, paragraphs 2(1), 2(2)(a), 2(2)(b), and 5(1); schedule 6 relevantly amended by the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19), schedule 4, paragraph 1.

(2) 2007 asp 14; relevantly amended by S.S.I. 2010/240, S.S.I. 2010/446 and the Disclosure (Scotland) Act 2020 asp 13 (date to be appointed).