



Police Act 1997

1997 CHAPTER 50

PART V

CERTIFICATES OF CRIMINAL RECORDS, &C.

116 Enhanced criminal record certificates: judicial appointments and Crown employment.

- (1) The Secretary of State shall issue an enhanced criminal record certificate to any individual who—
 - (a) makes an application under this section [^{F1}in the prescribed [^{F2}manner and] form], and
 - (b) [^{F3}pays in the prescribed manner any prescribed fee]
- (2) An application under this section must be accompanied by a statement by a Minister of the Crown, or a person nominated by a Minister of the Crown, that the certificate is required for the purposes of an exempted question asked in the course of considering the applicant's suitability for—
 - (a) a judicial appointment, or
 - (b) an appointment by or under the Crown to a position [^{F4}to which subsection (3) or (4) of section 115 applies][^{F4}of such description as may be prescribed].
- (3) [^{F5}Sections 113B(3) to (11) and 113C to 113F] shall apply in relation to this section with any necessary modifications.

Textual Amendments

- F1** Words in s. 116(1)(a) repealed (S.) (11.1.2008) by [Protection of Vulnerable Groups \(Scotland\) Act 2007 \(asp 14\), ss. 79\(1\), 101\(2\)](#) (with ss. 90, 99); S.S.I. 2007/564, art. 2, sch.; and words repealed (E.W.N.I.) (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 97\(3\), 116\(1\), Sch. 8 Pt. 8](#); S.I. 2010/125, art. 2(n)(u)
- F2** Words in s. 116(1)(a) inserted (S.) (7.2.2006) by [The Police Act 1997 Amendment \(Scotland\) Order 2006 \(S.S.I. 2006/50\), arts. 1\(1\), 2\(4\)\(a\)](#)

Status: Point in time view as at 02/03/2009. This version of this provision has been superseded.

Changes to legislation: Police Act 1997, Section 116 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F3** S. 116(1)(b) substituted (S.) (7.2.2006) by [The Police Act 1997 Amendment \(Scotland\) Order 2006 \(S.S.I. 2006/50\)](#), arts. 1(1), **2(4)(b)**
- F4** Words in s. 116(2)(b) substituted (E.W.N.I.) (29.1.2004 for specified purposes for E.W., 6.4.2006 for E.W. in so far as not already in force, 1.4.2008 for N.I.) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 35 para. 5**; S.I. 2004/81, art. 4(1)(2)(o)(ii); S.I. 2006/751, art. 2(c)(i); S.I. 2008/694, art. 2
- F5** Words in s. 116(3) substituted (1.4.2006 for S., 6.4.2006 for E.W., 1.4.2008 for N.I.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(4)(e)(8), **Sch. 14 para. 3(b)**; S.S.I. 2006/166, art. 2(1)(e); S.I. 2006/378, art. 7(c); S.I. 2008/697, art. 2(e)

Commencement Information

- I1** S. 116 in force at 1.3.2002 for E.W. by [S.I. 2002/413](#), **art. 2**
S. 116 in force at 25.4.2002 for S. by [S.S.I. 2002/124](#), art. 4
- I2** S. 116 in force at 1.4.2008 for N.I. by [S.I. 2008/692](#), **art. 2(h)**

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