



Safeguarding Vulnerable Groups Act 2006

2006 CHAPTER 47

Professional bodies and supervisory authorities

44 Registers: power to apply for vetting information

- (1) If the keeper of a relevant register applies to the Secretary of State for information within subsection (2) in relation to a person (B), the Secretary of State must provide the keeper of the register with that information.
- (2) The information within this subsection is—
 - (a) whether B is barred from regulated activity relating to children or vulnerable adults,
 - (b) whether [F¹ISA] is considering whether to include B in a barred list in pursuance of paragraph 3 or 5 or 9 or 11 of Schedule 3,
 - (c) whether B is subject to monitoring in relation to regulated activity relating to children or vulnerable adults,
 - (d) if B is subject to such monitoring and the Secretary of State is required to notify B as mentioned in section 24(4), whether the Secretary of State has yet done so, and
 - (e) if B is subject to such monitoring and has made a simultaneous application under section 113B of the Police Act 1997, whether the Secretary of State has yet issued an enhanced criminal record certificate under that section.
- (3) The keeper of a relevant register may apply for information under this section in relation to a person only if—
 - (a) the person appears in the register, or
 - (b) the person is being considered for inclusion in the register.
- (4) In this section—
 - (a) a relevant register is a register appearing in column 1 of entry 1 or 8 of the table in section 41(7), and
 - (b) in relation to a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the table.

Status: Point in time view as at 12/11/2009. This version of this provision has been superseded.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Section 44 is up to date with all changes known to be in force on or before 15 June 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)

- (5) In subsection (2)(e) “simultaneous application” means an application made simultaneously with B's monitoring application under section 24.
- (6) The Secretary of State may by order amend this section for the purpose of altering the information within subsection (2).
- (7) The Secretary of State may prescribe the form, manner and contents of an application for the purposes of this section.

Textual Amendments

- F1** Words in ss. 36-47 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 81(2)(3)(m)(i), 116(5)(a)
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Commencement Information

- I1** S. 44(6) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 5\(h\)](#)
- I2** S. 44(7) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 4\(p\)](#)

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