



# Policing and Crime Act 2009

## 2009 CHAPTER 26

### PART 8

#### MISCELLANEOUS

#### CHAPTER 1

#### SAFEGUARDING VULNERABLE GROUPS AND CRIMINAL RECORDS

#### *Safeguarding vulnerable groups: England and Wales*

PROSPECTIVE

**F1 82 Educational establishments: check on members of governing body**

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**Textual Amendments**

**F1** Ss. 82-87 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)

VALID FROM 29/01/2010

**83 Monitoring application**

In section 24 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) (monitoring)

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*Status: Point in time view as at 12/01/2010. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Safeguarding vulnerable groups: England and Wales. (See end of Document for details)*

- (a) in subsection (1)(b) for “a monitoring application” substitute “ an application to the Secretary of State under this section (a “monitoring application”)”, and
- (b) for subsection (10) substitute—
  - “(10) The Secretary of State may determine the form, manner and contents of a monitoring application.”

VALID FROM 29/01/2010

## 84 Monitoring: additional fees

- (1) After section 24 of the Safeguarding Vulnerable Groups Act 2006 insert—

### “24A Monitoring: power to prescribe additional fees

- (1) An individual subject to monitoring under section 24 in relation to a regulated activity must pay a prescribed fee if—
    - (a) no fee was payable by virtue of section 24(1)(d) when the individual made a monitoring application (within the meaning of section 24) in respect of the activity, and
    - (b) there has been a prescribed change of circumstances as a result of which a fee would be payable by virtue of section 24(1)(d) if a monitoring application were now made in respect of the activity.
  - (2) The amount of the fee payable by virtue of subsection (1) must not exceed the amount of fee which would be payable if a monitoring application were made in respect of the activity as mentioned in subsection (1)(b).
  - (3) An individual does not cease to be subject to monitoring under section 24 merely because the individual fails to pay a fee required by this section (but see section 30(2A)).”
- (2) In section 25 of that Act (monitoring: fees)—
- (a) in subsection (1) after “24” insert “ or in relation to a change of circumstances under section 24A ”,
  - (b) in subsection (2) after “made” insert “ , or change of circumstances occurring, ”,
  - (c) in subsection (3) after “made” insert “ or change of circumstances occurring ”,
  - (d) in subsection (4) after “24” insert “ or 24A ”,
  - (e) in subsection (5)—
    - (i) for “power” substitute “ powers ”, and
    - (ii) for “is” substitute “ are ”, and
  - (f) in subsection (6) after “24(1)(d)” insert “ or 24A ”.
- (3) In section 30 of that Act (provision of vetting information) after subsection (2) insert—

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“(2A) The Secretary of State may refuse to provide A with the information if B has failed to pay a fee required by section 24A.”

PROSPECTIVE

**F1 85 Vetting information**

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**Textual Amendments**

**F1** Ss. 82-87 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)

PROSPECTIVE

**F1 86 Notification of cessation of monitoring**

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**Textual Amendments**

**F1** Ss. 82-87 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)

PROSPECTIVE

**F1 87 Notification of proposal to include person in barred list**

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**Textual Amendments**

**F1** Ss. 82-87 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)

**88 Provision of safeguarding information to the police**

After section 50 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) insert—

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*“Provision of information to the police*

**50A Provision of information to the police**

- (1) ISA may provide any information it has to a chief officer of police for use for any of the following purposes—
  - (a) the prevention, detection and investigation of crime;
  - (b) the apprehension and prosecution of offenders.
- (2) The power conferred by subsection (1) does not limit any other power of ISA to provide information for any purpose or to any person.”

**Commencement Information**

**I1** S. 88 in force at 30.11.2009 by S.I. 2009/3096, art. 2(a)

PROSPECTIVE

**F289 Barring process**

**Textual Amendments**

**F2** S. 89 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Safeguarding vulnerable groups: England and Wales.