
STATUTORY INSTRUMENTS

2009 No. 37

The Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009

PART 2

Prescribed criteria

Prescribed criteria – automatic inclusion in the children’s barred list

3.—(1) The criteria prescribed for the purposes of paragraph 1(1) of Schedule 3 to the Act are the criteria set out in paragraphs (2) to (4).

(2) The criterion set out in this paragraph is that before the relevant date—

- (a) the person had been made subject to a disqualification order, and
- (b) condition C in the 2003 Regulations was satisfied in relation to the person, and
- (c) regulation 8 of those Regulations applied to the person, and
- (d) the Secretary of State had not made a direction under section 142(1)(a) of the 2002 Act in relation to that person.

(3) The criterion set out in this paragraph is that before the relevant date—

- (a) the person had been convicted of, or cautioned in relation to, an offence specified in Part 2 of Schedule 2 to the 2003 Regulations, and
- (b) condition C in those Regulations was satisfied in relation to the person, and
- (c) regulation 8 of those Regulations applied to the person, and
- (d) the Secretary of State had not made a direction under section 142(1)(a) of the 2002 Act in relation to that person.

(4) The criterion set out in this paragraph is that the person has, on or after the relevant date, been convicted of, or cautioned in relation to, an offence specified in paragraph 1 of the Schedule.