
STATUTORY INSTRUMENTS

2020 No. 358

**The Protection of Freedoms Act 2012
(Transitory Provision) Order 2020**

Transitory provision

2.—(1) This article applies for the period beginning on the day on which this Order comes into force and ending on the day on which section 72(1) of the Protection of Freedoms Act 2012 (information about barring decisions) is brought into force for the purpose of inserting section 30A (provision of barring information on request) into the Safeguarding Vulnerable Groups Act 2006⁽¹⁾.

(2) Section 113E of the Police Act 1997 (criminal record certificates: specified children’s and adults’ lists: urgent cases) has effect subject to the following modifications—

- (a) subsection (1) is to be read as if for paragraph (a) there were substituted “it is made in a case prescribed under section 113BA(1)(2)”;
- (b) subsection (2) is to be read as if—
 - (i) after “person” there were inserted “either”;
 - (ii) in paragraph (a) —
 - (aa) for “if” there were substituted “that”;
 - (bb) “, of that fact” were omitted;
 - (iii) after paragraph (a) there were inserted “or”;
 - (iv) for paragraphs (b) to (d) there were substituted—
 - “(b) that an enhanced criminal record certificate will be issued in due course.”;
- (c) at the end of the section there were inserted—
 - “(7) For the purposes of this section, each of the following is a specified children’s list—
 - (a) the children’s barred list maintained under section 2 of the Safeguarding Vulnerable Groups Act 2006;
 - (b) the children’s barred list maintained under Article 6 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.”.

(1) 2006 c. 47.

(2) Section 113BA was inserted by paragraph 14 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and amended by paragraphs 35 and 38 of Schedule 9 to the Protection of Freedoms Act 2012 (c. 9), section 170(2) of the Education and Inspections Act 2006 (c. 40) and paragraph 12 of Schedule 1 to the Education and Skills Act 2008 (c. 25).