

These notes relate to the Protection of Children (Scotland) Act 2003 (asp 5) which received Royal Assent on 19 March 2003

PROTECTION OF CHILDREN (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT

Section 17– Meaning of “disqualified from working with children”

47. This section sets out the categories of individuals who are, for the purposes of the Act, “disqualified from working with children” and therefore prevented, by section 11, from working in a child care position. These include individuals included in the list and in the equivalent list kept, in England and Wales, under section 1 of the [Protection of Children Act 1999 \(c.14\)](#). It also includes individuals who are, in England and Wales, subject to certain directions under section 142 of the [Education Act 2002 \(c.32\)](#) prohibiting him or her from teaching or to a disqualification order under Part II of the [Criminal Justice and Court Services Act 2000 \(c.43\)](#). Subsection (2) allows the Scottish Ministers to extend the definition to provide that individuals disqualified from working with children in other jurisdictions are prevented, by section 11, from working in a child care position in Scotland.