

*These notes relate to the Historical Sexual Offences (Pardons and Disregards)  
(Scotland) Act 2018 (asp 14) which received Royal Assent on 11 July 2018*

# **HISTORICAL SEXUAL OFFENCES (PARDONS AND DISREGARDS) (SCOTLAND) ACT 2018**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part Three – Disregarding Certain Convictions for Historical Sexual Offences**

##### ***Section 10 – Removal of disregarded convictions from official records***

39. **Section 10** sets out the process to be followed for removing a disregarded conviction for a historical sexual offence from official records.
40. **Section 10(1)** provides that the Scottish Ministers must remove all references to such a conviction contained in official records held by them and require every relevant record keeper to remove all references to the disregarded conviction from records that they hold.
41. **Section 10(2)** provides that a relevant record keeper must comply with the requirement under section 10(1) to remove records of a disregarded conviction as soon as reasonably practicable (but not until the disregard has taken effect), and notify the applicant when they have done so.
42. **Sections 10(3)-(5)** provides the Scottish Ministers with a power to make regulations to prescribe the manner in which disregarded convictions are removed from official records and to prescribe who a “relevant record keeper” is for the purposes of this section.