

2008 No. 127 (C. 5)

SAFEGUARDING VULNERABLE GROUPS

**The Safeguarding Vulnerable Groups (2007 Order)
(Commencement No. 1) Order (Northern Ireland) 2008**

Made - - - -

14th March 2008

The Secretary of State, in exercise of the powers conferred by Article 1(3) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007^(a), makes the following Order.

Citation

1. This Order may be cited as the Safeguarding Vulnerable Groups (2007 Order) (Commencement No.1) Order (Northern Ireland) 2008.

Interpretation

2. In this Order, “the Order” means the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

Provisions coming into operation on 14th March 2008

3. 14th March 2008 is the day appointed for the coming into operation of the following provisions of the Order—

- (a) Article 6(2) to (3) (barred lists) in so far as they relate to the provisions set out in paragraph (f);
- (b) Article 6(4) (barred lists) in so far as it relates to the provisions set out in paragraph (f);
- (c) Article 6(5) (barred lists) for the purposes of making regulations;
- (d) Article 59 (transitional provisions) and paragraphs 2, 3 and 4 of Schedule 6 for the purposes of making orders;
- (e) paragraphs 1(1), 2(1), 7(1) and 8(1) of Schedule 1 (barred lists) for the purposes of making regulations;
- (f) paragraphs 15(1) and (2), 18(3)(b) and (6), and 24(1), (2) and (9) of Schedule 1 (barred lists).

Provisions coming into operation on 14th April 2008

4. 14th April 2008 is the day appointed for the coming into operation of the following provisions of the Order so far as necessary for the exercise of functions to be conferred on IBB under Schedule 6 (transitional provisions) to the Order—

(a) S.I. 2007 No. 1351 (N.I. 11).

- (a) Article 6 (barred lists) and Schedule 1;
- (b) Article 8 (appeals);
- (c) Article 9(1) and (2) (regulated activity) and Schedule 2;
- (d) Article 10 (regulated activity providers);
- (e) Article 39 (regulated activity providers: duty to provide information on request etc.);
- (f) Article 40 (duty to provide information: offences);
- (g) Article 42 (Education and Library Boards and HSS bodies: duty to provide information on request);
- (h) Article 44 (registers: duty to provide information on request);
- (i) Article 45(3) to (5) (registers: notice of barring and cessation of monitoring);
- (j) Article 48 (supervisory authorities: duty to provide information on request);
- (k) Article 52 (provision of information to supervisory authorities);
- (l) Article 53 (Crown application);
- (m) Article 55 (fostering);
- (n) Article 57 (damages);
- (o) Article 59 (transitional provisions) and Schedule 6.

Northern Ireland Office
14th March 2008

Paul Goggins
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

This is the first Commencement Order made under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (“the Order”).

Article 3 lists the provisions of the Order which are to come into operation on 14th March 2008 for the purposes of making secondary legislation and Article 4 lists those provisions that are to come into operation, in whole or in part, on 14th April 2008. That date will mark the beginning of the transitional period during which those people who are included in lists kept under Article 3 or 35 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003, or in the list kept for the purposes of Regulations made under Article 70(2)(e)(iii) or 88A(2)(b)(iii) of the Education and Libraries (Northern Ireland) Order 1986, will be included or will be considered by IBB for inclusion in the children’s barred list or the adults’ barred list which IBB must maintain under Article 6 of the Order.