
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

**The Police Act 1997 and the Protection of Vulnerable
Groups (Scotland) Act 2007 Remedial Order 2018**

Amendment of the 2007 Act 2

- 4.—(1) The 2007 Act is amended as follows.
- (2) In section 52ZA (procedure following correction of inaccurate scheme record)(1)—
- (a) in subsection (1)(c), for the words from “for” to the end substitute “which falls within subsection (4)”;
 - (b) after subsection (3) insert—
 - “(4) A conviction falls within this subsection if it is—
 - (a) a conviction for an offence listed in schedule 8A of the 1997 Act which is a spent conviction and either—
 - (i) the person was aged under 18 on the date of conviction and at least 7 years and 6 months have passed since the date of conviction, or
 - (ii) the person was aged 18 or over on the date of conviction and at least 15 years have passed since the date of conviction,
 - (b) a conviction for an offence listed in schedule 8B of the 1997 Act which is—
 - (i) a spent conviction, but
 - (ii) not a protected conviction.”.
- (3) In section 52 (disclosure of scheme records)(2)—
- (a) in subsection (2), for the words from “for” to the end substitute “which falls within subsection (2A)”;
 - (b) after subsection (2) insert—
 - “(2A) A conviction falls within this subsection if it is—
 - (a) a conviction for an offence listed in schedule 8A of the 1997 Act which is a spent conviction and either—
 - (i) the person was aged under 18 on the date of conviction and at least 7 years and 6 months have passed since the date of conviction, or
 - (ii) the person was aged 18 or over on the date of conviction and at least 15 years have passed since the date of conviction,
 - (b) a conviction for an offence listed in schedule 8B of the 1997 Act which is—
 - (i) a spent conviction, but
 - (ii) not a protected conviction.”;

(1) Section 52ZA was inserted by article 4(5) of [S.S.I. 2015/423](#).
(2) Section 52 was substituted by article 4(6) of [S.S.I. 2015/423](#).

- (c) in subsection (4), for the words from “for” to the end substitute “which falls within subsection (2A).”.
- (4) In section 57A (meaning of “conviction” and “protected conviction”)(**3**), after “sections” insert “52ZA,”.

(**3**) Section 57A was inserted by article 4(8) of [S.S.I. 2015/423](#).