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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 231**

**REHABILITATION OF OFFENDERS**

The Rehabilitation of Offenders Act 1974  
(Exclusions and Exceptions) (Scotland) Order 2003

*Made* - - - - - *28th March 2003*

*Coming into force* *29th March 2003*

THE REHABILITATION OF OFFENDERS ACT 1974  
(EXCLUSIONS AND EXCEPTIONS) (SCOTLAND) ORDER 2003

1. Citation, commencement and extent
  2. Interpretation
  3. Exclusion of section 4(1) of the Act
  4. Exclusion of section 4(2)(a) and (b) of the Act
  5. Exceptions from section 4(3) of the Act
  6. Revocation
- Signature

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SCHEDULE 1 PROCEEDINGS

1. Proceedings in respect of a person's admission to, or disciplinary...
2. Disciplinary proceedings against a constable.
3. Proceedings before the Gaming Board for Great Britain.
4. Proceedings under the Mental Health (Scotland) Act 1984 before the...
5. Proceedings under the Firearms Act 1968 in respect of-
6. Proceedings in respect of the grant, renewal or variation of...
7. Proceedings in respect of a determination by the Scottish Ministers...
8. Proceedings in respect of an application for, or cancellation of...
9. Proceedings before the Scottish Commission for the Regulation of Care...
10. Proceedings on an application to the police or a court...
11. Proceedings by way of appeal against, or review of, any...
12. Proceedings held for the receipt of evidence affecting the determination...
13. Proceedings held in respect of an application for the grant,...
14. Proceedings- (a) before the National Lottery Commission in respect of...
15. Proceedings in connection with a decision of the Scottish Social...

SCHEDULE 2 FINANCIAL SERVICES

Part 1 Decisions referred to at Articles 3(b) and 5(c)

1. Any decision by the Financial Services Authority–
2. Any decision by the scheme operator within the meaning of...
3. Any decision of the competent authority for listing–
4. Any decision of anyone who is specified in any of...
5. Any decision of anyone who is specified in sub paragraph...
6. Any decision of the Council of Lloyd's–
7. Any decision of a UK recognised investment exchange or UK...

Part 2 Table referred to in Part 1 of this Schedule and in paragraph 8 of Schedule 3

Part 3 Interpretation

In this Schedule– “the 2000 Act” means the Financial Services...

SCHEDULE 3 EXCLUSION OF SECTION 4(2)(a) AND (b) OF THE ACT

1. Application
2. Interpretation
3. Requirements to inform
4. Specified professions etc.
5. Child minding
6. Adoption and fostering
7. National security
8. Financial services
9. The National Lottery Commission

SCHEDULE 4 EXCEPTED PROFESSIONS, OFFICES, EMPLOYMENTS, AND OCCUPATIONS

Part 1 Professions

1. Medical practitioner.
2. Advocate, solicitor.
3. Accountant.
4. Dentist, dental hygienist, dental auxiliary.
5. Veterinary surgeon.
6. Nurse, midwife, health visitor.
7. Ophthalmic optician, dispensing optician.
8. Pharmaceutical chemist.
9. Registered teacher.
10. Any profession to which the Professions Supplementary to Medicine Act...
11. Registered osteopath.
12. Registered chiropractor.
13. Chartered psychologist.
14. Actuary.
15. Registered European lawyer, registered foreign lawyer.
16. Social worker.
17. Social service worker.

Part 2 Offices and employments

1. Judicial appointments.
2. Prosecutors, officers assisting prosecutors, and officers assisting in the work...
3. Signing justices, and their clerks and assistants.
4. Clerks (including depute and assistant clerks) and officers of the...
5. Precognition agents.
6. Constables, police custody and security officers, persons appointed as police...
7. Any employment which is concerned with the administration of, or...

8. Traffic wardens appointed under section 95 of the Road Traffic...
9. Any employment or work which is concerned with the provision...
10. Any employment or work which is concerned with the provision...
11. Any employment or work in a child care position.
12. Any person who provides a service, or who seeks to...
13. Any employment in the Scottish Society for the Prevention of...
14. Any office or employment in the Serious Fraud Office.
15. Any office or employment in the National Crime Squad or...
16. Any office or employment in Her Majesty's Customs and Excise....
17. Any employment which is concerned with the monitoring, for the...
18. Any office or employment in the Scottish Social Services Council....
19. Her Majesty's Inspectors or any person appointed by the Scottish...
20. The Principal Reporter or officers appointed under section 128(5) of...
21. Members of a panel established by virtue of section 101(1)...

Part 3      Occupations

1. Firearms dealer.
2. Any occupation in respect of which an application to the...
3. Any occupation which is concerned with the management of a...
4. Any occupation in respect of which the holder, as occupier...
5. Taxi driver or private hire driver.

Part 4      Interpretation

In this Schedule– “actuary” means a member of the Institute...

Explanatory Note