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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 75**

**The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2007**

**Amendment of Schedule 1**

**3.** In Schedule 1—

- (a) in paragraph 3, for “Gaming Board for Great Britain” substitute “Gambling Commission”;
- (b) in paragraph 9—

- (i) after “under” where it first appears insert “Part 1 of”; and
  - (ii) omit from “in respect of” to the end;

- (c) for paragraph 10 substitute—

“**10.** Proceedings under the Control of Explosives Regulations 1991(1) (“the 1991 Regulations”) in respect of—

- (a) the application to the chief officer of police for an explosives certificate pursuant to regulation 4 of the 1991 Regulations certifying a person to be a fit person to acquire or acquire and keep explosives; or
  - (b) the revocation of such certificates pursuant to regulation 5 of the 1991 Regulations; or
  - (c) the application to the Sheriff pursuant to regulation 6(4) of the 1991 Regulations against application of the provisions relating to prohibited persons.”; and

- (d) after paragraph 16(2) insert—

“**17.** Proceedings before the Parole Board for Scotland.

**18.** Proceedings in respect of the award, suspension or withdrawal of accreditation under any accreditation scheme made by the Scottish Ministers under section 11(1) of the Criminal Justice (Scotland) Act 2003(3).

**19.** The following proceedings under the Proceeds of Crime Act 2002(4)—

- (a) proceedings under Chapters 2 or 3 of Part 5;
  - (b) proceedings in relation to a notice under sections 317(2), 321(2) or 322(2); and
  - (c) proceedings in respect of an application made under Part 8 in connection with a civil recovery investigation (within the meaning of section 341).

**20.** Proceedings under section 11 of the Private Security Industry Act 2001(5).

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(1) S.I.1991/1531; relevantly amended by S.I. 2005/1082.

(2) Paragraph 16 was inserted by S.S.I. 2006/194.

(3) 2003 asp 7; section 11 was amended by section 13 of the *Management of Offenders etc. (Scotland) Act 2005* (asp 14).

(4) 2002 c. 29.

(5) 2001 c. 12. The Private Security Industry Act 2001 was extended to Scotland by the Serious Organised Crime and Police Act 2005 (c. 15), section 171 and Schedule 15.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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**21.** Proceedings before the Sheriff in respect of applications for intervention orders or guardianship orders within the meaning of the Adults with Incapacity (Scotland) Act 2000<sup>(6)</sup>.

**22.** Proceedings for or in connection with the recovery of compensation under sections 7A to 7D of the Criminal Injuries Compensation Act 1995<sup>(7)</sup>.

**23.** Proceedings before the Scottish Criminal Cases Review Commission.

**24.** Proceedings before the assessor appointed either by the Scottish Ministers under section 133(4) of the Criminal Justice Act 1988<sup>(8)</sup> or in accordance with any scheme operated by the Scottish Ministers for the payment of compensation to a person who has spent time in custody following a wrongful conviction or charge.”

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<sup>(6)</sup> 2000 asp 4.

<sup>(7)</sup> 1995 c. 53. Sections 7A to 7D were inserted by section 57 of the Domestic Violence, Crime and Victims Act 2004 (c. 28) and extended to Scotland by section 20 of the [Management of Offenders etc. \(Scotland\) Act 2005](#) (asp 14).

<sup>(8)</sup> 1988 c. 33.