

**2009 No. 216**

**POLICE**

**The Police Act 1997 (Criminal Records) (Scotland) Amendment  
(No. 2) Regulations 2009**

*Made* - - - - *3rd June 2009*

*Laid before the Scottish Parliament* *4th June 2009*

*Coming into force* - - *1st August 2009*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 112(1)(b), 113A(1)(b), 113B(1)(b), 114(1)(b) and 116(1)(b) of the Police Act 1997(a) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Police Act 1997 (Criminal Records) (Scotland) Amendment (No. 2) Regulations 2009 and come into force on 1st August 2009.

**Amendment of the Police Act 1997 (Criminal Records) (Scotland) Regulations 2006**

2.—(1) The Police Act 1997 (Criminal Records) (Scotland) Regulations 2006(b) are amended in accordance with this regulation.

(2) In regulation 4(1) (fees for criminal conviction certificates, criminal record certificates and enhanced criminal record certificates) for “£20” substitute “£23”.

*ADAM INGRAM*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
3rd June 2009

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(a) 1997 c.50 (“the 1997 Act”). See section 125(1) for a definition of “prescribed”. By virtue of section 126(3) and (4), as inserted by section 166(2) of the Serious Organised Crime and Police Act 2005 (c.15), in the application of Part 5 of the 1997 Act to Scotland, references to the Secretary of State must be construed as references to the Scottish Ministers (except in section 118(2A)(d) or 124A(1) and (2) of the 1997 Act).

(b) S.S.I. 2006/96; amended by S.S.I. 2006/521, 2007/112, 2008/6 and 2009/40. S.S.I. 2006/521 was made in exercise of the powers conferred by sections 112(1)(a), 113A(1)(a), 113B(1)(a), 114(1)(a) and 116(1)(a) of the 1997 Act. All these powers were repealed by section 79(1) of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14), commenced on 11th January 2008 by S.S.I. 2007/564.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Police Act 1997 (Criminal Records) (Scotland) Regulations 2006 (“the principal Regulations”). The principal Regulations make detailed provision in relation to applications for criminal conviction certificates, criminal record certificates and enhanced criminal record certificates under Part 5 of the Police Act 1997.

Regulation 2 amends regulation 4(1) of the principal Regulations to provide for an increase in the fee payable in relation to an application for the issue of a criminal conviction certificate, a criminal record certificate or an enhanced criminal record certificate from £20 to £23.

A Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Children, Young People and Social Care Directorate, 1 Pacific Quay, Glasgow, G51 1DZ.

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