

SCHEDULE

PROCEDURE FOR CONSIDERATION UNDER SECTIONS 10, 11, 12 OR 13 OF THE ACT WHETHER TO LIST

PART 4

CONSIDERATION PROCEDURE WHERE CONSIDERATION IS UNDER SECTION 12(1) or (2) OF THE ACT (Consideration whether to list: vetting information etc.)

Notification of case giving rise to consideration for listing

9. Ministers must give to the individual—

(a) details of—

- (i) any vetting information relating to the individual or any information received when considering whether to list the individual in the adults' list upon which Ministers have decided under section 12(1) of the Act that it may be appropriate for the individual to be included in the children's list; or
- (ii) any vetting information relating to the individual or any information received when considering whether to list the individual in the children's list upon which Ministers have decided under section 12(2) of the Act that it may be appropriate for the individual to be included in the adults' list;

(b) details of any vetting information relating to the individual; and

(c) a notice inviting the individual to—

- (i) make representations as to why the individual should not be listed in the children's list, in the adults' list or, where applicable, in both lists;
- (ii) submit any comments on the information provided to the individual under subparagraph (a) or (b); and
- (iii) submit any further information to Ministers which the individual wishes to be taken into account by Ministers in deciding whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists,

within 28 days of the date of receipt of that notice.

Further representations, comments or information to be sent to Ministers

10.—(1) For the purpose of enabling or assisting Ministers to decide whether to list an individual, Ministers may, by notice, invite—

- (a) any further representations, comments or information from the individual; or
- (b) any information from any other person as Ministers may consider appropriate.

(2) Any representations, comments or information in response to a notice sent under subparagraph (1) are to be supplied to Ministers in such manner and within such time as Ministers may specify in the notice.

Notification of any further information on which Ministers intend to rely in deciding whether to list the individual

11. Ministers must give to the individual—

Status: This is the original version (as it was originally made).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

- (a) details of any information received under paragraph 10(1)(b) on which they intend to rely when making their decision whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists;
- (b) details of any other information on which they intend to rely including—
 - (i) information which they obtain in pursuance of a requirement made under section 18, 19 or 20 of the Act; or
 - (ii) information which they obtain by performing their functions in relation to the Scheme;
 - (iii) any reports provided to Ministers under paragraphs 17(2) or 18(2); and
- (c) a notice inviting the individual to—
 - (i) make any further representations as to why the individual should not be listed in the children's list, in the adults' list or, where applicable, in both lists;
 - (ii) submit comments on any of the information provided under sub-paragraphs (a) or (b); and
 - (iii) submit any further supporting information which the individual wishes to be taken into account by Ministers in deciding whether to list the individual in the children's list, in the adults' list or, where applicable, in both lists,in such manner and within such time as Ministers may specify in that notice.