
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 383

**The Police Act 1997 (Criminal Records)
(Registration) (Scotland) Regulations 2010**

Interpretation

2.—(1) In these Regulations—

“the 1997 Act” means the Police Act 1997;

“the 2007 Act” means the Protection of Vulnerable Groups (Scotland) Act 2007;

“the register” means the register maintained by the Scottish Ministers under section 120(1) (registered persons) of the 1997 Act for the purposes of Part 5 (certificates of criminal records) of the 1997 Act;

“countersignatory” means a person for the time being nominated by a body corporate or unincorporate or statutory office-holder as being authorised to act for that body or person in relation to the countersigning of applications under section 113A or 113B of the 1997 Act or the making of declarations in relation to disclosure requests under section 52 or 53 of the 2007 Act;

“disclosure request” has the same meaning as in section 97(1) (general interpretation) of the 2007 Act;

“exempted question” has the same meaning as in section 113A (criminal record certificates) of the 1997 Act⁽¹⁾;

“lead signatory” means the person who signs the application for inclusion in the register and acts on behalf of a body corporate or unincorporate; and

“statutory office-holder” means a person appointed to an office by virtue of an enactment.

(2) Any words or expressions used in these Regulations to which meanings are assigned by Part 5 of the 1997 Act shall have the same meanings as in the 1997 Act.

(3) Any reference in these Regulations to a numbered section is, unless otherwise stated, a reference to that numbered section of the 1997 Act.

(4) A requirement in these Regulations that any notification or representations should be “in writing” is satisfied where (apart from the usual meaning of that expression) the text of it—

- (a) is transmitted by electronic means;
- (b) is received in legible form; and
- (c) is capable of being used for subsequent reference.

(1) Section 113A was inserted into the 1997 Act by section 163(2) of the 2005 Act. Section 113A was amended by section 78(2), 79(1) and schedule 4, paragraph 28 of the 2007 Act.