

## EXPLANATORY NOTE

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

These Regulations amend the Police Act 1997 (Criminal Records) (Scotland) Regulations 2010 (S.S.I. 2010/168) (“the 2010 Regulations”) which make detailed provision in relation to applications for criminal conviction certificates, criminal record certificates and enhanced criminal record certificates under Part V of the Police Act 1997 (“the 1997 Act”).

Regulation 5 of the 2010 Regulations prescribes the sources of information comprising central records for the purposes of certificates under Part V of the 1997 Act. Regulation 2 amends regulation 5(1)(b) and (2)(b) of the 2010 Regulations in order to replace the reference to the National Policing Improvement Agency (“NPIA”) with a reference to a Minister of the Crown. The NPIA is being phased out and the Home Office has taken over the function of running the Police National Computer (“PNC”). It is information relating to convictions and cautions which is held on the PNC which is prescribed as “central records” for the purposes of sections 112(3) and 113A(6) of the Police Act 1997.