SCOTTISH STATUTORY INSTRUMENTS

2013 No. 50

REHABILITATION OF OFFENDERS

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

Made - - - - 13th February 2013
Coming into force 14th February 2013

THE REHABILITATION OF OFFENDERS ACT 1974 (EXCLUSIONS AND EXCEPTIONS) (SCOTLAND) ORDER 2013

- 1. Citation, commencement and extent
- 2. Interpretation
- 3. Exclusion of section 4(1) of the Act
- 4. Exclusion of section 4(2)(a) and (b) of the Act
- 5. Exceptions from section 4(3) of the Act
- 6. Revocation Signature

SCHEDULE 1 PROCEEDINGS

- 1. Proceedings in respect of a person's admission to, or disciplinary...
- 2. Disciplinary proceedings against a constable.
- 3. Proceedings before the Gambling Commission.
- 4. Proceedings under the Mental Health (Care and Treatment) (Scotland)
- 5. Proceedings under the Firearms Act 1968 in respect of—
- 6. Proceedings in respect of the grant, renewal or variation of...
- 7. Proceedings in respect of a determination by the Scottish Ministers...
- 8. Proceedings in respect of an application for, or cancellation of...
- 9. Proceedings before Social Care and Social Work Improvement Scotland under
- 10. Proceedings under the Control of Explosives Regulations 1991 ("the 1991...
- 11. Proceedings by way of appeal against, or review of, any...
- 12. Proceedings held for the receipt of evidence affecting the determination...
- 13. Proceedings held in respect of an application for the grant,...
- 14. Proceedings— (a) before the National Lottery Commission in respect of...

- 15. Proceedings in connection with a decision of the Scottish Social...
- 16. Proceedings in respect of a decision by a local authority...
- 17. Proceedings before the Parole Board for Scotland.
- 18. Proceedings in respect of the award, suspension or withdrawal of...
- 19. The following proceedings under the Proceeds of Crime Act 2002—...
- 20. Proceedings under section 11 of the Private Security Industry Act...
- 21. The following proceedings under the Adults with Incapacity (Scotland)
 Act...
- 22. Proceedings for or in connection with the recovery of compensation...
- 23. Proceedings before the Scottish Criminal Cases Review Commission.
- 24. Proceedings before the assessor appointed either by the Scottish Ministers...
- 25. Proceedings before the NHS Tribunal under Part II of the...
- 26. Proceedings before the Court of Session or the sheriff in...
- 27. Proceedings under Part 1 (consideration as to listing) of the...
- 28. Proceedings before the Court of Session or the sheriff in...

SCHEDULE 2 FINANCIAL SERVICES

PART 1 Decisions referred to at Articles 3(b) and 5(c)

- 1. Any decision by the Financial Services Authority—
- 2. Any decision by the scheme operator within the meaning of...
- 3. Any decision of the competent authority for listing—
- 4. Any decision of anyone who is specified in any of...
- 5. Any decision of anyone who is specified in paragraphs 8(1)...
- 6. Any decision of the Council of Lloyd's—
- 7. Any decision of a UK recognised investment exchange or UK...

PART 2 Table referred to in Part 1 of this Schedule and in paragraph 7 of Schedule 3

SCHEDULE 3 EXCLUSIONS OF SECTION 4(2)(a) AND (b) OF THE ACT

- 1. Application
- 2. Requirements to inform
- 3. Specified professions etc.
- 4. Child minding
- 5. Adoption and fostering
- 6. National security
- 7. Financial services
- 8. The National Lottery Commission
- 9. Registration of certain landlords
- 10. Public procurement
- 11. The Risk Management Authority
- 12. Access to information
- 13. Personnel suppliers
- 14. Non-solicitor investors in licensed legal services providers
- 15. Lay representatives

SCHEDULE 4 EXCEPTED PROFESSIONS, OFFICES, EMPLOYMENTS AND OCCUPATIONS PART 1 Professions

- 1. Medical practitioner.
- 2. Advocate, solicitor.
- 3. Accountant.
- 4. Dentist or any profession complementary to dentistry for which a...
- 5. Veterinary surgeon.
- 6. Nurse or midwife.
- 7. Ophthalmic optician, dispensing optician.

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- 8. Registered pharmacist.
- 9. Registered pharmacy technician.
- 10. Registered teacher.
- 11. Any profession to which the Health Professions Order 2001 applies...
- 12. Registered osteopath.
- 13. Registered chiropractor.
- 14. Actuary.
- 15. Registered European lawyer, registered foreign lawyer.
- 16. Social worker.
- 17. Social service worker.

PART 2 Offices and employments

- 1. Judicial appointments.
- Prosecutors, officers assisting prosecutors, and officers assisting in the work...
- 3. Justices of the Peace and members of local authorities with...
- 4. Clerks (including depute and assistant clerks) and officers of the...
- 5. Precognition agents.
- 6. Constables, police custody and security officers, persons appointed as police...
- 7. Any office, employment or work which is concerned with the...
- 8. Traffic wardens appointed under or in accordance with section 95...
- 9. Any employment or work which is concerned with the provision...
- 10. Any employment or work which is concerned with the provision...
- 11. Any regulated work with children.
- 12. Any employment or work in the Scottish Society for the...
- 13. Any office, employment or work in the Serious Fraud Office....
- 14. Any office, employment or work in the Serious Organised Crime...
- 15. Any office, employment or work in Her Majesty's Revenue and...
- 16. Any employment which is concerned with the monitoring, for the...
- 17. Any office or employment in the Scottish Social Services Council....
- 18. Her Majesty's Inspectors, or any person appointed by the Scottish...
- 19. The Principal Reporter or officers appointed under section 128(5) of...
- 20. Members of a panel established by virtue of section 101(1)...
- 21. Any office or employment in the Risk Management Authority.
- 22. Any office or employment in the Scottish Criminal Cases Review...
- 23. Any office or employment in a relevant authority as defined...
- 24. Any employment or work in a body concerned primarily with...
- 25. Any regulated work with adults.
- 26. Members mentioned in section 35(4)(c) of the Judiciary and Courts...
- 27. Members mentioned in section 12A(4)(d) of the Sheriff Courts (Scotland)...
- 28. Lay members of the Judicial Appointments Board for Scotland appointed...
- 29. Non-judicial members of the Scottish Court Service mentioned in paragraph...
- 30. Any office or employment in Social Care and Social Work...
- 31. Any office or employment in the General Teaching Council for...
- 32. A Head of Practice or a member of a Practice...

PART 3 Occupations

- 1. Firearms dealer.
- 2. Any occupation in respect of which an application to the...
- 3. Any occupation which is concerned with the management of a...
- 4. Any occupation in respect of which the holder is required...
- 5. Taxi driver or private hire driver.
- 6. Any occupation in respect of which an application to the...

Status: This is the original version (as it was originally made).

- 7. Any occupation which is concerned with visiting persons detained in...
- 8. Any occupation in respect of which a licence or registration... SCHEDULE 5 REVOCATIONS

Explanatory Note