



# Protection of Children Act 1999

## 1999 CHAPTER 14

*Department of Health list*

### **3 Inclusion in list on transfer from Consultancy Service Index.**

- (1) This section applies where—
  - (a) an individual is included in the Consultancy Service Index (otherwise than provisionally) immediately before the commencement of this section;
  - (b) he was so included on a reference made to the Secretary of State by an organisation; and
  - (c) any of the conditions mentioned in section 2(2)(a) to (c) above, or the condition mentioned in section 2(3) above, was fulfilled in relation to that reference.
- (2) If it appears from the information submitted with the reference that it may be appropriate for the individual to be included in the list kept by the Secretary of State under section 1 above, the Secretary of State shall—
  - (a) invite observations from the individual on the information submitted with the reference and, if he thinks fit, on any observations submitted under paragraph (b) below; and
  - (b) invite observations from the organisation on any observations on the information submitted with the reference and, if he thinks fit, on any other observations under paragraph (a) above.
- (3) The Secretary of State shall include the individual in the list kept by him under section 1 above if, after he has considered the information submitted with the reference, any observations submitted to him and any other information which he considers relevant, he is of the opinion—
  - (a) that the organisation reasonably considered the individual to be guilty of misconduct (whether or not in the course of his employment) which harmed a child or placed a child at risk of harm; and
  - (b) that the individual is unsuitable to work with children.

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*Status: Point in time view as at 05/06/2000. This version of this provision has been superseded.*

*Changes to legislation: Protection of Children Act 1999, Section 3 is up to date with all changes known to be in force on or before 29 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### **Commencement Information**

- II** S. 3 wholly in force at 2.10.2000; s. 3 not in force at Royal Assent see s. 14(2); s. 3(1)(2) in force (5.6.2000) by S.I. 2000/1459, **art. 2**; s. 3(3) in force (1.9.2000) for certain purposes by S.I. 2000/2337, **art. 2(1)(b)**; s. 3 in force at 2.10.2000 in so far as not already in force by S.I. 2000/2337, **art. 2(2)**

**Status:**

Point in time view as at 05/06/2000. This version of this provision has been superseded.

**Changes to legislation:**

Protection of Children Act 1999, Section 3 is up to date with all changes known to be in force on or before 29 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.