



# Safeguarding Vulnerable Groups Act 2006

## 2006 CHAPTER 47

### *Restrictions on participating in regulated activity*

#### **7 Barred person not to engage in regulated activity**

- (1) An individual commits an offence if he—
  - (a) seeks to engage in regulated activity from which he is barred;
  - (b) offers to engage in regulated activity from which he is barred;
  - (c) engages in regulated activity from which he is barred.
- (2) A person guilty of an offence under subsection (1) is liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or to a fine, or to both;
  - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both.
- (3) It is a defence for a person charged with an offence under subsection (1) to prove that he did not know, and could not reasonably be expected to know, that he was barred from that activity.
- (4) It is a defence for a person charged with an offence under subsection (1) to prove—
  - (a) that he reasonably thought that it was necessary for him to engage in the activity for the purpose of preventing harm to a child or vulnerable adult (as the case may be),
  - (b) that he reasonably thought that there was no other person who could engage in the activity for that purpose, and
  - (c) that he engaged in the activity for no longer than was necessary for that purpose.
- (5) For the purposes of this section, Schedule 4 is modified as follows—
  - (a) in paragraph 1, sub-paragraphs (1)(b) and (2)(a) must be disregarded;
  - (b) in paragraph 7(1), the words “if it is carried out frequently by the same person or the period condition is satisfied” must be disregarded;
  - (c) in paragraph 7(4), paragraph (a) must be disregarded.

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*Status: This is the original version (as it was originally enacted).*

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- (6) In relation to an offence committed before the commencement of section 282(3) of the Criminal Justice Act 2003 (c. 44), the reference in subsection (2)(b) to 12 months must be taken to be a reference to six months.