

2003 No. 520

POLICE, ENGLAND AND WALES

**The Police Act 1997 (Criminal Records) (Amendment No. 3)
Regulations 2003**

<i>Made</i> - - - -	<i>6th March 2003</i>
<i>Laid before Parliament</i>	<i>10th March 2003</i>
<i>Coming into force</i>	<i>31st March 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 113(3A)(d) and 115(6A)(d) of the Police Act 1997(a), having regard to the meaning of “prescribed” in section 125 of that Act, hereby makes the following Regulations:

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Police Act 1997 (Criminal Records) (Amendment No. 3) Regulations 2003.

(2) These Regulations, except regulation 3, shall come into force on 31st March 2003.

(3) Regulation 3 shall come into force in Wales on 31st March 2003 and in England on 1st June 2003.

(4) In these Regulations the “2002 Regulations” means the Police Act 1997 (Criminal Records) Regulations 2002(b).

Amendment to 2002 Regulations

2.—(1) Regulation 6 of the 2002 Regulations is amended as follows.

(2) For sub-paragraph (1)(a) there is substituted—

“(a) the fact that he is included in the list;”.

(3) In sub-paragraph (1)(e) for the words “the person” there is substituted “he”.

3. In the 2002 Regulations, for regulation 7 there is substituted—

“Directions made under section 142 of the Education Act 2002: prescribed details

7. In the case of an applicant subject to a direction made under section 142 of the Education Act 2002 the following details are hereby prescribed for the purposes of sections 113(3A)(d) and 115(6A)(d) of the Act—

(a) 1997 c. 50; sections 113(3A) and 115(6A) were inserted by section 8(1) and (2) of the Protection of Children Act 1999 respectively and amended by sections 102(1), (2), 104 (1), (2)(a), (3)(b) and 116 of, and paragraph 25 of Schedule 4 to, the Care Standards Act 2000. Further amendments are made by section 215(1) of, and paragraphs 72 and 73 of Schedule 21 to, the Education Act 2002 (c.32).

(b) S.I. 2002/233; to which there have been amendments not relevant to the subject matter of these Regulations.

- (a) the fact that he is subject to such a direction;
- (b) the date the direction was given;
- (c) details of any prohibition or restriction on his employment; and
- (d) the grounds on which the direction was made, and, where the grounds are misconduct, details of the misconduct.”.

4.—(1) Regulation 8 of the 2002 Regulations is amended as follows.

(2) For paragraph (a) there is substituted—

“(a) the fact that he is included in the list;”.

(3) In paragraphs (c) and (e) for the words “the person” there is substituted “he”.

Home Office
6th March 2003

Charles Falconer
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations substitute a new regulation 7 in the Police Act 1997 (Criminal Records) Regulations 2002 (“the 2002 Regulations”) in consequence of the repeal of section 218 of the Education Reform Act 1988 (c.40) and the coming into force of section 142 of the Education Act 2002 (c.32) on 31st March 2003 and 1st June 2003 in Wales and England respectively. Other minor amendments are made to regulations 6 and 8 of the 2002 Regulations.

£1.50

© Crown copyright 2003

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty’s Stationery Office and Queen’s Printer of
Acts of Parliament

E0354 3/03 ON (MFK)