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STATUTORY INSTRUMENTS

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**2007 No. 3545 (C. 153)**

**CHILDREN AND YOUNG  
PERSONS, ENGLAND AND WALES  
PROTECTION OF VULNERABLE  
ADULTS, ENGLAND AND WALES**

The Safeguarding Vulnerable Groups Act  
2006 (Commencement No. 1) Order 2007

*Made - - - - 17th December 2007*

The Secretary of State makes the following Order in exercise of the powers conferred by section 65 of the Safeguarding Vulnerable Groups Act 2006<sup>(1)</sup>:

In accordance with section 56(3)(p) of that Act he has consulted the Welsh Ministers:

**Citation and interpretation**

1.—(1) This Order may be cited as the Safeguarding Vulnerable Groups Act 2006 (Commencement No. 1) Order 2007.

(2) In this Order, “the Act” means the Safeguarding Vulnerable Groups Act 2006.

**Provisions coming into force on 31st December 2007**

2. 31st December 2007 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 2(2) to (3) (barred lists) in so far as they relate to the provisions set out in paragraph (j);
- (b) section 2(4) (barred lists) in so far as it relates to the provisions set out in paragraph (k);
- (c) section 2(5) (barred lists) for the purposes of making regulations;
- (d) section 4(8) (appeals);
- (e) section 56 (devolution: Wales);
- (f) section 60(1) (interpretation) for the purposes of making orders and regulations;

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<sup>(1)</sup> 2006 c.47.

- (g) section 61 (orders and regulations);
- (h) section 62 (transitional provisions) and paragraphs 2, 3 and 4 of Schedule 8 for the purposes of making orders;
- (i) section 64 (supplementary, incidental, consequential &c. provision);
- (j) paragraphs 1(1), 2(1), 7(1) and 8(1) of Schedule 3 (barred lists) for the purposes of making regulations;
- (k) paragraphs 15(1) and (2), 18(3)(b) and (6) and 24(1), (2) and (9) of Schedule 3 (barred lists);
- (l) section 66 (extent);
- (m) section 67 (short title).

### **Provisions coming into force on 2nd January 2008**

**3.** 2nd January 2008 is the day appointed for the coming into force in relation to England and Wales of section 1 (Independent Barring Board) of, and Schedules 1 and 2 (transfers to IBB) to, the Act.

### **Provisions coming into force on 11th February 2008**

**4.** 11th February 2008 is the day appointed for the coming into force of the following provisions of the Act so far as necessary for the exercise of functions to be conferred on IBB under Schedule 8 (transitional provisions) to the Act—

- (a) section 2 (barred lists) and Schedule 3;
- (b) section 5(1) and (2) (regulated activity) and Schedule 4;
- (c) section 6 (regulated activity providers);
- (d) section 37 (regulated activity providers: duty to provide information on request &c.);
- (e) section 38 (duty to provide information: offences);
- (f) section 40 (local authorities: duty to provide information on request);
- (g) section 42 (registers: duty to provide information on request);
- (h) section 43(3) to (5) (registers: notice of barring and cessation of monitoring);
- (i) section 46 (supervisory authorities: duty to provide information on request);
- (j) section 50 (provision of information to supervisory authorities);
- (k) section 51 (Crown application);
- (l) section 53 (fostering);
- (m) section 57 (damages);
- (n) section 58 (family and personal relationships);
- (o) section 59 (vulnerable adults);
- (p) section 60(1) and (4) (interpretation);
- (q) section 62 (transitional provisions) and Schedule 8.

17th December 2007

*Kevin Brennan*  
Parliamentary Under Secretary of State  
Department for Children, Schools and Families

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This is the first Commencement Order made under the Safeguarding Vulnerable Groups Act 2006 (“the Act”).

Article 2 lists the provisions of the Act which are to come into force on 31<sup>st</sup> December 2007 for the purposes of making secondary legislation. Article 3 lists the provisions which are to come into force on 2<sup>nd</sup> January 2008, bringing the Independent Barring Board (“IBB”) into existence, whilst Article 4 lists those provisions that are to come into force, in whole or in part, on 11<sup>th</sup> February 2008. That date will mark the beginning of the transitional period during which those people who are included in lists maintained under the Protection of Children Act 1999 or the Care Standards Act 2000, or who are subject to a direction under section 142 of the Education Act 2002, will be included, or will be considered by IBB for inclusion in, the children’s barred list or the adults’ barred list which IBB must maintain under section 2 of the Act.