



Protection of Children (Scotland) Act 2003

2003 asp 5

Interpretation and general

17 Meaning of “disqualified from working with children”

- (1) References in this Act to being disqualified from working with children are to be treated as references to being—
- (a) included (otherwise than provisionally) in the list kept under section 1(1) above;
 - (b) included (otherwise than provisionally) in the list kept under section 1 (duty of Secretary of State to keep list of individuals considered unsuitable to work with children) of the Protection of Children Act 1999 (c. 14);
 - (c) subject to a direction under subsection (1)(a) of section 142 (prohibition from teaching etc.) of the Education Act 2002 (c. 32), given on the grounds mentioned in subsection (4)(b) of that section, not to carry on work to which that section applies;
 - (d) subject to a disqualification order (within the meaning of Part II (protection of children) of the Criminal Justice and Court Services Act 2000 (c. 43)); or
 - (e) an individual falling within subsection (2) below.
- (2) An individual falls within this subsection if, under the law of Northern Ireland, the Channel Islands, the Isle of Man, any British overseas territory or any other territory or country outwith the United Kingdom, the individual is subject to a prohibition or disqualification which the Scottish Ministers by order provide corresponds to disqualification (by virtue of any of paragraphs (a) to (d) of subsection (1) above) from working with children.