

*These notes relate to the Protection of Children (Scotland) Act 2003 (asp 5) which received Royal Assent on 19 March 2003*

# **PROTECTION OF CHILDREN (SCOTLAND) ACT 2003**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Section 17– Meaning of “disqualified from working with children”***

47. This section sets out the categories of individuals who are, for the purposes of the Act, “disqualified from working with children” and therefore prevented, by section 11, from working in a child care position. These include individuals included in the list and in the equivalent list kept, in England and Wales, under section 1 of the [Protection of Children Act 1999 \(c.14\)](#). It also includes individuals who are, in England and Wales, subject to certain directions under section 142 of the [Education Act 2002 \(c.32\)](#) prohibiting him or her from teaching or to a disqualification order under Part II of the [Criminal Justice and Court Services Act 2000 \(c.43\)](#). Subsection (2) allows the Scottish Ministers to extend the definition to provide that individuals disqualified from working with children in other jurisdictions are prevented, by section 11, from working in a child care position in Scotland.