Protection of Vulnerable Groups (Scotland) Act 2007

2007 asp 14

PART 2

VETTING AND DISCLOSURE

Removal from scheme

58 Removal from scheme

(1) Ministers must remove a scheme member from the Scheme in relation to a type of regulated work if they—

(a) bar the member from doing that work by listing the member, or

(b) become aware that the member has otherwise been barred from doing that work.

(2) Ministers may remove from the Scheme any scheme member who fails to pay any fee for participation in the Scheme which is prescribed under section 70.

59 Withdrawal from scheme

Ministers must remove a scheme member from the Scheme in relation to a type of regulated work if—

(a) the scheme member applies to be so removed, and

(b) they are satisfied that the scheme member is not doing that type of regulated work.

60 Notice of removal

(1) Ministers must give notice confirming that they have removed an individual from the Scheme under section 58 or 59 to—

(a) the individual, and

(b) any other person whom they think fit.

(2) A notice under subsection (1) must—

(a) state the type of regulated work in relation to which the individual has been removed, and

(b) say why the individual has been removed.

(3) A notice under subsection (1)(b) need not comply with subsection (2)(b) if Ministers think that it would be inappropriate for the recipient to be informed of the reason for removal.

61 Retention of scheme records after removal

(1) Ministers may keep the scheme record of an individual removed from the Scheme and may continue to use that record for the purposes of enabling or assisting them to perform their functions under this Act.

(2) Subsection (1) does not—

(a) entitle Ministers to continue to make enquires in relation to the individual in pursuance of section 47(2), or

(b) require Ministers to otherwise ensure that the retained scheme record is updated.