

Changes to legislation: Public Services Reform (Scotland) Act 2010, Cross Heading: Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14) is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 14 SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND: MODIFICATIONS OF ENACTMENTS

Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)

27 The Protection of Vulnerable Groups (Scotland) Act 2007 is amended as follows.

Commencement Information

- I1** Sch. 14 para. 27 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)
I2 Sch. 14 para. 27 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

28 In section 8 (provision of prescribed information to the Scottish Ministers by certain persons)—

- (a) in subsection (2)—
- (i) the entry relating to the Scottish Commission for the Regulation of Care in the list of persons to whom the section applies is repealed,
 - (ii) after the entry in that list relating to the Scottish Social Services Council insert— “ Social Care and Social Work Improvement Scotland ”,
- (b) in subsection (3)—
- (i) in paragraph (c), the words “the Scottish Commission for the Regulation of Care and” are repealed,
 - (ii) in that paragraph, for “the Commission or, as the case may be, the Council” substitute “ it ”,
 - (iii) the word “and” immediately following that paragraph is repealed,
 - (iv) after that paragraph insert—
- “(ca) in relation to Social Care and Social Work Improvement Scotland, such functions as are conferred on it by virtue of the 2010 Act and any other enactment, and”.

Commencement Information

- I3** Sch. 14 para. 28 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)
I4 Sch. 14 para. 28 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

29 In section 17(5)(c) (information relevant to listing decisions)—

- (a) sub-paragraph (x) is repealed,
- (b) the word “or” immediately following sub-paragraph (xi) is repealed,
- (c) after that sub-paragraph add—
- “(xii) Social Care and Social Work Improvement Scotland, or”.

Commencement Information

- I5** Sch. 14 para. 29 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)
I6 Sch. 14 para. 29 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

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- 30 In section 19 (information held by public bodies etc.), in subsection (3)—
- (a) the entry relating to the Scottish Commission for the Regulation of Care in the list of persons who may be required to provide information under subsection (1)(b) of that section is repealed,
 - (b) after the entry in that list relating to the Scottish Social Services Council insert— “ Social Care and Social Work Improvement Scotland ”.

Commencement Information

- I7** Sch. 14 para. 30 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
I8 Sch. 14 para. 30 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

- 31 In section 30(7) (notice of listing, etc)—
- (a) the entry relating to the Scottish Commission for the Regulation of Care in the list of persons who are “relevant regulatory bodies” is repealed,
 - (b) after the entry in that list relating to the Scottish Social Services Council insert— “ Social Care and Social Work Improvement Scotland ”.

Commencement Information

- I9** Sch. 14 para. 31 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
I10 Sch. 14 para. 31 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

- 32 In section 73(d) (consideration of suitability), for the words “the 2001 Act” substitute “ Part 5 of the 2010 Act ”.

Commencement Information

- I11** Sch. 14 para. 32 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
I12 Sch. 14 para. 32 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

- 33 In section 94 (meaning of “protected child”)—
- (a) in subsection (1)(a), for the words “Part 1 of the 2001 Act” substitute “ Part 5 of the 2010 Act ”,
 - (b) in subsection (3), for the words from “paragraphs” to the end of the subsection substitute “—
 - (a) paragraph (a) of subsection (1) have the same meaning as in schedule 12 to the 2010 Act,
 - (b) paragraph (b)(i) and (ii) of that subsection have the same meaning as in section 105 of that Act,”.

Commencement Information

- I13** Sch. 14 para. 33 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
I14 Sch. 14 para. 33 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

- 34 In section 97(1) (general interpretation)—
- (a) after the definition of “the 2001 Act” insert—

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““the 2010 Act” means the Public Services Reform (Scotland) Act 2010 (asp 8),”

- (b) in the definition of “care service”, for “the 2001 Act” substitute “ Part 5 of the 2010 Act ”.

Commencement Information

I15 Sch. 14 para. 34 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)

I16 Sch. 14 para. 34 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

35 In schedule 2 (regulated work with children)—

- ^{F1}(a)
- (b) in paragraph 9, for “the 2001 Act” substitute “ schedule 12 to the 2010 Act ”,
- (c) in paragraph 11, for “section 2 of the 2001 Act” substitute “ schedule 12 to the 2010 Act ”.

Textual Amendments

F1 Sch. 14 para. 35(a) repealed (1.4.2011) by [The Public Services Reform \(Scotland\) Act 2010 \(Consequential Modifications\) Order 2011 \(S.S.I. 2011/211\)](#), art. 1, [Sch. 1 para. 21](#)

Commencement Information

I17 Sch. 14 para. 35 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)

I18 Sch. 14 para. 35 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

36 In schedule 3 (regulated work with adults)—

- (a) in paragraph 6, for “the 2001 Act” substitute “ schedule 12 to the 2010 Act ”,
- (b) in paragraph 7—
- (i) for “section 25 of the 2001 Act” substitute “ Part 5 of the 2010 Act ”,
- (ii) after “service”, where it ninth occurs, insert “ and ”,
- (iii) for the words “the 2001 Act”, where they second occur, substitute “ schedule 12 to the 2010 Act ”,
- (c) in the heading to that paragraph, for “the Scottish Commission for the Regulation of Care” substitute “ Social Care and Social Work Improvement Scotland ”.

Commencement Information

I19 Sch. 14 para. 36 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, [Sch.](#)

I20 Sch. 14 para. 36 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, [Sch.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)