

Disclosure (Scotland) Act 2020

2020 asp 13

PART 2

PROTECTION OF VULNERABLE GROUPS

Notice of barred status

79 Notice of barred status

After section 46 of the PVG Act insert—

“46A Notice of barred status

- (1) Subsection (2) applies where—
 - (a) an accredited body has countersigned an application for a Level 2 disclosure,
 - (b) the individual applying for the disclosure seeks to participate in the Scheme,
 - (c) the purpose of the disclosure is to enable the accredited body (or any person for whom the body acts) to consider the individual’s suitability to carry out, or to be offered or supplied for, a type of regulated role, and
 - (d) Ministers have refused to allow the individual to participate in the Scheme in relation to that type of regulated role because the individual is—
 - (i) barred from regulated roles with children, or (as the case may be)
 - (ii) barred from regulated roles with adults.
- (2) Where this subsection applies, Ministers must notify the accredited body that they have refused to allow the individual to participate in the Scheme in relation to that type of regulated role because the individual is—
 - (a) barred from regulated roles with children, or (as the case may be)
 - (b) barred from regulated roles with adults.
- (3) In this section—

Status: This is the original version (as it was originally enacted).

“accredited body” has the meaning given in section 46(2) of the Disclosure (Scotland) Act 2020,

“Level 2 disclosure” has the meaning given in section 8 of that Act.”.