
Changes to legislation: Disclosure (Scotland) Act 2020, Paragraph 12 is up to date with all changes known to be in force on or before 20 September 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 5 CONSEQUENTIAL AND MINOR MODIFICATIONS

PART 3

OTHER CONSEQUENTIAL AND MINOR MODIFICATIONS

Protection of Vulnerable Groups (Scotland) Act 2007

- 12 (1) The PVG Act is amended as follows.
- (2) In section 10(1)(b) (consideration whether to list: organisational referrals etc.), for “Independent Safeguarding Authority” substitute “Disclosure and Barring Service”.
 - (3) In section 17(5)(c)(i) (information relevant to listing decisions), for “the Council of the Pharmaceutical Society of Great Britain” substitute “the General Pharmaceutical Council”.
 - (4) In section 19(3) (information held by public bodies etc.), after the entry in the list for Health Boards and Special Health Boards insert— “An integration joint board established by order under section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014”.
 - (5) In section 38(2) (police access to lists), for the words from “purpose of” to the end of that subsection substitute “law enforcement purposes within the meaning of section 31 of the Data Protection Act 2018.”.
 - (6) In section 39 (restrictions on listing in children's list)—
 - (a) in subsection (2)(a), for “Independent Safeguarding Authority (“ISA”)” substitute “Disclosure and Barring Service (“DBS”)”,
 - (b) in each of subsections (4)(b), (5) and (6)(b), for “ISA” substitute “DBS”.
 - (7) In section 40 (restrictions on listing in adults' list)—
 - (a) in subsection (2)(a), for “Independent Safeguarding Authority (“ISA”)” substitute “Disclosure and Barring Service (“DBS”)”,
 - (b) in each of subsections (4)(b), (5) and (6)(b), for “ISA” substitute “DBS”.
 - (8) In section 76(2) (police access to scheme information), for the words from “the purpose” to the end of that subsection insert “—
 - (a) the performance of the chief constable's functions under this Part, or
 - (b) the law enforcement purposes within the meaning of section 31 of the Data Protection Act 2018”.
 - (9) In section 96 (fostering)—
 - (a) in subsection (1)(a) the words “(“the 1995 Act”)” are repealed,
 - (b) in each of subsections (1)(b) and (2)(a) for “1995 Act” substitute “Children (Scotland) Act 1995”,
 - (c) in subsection (8), in the definition of “parental responsibilities” and “parental rights”, for “1995 Act” substitute “Children (Scotland) Act 1995”.
 - (10) In section 97(1) (general interpretation)—
 - (a) after the definition of “disciplinary proceedings”, insert—

Changes to legislation: Disclosure (Scotland) Act 2020, Paragraph 12 is up to date with all changes known to be in force on or before 20 September 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](#)

““Disclosure and Barring Service” and “DBS” mean the body established by section 87(1) of the Protection of Freedoms Act 2012,”

- (b) the definition of “Independent Safeguarding Authority” (and “ISA”) is repealed,
- (c) for the definition of “police force” substitute—

““police force” has the same meaning as in section 69 of the Disclosure (Scotland) Act 2020,”

(11) In schedule 5 (index)—

- (a) at the appropriate place insert—

“Disclosure and Barring Service, DBS section 97(1)”,

- (b) the entry relating to “Independent Safeguarding Authority, ISA” is repealed.

Commencement Information

II [Sch. 5 para. 12](#) in force at 10.12.2021 by [S.S.I. 2021/380](#), [reg. 2](#), [sch.](#)

Changes to legislation:

Disclosure (Scotland) Act 2020, Paragraph 12 is up to date with all changes known to be in force on or before 20 September 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.

[View outstanding changes](#)

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

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

- sch. 3 para. 31(1) words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(i\)](#)
- sch. 3 para. 20 words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(ii\)](#)
- sch. 3 para. 21 words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(iii\)](#)
- sch. 3 para. 31 words substituted by [2024 asp 5 Sch. para. 25\(2\)\(b\)](#)