

**Changes to legislation:** Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: Foster Children (Scotland) Act 1984 (c. 56) is up to date with all changes known to be in force on or before 12 April 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 4 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

### *Foster Children (Scotland) Act 1984 (c. 56)*

9 The Foster Children (Scotland) Act 1984 is amended as follows.

#### Commencement Information

**I1** Sch. 4 para. 9 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

10 In section 7, after subsection (2) insert—

“(3) A person who lives in the same premises as a barred person shall not maintain a foster child.

(4) In subsection (3) (and in section 15(2A)), “barred person” means a person who is barred from regulated work with children (within the meaning of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)).”.

#### Commencement Information

**I2** Sch. 4 para. 10 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

11 In section 15, after subsection (2) insert—

“(2A) A person shall not be guilty of an offence under subsection (1)(c) above in relation to a contravention of section 7(3) if the person proves that he did not know, and had no reasonable ground for believing, that any other person living in the premises in which the person lives was a barred person.”.

#### Commencement Information

**I3** Sch. 4 para. 11 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

12 In section 21, before the definition of “care home service” insert—

““barred person” has the meaning given by section 7(4);”.

#### Commencement Information

**I4** Sch. 4 para. 12 in force at 28.2.2011 by S.S.I. 2011/157, art. 2(a)

**Changes to legislation:**

Protection of Vulnerable Groups (Scotland) Act 2007, Cross Heading: Foster Children (Scotland) Act 1984 (c. 56) is up to date with all changes known to be in force on or before 12 April 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.

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**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):

- s. 6A inserted by [2020 asp 13 s. 80\(2\)](#)
- s. 8(3)(za) inserted by [2020 asp 13 s. 82\(3\)](#)
- s. 10(1)(aa) inserted by [2020 asp 13 s. 80\(3\)](#)
- s. 13A-13C inserted by [2020 asp 13 s. 76\(2\)](#)
- s. 18(5) inserted by [2020 asp 13 sch. 5 para. 5\(2\)\(b\)](#)
- s. 30(3A)-(3C) inserted by [2020 asp 13 s. 77\(3\)](#)
- s. 45A inserted by [2020 asp 13 s. 71](#)
- s. 45B inserted by [2020 asp 13 s. 72](#)
- s. 45C-45G inserted by [2020 asp 13 s. 73\(2\)](#)
- s. 45H inserted by [2020 asp 13 s. 88\(3\)](#)
- s. 46A inserted by [2020 asp 13 s. 79](#)
- s. 49(3) inserted by [2020 asp 13 sch. 5 para. 5\(3\)\(c\)](#)
- s. 70(2)(d) inserted by [2020 asp 13 sch. 5 para. 10\(41\)\(b\)](#)
- s. 77(1A) inserted by [2020 asp 13 sch. 5 para. 10\(46\)\(b\)](#)
- s. 94(2A)(2B) inserted by [2020 asp 13 s. 75\(3\)](#)