



Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

PART 2

DISCLOSURE OF CONVICTIONS AND OTHER INFORMATION RELATING TO TIME WHEN PERSON UNDER 12

CHAPTER 3

GENERAL PROVISIONS

25 Amendments consequential on Chapter 2

- (1) The 1997 Act is amended as follows.
- (2) In section 117 (disputes about accuracy of certificates)—
 - (a) in subsection (3), at the beginning insert “ Subject to subsection (3A), ”,
 - (b) after that subsection insert—

“(3A) But an application under this section may not request a review of information contained in a certificate by virtue of section 113B(4) which was or could have been the subject of an appeal under section 20 of the Age of Criminal Responsibility (Scotland) Act 2019.”,
 - (c) in subsection (4), for “such a request” substitute “ a request mentioned in subsection (3) ”.
- (3) The 2007 Act is amended as follows.
- (4) In section 51 (correction of inaccurate scheme record)—
 - (a) in subsection (4), at the beginning insert “ Subject to subsection (4A), ”,
 - (b) after that subsection insert—

“(4A) But a scheme member may not request a review of information included in a scheme record by virtue of section 49(1)(c) which was

Status: Point in time view as at 30/11/2020.

Changes to legislation: Age of Criminal Responsibility (Scotland) Act 2019, CHAPTER 3 is up to date with all changes known to be in force on or before 26 May 2023. 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)

- or could have been the subject of an appeal under section 20 of the Age of Criminal Responsibility (Scotland) Act 2019.”,
- (c) in subsection (5), for “such a request” substitute “ a request mentioned in subsection (4) ”.

Commencement Information

I1 [S. 25](#) in force at 30.11.2020 by [S.S.I. 2020/369](#), [reg. 2](#), [sch.](#)

26 Interpretation of Part 2

In this Part—

- “1974 Act” means the Rehabilitation of Offenders Act 1974,
- “1997 Act” means the Police Act 1997,
- “2007 Act” means the Protection of Vulnerable Groups (Scotland) Act 2007,
- “applicant” means the person who applies under section 113B of the 1997 Act for an enhanced criminal record certificate,
- “chief constable” means the chief constable of the Police Service of Scotland,
- “enhanced criminal record certificate” has the meaning given by section 113B(3) of the 1997 Act,
- “independent reviewer” means the independent reviewer appointed under section 12,
- “regulated work” has the meaning given by section 91 of the 2007 Act,
- “relevant behaviour” and “circumstances ancillary to relevant behaviour” have the meanings given by section 5,
- “scheme member” has the meaning given by section 45(2) of the 2007 Act,
- “scheme record” has the meaning given by section 48 of the 2007 Act,
- “the scheme” has the meaning given by section 44 of the 2007 Act.

Commencement Information

I2 [S. 26](#) in force at 30.11.2020 by [S.S.I. 2020/369](#), [reg. 2](#), [sch.](#)

Status:

Point in time view as at 30/11/2020.

Changes to legislation:

Age of Criminal Responsibility (Scotland) Act 2019, CHAPTER 3 is up to date with all changes known to be in force on or before 26 May 2023. 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.