



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

- 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)”.

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.