



Disclosure (Scotland) Act 2020

2020 asp 13

PART 2

PROTECTION OF VULNERABLE GROUPS

Scheme members under consideration for listing

77 Notice of consideration for listing

- (1) Section 30 (notice of listing etc.) of the PVG Act is amended as follows.
- (2) In subsection (3)—
 - (a) in paragraph (b), at the end insert “and any personnel supplier whom they know has offered or supplied the scheme member to carry out a regulated role with children,”,
 - (b) in paragraph (c), at the end (and before the word “and” immediately following that paragraph) insert “and any personnel supplier whom they know has offered or supplied the scheme member to carry out a regulated role with adults,”.
- (3) After subsection (3) insert—

“(3A) Subsection (3B) applies where—

 - (a) Ministers are considering whether to list an individual by virtue of sections 10 to 13 or section 45B(7), and
 - (b) they know that the individual is carrying out a regulated role with children or, as the case may be, a regulated role with adults for a person other than an organisation.

(3B) Where this subsection applies, Ministers may notify the person—

 - (a) that they are considering whether to list the individual in the children’s list or, as the case may be, in the adults’ list, and
 - (b) of the details of any conditions that Ministers have imposed under section 13A(1) or, if no such conditions have been imposed, of that fact.”.

Status: This is the original version (as it was originally enacted).

(3C) After considering whether to list an individual as mentioned in subsection (3A)(a), Ministers may notify their decision (whether to list the individual or not to do so) to any person other than an organisation for whom they know the individual is carrying out a regulated role with children or, as the case may be, a regulated role with adults.”.

(4) In subsection (5), after “(2)” insert “, (3B), (3C)”.