
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2020

Saving provisions

3.—(1) Article 2(2) has no effect in relation to a constable's conviction, or any circumstances ancillary to that conviction, where—

- (a) the constable was appointed as a constable before this Order comes into force, and
- (b) the date of the conviction was before this Order comes into force.

(2) Article 2(3) has no effect in relation to a person's conviction, or any circumstances ancillary to that conviction, where the suitability of that person for an office or employment mentioned in paragraph 6 of Part 2 of schedule 4 of the 2013 Order is being assessed immediately before this Order comes into force.

(3) Article 2(4) has no effect in relation to a person's conviction, or any circumstance ancillary to that conviction, where—

- (a) the person holds an office or employment mentioned in paragraph 6 of Part 2 of schedule 4 of the 2013 Order immediately before this Order comes into force, and
- (b) the date of the conviction was before this Order comes into force.

(4) Article 5A(1) of the 2013 Order has no effect in relation to an ATP, or any ancillary circumstances in relation to that ATP, given to a constable where—

- (a) the constable was appointed as a constable before this Order comes into force, and
- (b) the ATP was given before this Order comes into force.

(5) Article 5A(2) of the 2013 Order has no effect in relation to an ATP, or any ancillary circumstances in relation to that ATP, given to a person where the suitability of that person for an office or employment mentioned in paragraph 6 of Part 2 of schedule 4 of the 2013 Order is being assessed immediately before this Order comes into force.

(6) Article 5A(3) of the 2013 Order has no effect in relation to an ATP, or any ancillary circumstances in relation to that ATP, given to a person where—

- (a) the person holds an office or an employment mentioned in paragraph 6 of Part 2 of schedule 4 of the 2013 Order immediately before this Order comes into force, and
- (b) the ATP was given before this Order comes into force.