
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 180

**The Protection of Vulnerable Groups (Scotland) Act
2007 (Savings and Transitional Provisions) Order 2010**

Transitional provision relating to references under sections 2(1) or 4(1) of the 2003 Act

3.—(1) Paragraph (2) applies where prior to the relevant date—

- (a) Ministers have received a reference under section 2(1) or 4(1) of the 2003 Act, as the case may be; and
- (b) Ministers have not commenced their consideration of that reference under section 5 (inclusion in the list following referral under section 2(1) or 4(1)) of the 2003 Act.

(2) Where this paragraph applies—

- (a) a reference under section 2 (reference following disciplinary action etc.) of the 2003 Act is to be treated for all purposes as if prescribed information had been given to Ministers under section 3 (reference following disciplinary action etc.), section 4 (reference by employment agency) or section 5 (reference by employment business) of the Act, whichever corresponds most closely to the reference under the 2003 Act; and
- (b) a reference under section 4 (reference by certain other persons) of the 2003 Act is to be treated for all purposes as if prescribed information had been given to Ministers under section 8 (reference by certain other persons) of the Act.