
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 50

REHABILITATION OF OFFENDERS

**The Rehabilitation of Offenders Act 1974
(Exclusions and Exceptions) (Scotland) Order 2013**

Made - - - - - *13th February 2013*

Coming into force *14th February 2013*

**THE REHABILITATION OF OFFENDERS ACT 1974
(EXCLUSIONS AND EXCEPTIONS) (SCOTLAND) ORDER 2013**

1. Citation, commencement and extent
 2. Interpretation
 3. Exclusion of section 4(1) of the Act
 4. Exclusion of section 4(2)(a) and (b) of the Act
 5. Exceptions from section 4(3) of the Act
 6. Revocation
- Signature

SCHEDULE 1 PROCEEDINGS

1. Proceedings in respect of a person's admission to, or disciplinary...
2. Disciplinary proceedings against a constable.
3. Proceedings before the Gambling Commission.
4. Proceedings under the Mental Health (Care and Treatment) (Scotland) Act...
5. Proceedings under the Firearms Act 1968 in respect of—
6. Proceedings in respect of the grant, renewal or variation of...
7. Proceedings in respect of a determination by the Scottish Ministers...
8. Proceedings in respect of an application for, or cancellation of...
9. Proceedings before Social Care and Social Work Improvement Scotland under...
10. Proceedings under the Control of Explosives Regulations 1991 ("the 1991...
11. Proceedings by way of appeal against, or review of, any...
12. Proceedings held for the receipt of evidence affecting the determination...
13. Proceedings held in respect of an application for the grant,...
14. Proceedings— (a) before the National Lottery Commission in respect of...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

15. Proceedings in connection with a decision of the Scottish Social...
 16. Proceedings in respect of a decision by a local authority...
 17. Proceedings before the Parole Board for Scotland.
 18. Proceedings in respect of the award, suspension or withdrawal of...
 19. The following proceedings under the Proceeds of Crime Act 2002—...
 20. Proceedings under section 11 of the Private Security Industry Act...
 21. The following proceedings under the Adults with Incapacity (Scotland) Act...
 22. Proceedings for or in connection with the recovery of compensation...
 23. Proceedings before the Scottish Criminal Cases Review Commission.
 24. Proceedings before the assessor appointed either by the Scottish Ministers...
 25. Proceedings before the NHS Tribunal under Part II of the...
 26. Proceedings before the Court of Session or the sheriff in...
 27. Proceedings under Part 1 (consideration as to listing) of the...
 28. Proceedings before the Court of Session or the sheriff in...
- SCHEDULE 2 FINANCIAL SERVICES
- PART 1 Decisions referred to at Articles 3(b) and 5(c)
1. Any decision by the FCA, the PRA or the Bank...
 2. Any decision by the scheme operator within the meaning of...
 3. Any decision of the FCA— (a) to refuse an application...
 4. Any decision of anyone who is specified in any of...
 5. Any decision of anyone who is specified in paragraphs 8(1)...
 6. Any decision of the Council of Lloyd's—
 7. Any decision of a UK recognised investment exchange or recognised...
- PART 2 Table referred to in Part 1 of this Schedule
and in paragraph 7 of Schedule 3
- SCHEDULE 3 EXCLUSIONS OF SECTION 4(2)(a) AND (b) OF THE
ACT
1. Application
 2. Requirements to inform
 3. Specified professions etc.
 4. Child minding
 5. Adoption and fostering
 6. National security
 7. Financial services
 8. The National Lottery Commission
 9. Registration of certain landlords
 10. Public procurement
 11. The Risk Management Authority
 12. Access to information
 13. Personnel suppliers
 14. Non-solicitor investors in licensed legal services providers
 15. Lay representatives
- SCHEDULE 4 EXCEPTED PROFESSIONS, OFFICES,
EMPLOYMENTS AND OCCUPATIONS
- PART 1 Professions
1. Medical practitioner.
 2. Advocate, solicitor.
 3. Accountant.
 4. Dentist or any profession complementary to dentistry for which a...
 5. Veterinary surgeon.
 6. Nurse or midwife.
 7. Ophthalmic optician, dispensing optician.

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8. Registered pharmacist.
9. Registered pharmacy technician.
10. Registered teacher.
11. Any profession to which the Health Professions Order 2001 applies...
12. Registered osteopath.
13. Registered chiropractor.
14. Actuary.
15. Registered European lawyer, registered foreign lawyer.
16. Social worker.
17. Social service worker.

PART 2 Offices and employments

1. Judicial appointments.
2. Prosecutors, officers assisting prosecutors, and officers assisting in the work...
3. Justices of the Peace and members of local authorities with...
4. Clerks (including depute and assistant clerks) and officers of the...
5. Precognition agents.
6. Constables, police custody and security officers, persons appointed as police...
7. Any office, employment or work which is concerned with the...
8. Traffic wardens appointed under or in accordance with section 95...
9. Any employment or work which is concerned with the provision...
10. Any employment or work which is concerned with the provision...
11. Any regulated work with children.
12. Any employment or work in the Scottish Society for the...
13. Any office, employment or work in the Serious Fraud Office....
14. Any office, employment or work in the Serious Organised Crime...
15. Any office, employment or work in Her Majesty's Revenue and...
16. Any employment which is concerned with the monitoring, for the...
17. Any office or employment in the Scottish Social Services Council....
18. Her Majesty's Inspectors, or any person appointed by the Scottish...
19. The Principal Reporter or officers appointed under section 128(5) of...
20. Members of a panel established by virtue of section 101(1)...
21. Any office or employment in the Risk Management Authority.
22. Any office or employment in the Scottish Criminal Cases Review...
23. Any office or employment in the Scottish Fire and Rescue...
24. Any employment or work in a body concerned primarily with...
25. Any regulated work with adults.
26. Members mentioned in section 35(4)(c) of the Judiciary and Courts...
27. Members mentioned in section 12A(4)(d) of the Sheriff Courts (Scotland)...
28. Lay members of the Judicial Appointments Board for Scotland appointed...
29. Non-judicial members of the Scottish Court Service mentioned in paragraph...
30. Any office or employment in Social Care and Social Work...
31. Any office or employment in the General Teaching Council for...
32. A Head of Practice or a member of a Practice...

PART 3 Occupations

1. Firearms dealer.
2. Any occupation in respect of which an application to the...
3. Any occupation which is concerned with the management of a...
4. Any occupation in respect of which the holder is required...
5. Taxi driver or private hire driver.
6. Any occupation in respect of which an application to the...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

7. Any occupation which is concerned with visiting persons detained in...
8. Any occupation in respect of which a licence or registration...

SCHEDULE 5 REVOCATIONS

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 1 para. 14 omitted by [S.I. 2013/2329 Sch. para. 42\(b\)](#)
- Sch. 1 para. 3 substituted by [S.I. 2013/2329 Sch. para. 42\(a\)](#)
- Sch. 1 para. 10 substituted by [S.I. 2014/1638 Sch. 13 para. 30\(a\)](#)
- Sch. 2 para. 1(i) modified by [S.I. 2024/114 reg. 13\(3\)](#)
- Sch. 2 Pt. 1 para. 1(o) word substituted by [S.I. 2017/1173 reg. 6\(b\)\(ii\)](#)
- Sch. 2 Pt. 1 para. 1(p) word substituted by [S.I. 2017/1173 reg. 6\(b\)\(ii\)](#)
- Sch. 2 Pt. 2 table words inserted by [S.I. 2013/1388 reg. 15\(3\)\(b\)](#)
- Sch. 2 Pt. 1 para. 1(o) words inserted by [S.I. 2017/1173 reg. 6\(b\)\(i\)](#)
- Sch. 2 Pt. 2 words inserted by [S.I. 2017/1173 reg. 6\(c\)](#)
- Sch. 2 para. 1(i) words inserted by [S.I. 2024/114 reg. 12\(3\)](#)
- Sch. 3 para. 10 substituted by [S.S.I. 2015/446 Sch. 6 para. 10\(2\)](#)
- Sch. 3 para. 10(2) substituted by [S.S.I. 2016/49 Sch. 3 para. 3\(2\)\(c\)](#)
- Sch. 3 para. 10(1)(b) substituted by [SSI 2015/446 Sch. 6 para. 10\(2\) \(as amended\) by S.S.I. 2016/47 reg. 2\(10\)](#)
- Sch. 3 para. 10(2) substituted by [SSI 2015/446 Sch. 6 para. 10\(2\) \(as amended\) by S.S.I. 2016/47 reg. 2\(10\)](#)
- sch. 3 para. 1 words inserted by [S.S.I. 2022/110 art. 2\(2\)\(a\)](#)
- Sch. 3 para. 10(1)(a) words substituted by [S.S.I. 2016/49 Sch. 3 para. 3\(2\)\(a\)](#)
- Sch. 3 para. 10(1)(b) words substituted by [S.S.I. 2016/49 Sch. 3 para. 3\(2\)\(b\)](#)
- Sch. 3 para. 8 heading words substituted by [S.I. 2013/2329 Sch. para. 42\(c\)](#)
- Sch. 3 para. 8 words substituted by [S.I. 2013/2329 Sch. para. 42\(c\)](#)
- Sch. 3 para. 3(3)(c) words substituted by [S.I. 2014/1638 Sch. 13 para. 30\(b\)](#)
- Sch. 4 para. 19 omitted by [S.S.I. 2013/204 art. 4](#)
- Sch. 4 para. 27 substituted by [S.S.I. 2015/150 Sch. para. 10](#)
- Sch. 4 Pt. 2 para. 7 substituted by [S.S.I. 2015/39 Sch. para. 12](#)
- Sch. 4 Pt. 3 para. 4 words substituted by [S.I. 2014/1638 Sch. 13 para. 30\(c\)](#)
- art. 2(1) modified by [S.I. 2024/114 reg. 13\(2\)](#)
- art. 2(1) word substituted by [S.S.I. 2016/91 art. 2](#)
- art. 2(1) words inserted by [S.S.I. 2015/329 art. 2\(1\)\(a\)](#)
- art. 2(1) words inserted by [S.I. 2013/1388 reg. 15\(2\)\(a\)](#)
- art. 2(1) words inserted by [S.I. 2013/1388 reg. 15\(2\)\(b\)](#)
- art. 2(1) words inserted by [S.I. 2017/1173 reg. 6\(a\)\(ii\)](#)
- art. 2(1) words omitted by [S.I. 2019/325 reg. 57](#)
- art. 2(1) words substituted by [S.S.I. 2015/329 art. 2\(1\)\(b\)](#)
- art. 2(1) words substituted by [S.I. 2017/1173 reg. 6\(a\)\(i\)](#)
- art. 2(1) words substituted by [S.I. 2024/114 reg. 12\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order applied by [2023 c. 41 Sch. 1 para. 8\(8\)\(c\)19\(1\)\(c\)](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1B1 inserted by [S.S.I. 2015/329 art. 6](#)
- sch. A1 para. 55A inserted by [S.S.I. 2019/396 art. 2\(2\)](#)
- Sch. A1 para. 9A inserted by [S.S.I. 2022/378 art. 2\(2\)](#)
- Sch. A1 para. 10A inserted by [S.S.I. 2022/378 art. 2\(3\)](#)
- Sch. A1 para. 12A inserted by [S.S.I. 2022/378 art. 2\(4\)](#)

- Sch. A1 para. 13A inserted by S.S.I. 2022/378 art. 2(5)
- Sch. A1 para. 16A16B inserted by S.S.I. 2022/378 art. 2(7)
- Sch. A1 para. 23A inserted by S.S.I. 2022/378 art. 2(9)
- Sch. A1 para. 24A-24D inserted by S.S.I. 2022/378 art. 2(11)
- Sch. A1 para. 25A inserted by S.S.I. 2022/378 art. 2(12)
- Sch. A1 para. 25B inserted by S.S.I. 2022/378 art. 2(13)
- Sch. A1 para. 27A inserted by S.S.I. 2022/378 art. 2(15)
- Sch. A1 para. 27B inserted by S.S.I. 2022/378 art. 2(16)
- Sch. A1 para. 28A-28D inserted by S.S.I. 2022/378 art. 2(17)
- Sch. A1 para. 31A inserted by S.S.I. 2022/378 art. 2(18)
- Sch. A1 para. 32A32B inserted by S.S.I. 2022/378 art. 2(19)
- Sch. A1 para. 34A-34F inserted by S.S.I. 2022/378 art. 2(20)
- Sch. A1 para. 37A-37C inserted by S.S.I. 2022/378 art. 2(21)
- Sch. A1 para. 38(aa) inserted by S.S.I. 2022/378 art. 2(22)(a)
- Sch. A1 para. 38(d) inserted by S.S.I. 2022/378 art. 2(22)(c)
- Sch. A1 para. 39A inserted by S.S.I. 2022/378 art. 2(23)
- Sch. A1 para. 41A inserted by S.S.I. 2022/378 art. 2(24)
- Sch. A1 para. 44A-44D inserted by S.S.I. 2022/378 art. 2(26)
- Sch. A1 para. 46A inserted by S.S.I. 2022/378 art. 2(28)
- Sch. A1 para. 47(qa) inserted by S.S.I. 2022/378 art. 2(29)(b)
- Sch. A1 para. 57(c)(d) inserted by S.S.I. 2022/378 art. 2(30)(c)
- Sch. A1 para. 59A inserted by S.S.I. 2022/378 art. 2(31)
- Sch. A1 para. 13 omitted by S.S.I. 2022/378 art. 2(6)
- Sch. A1 para. 14 omitted by S.S.I. 2022/378 art. 2(6)
- Sch. A1 para. 17 omitted by S.S.I. 2022/378 art. 2(8)
- Sch. A1 para. 18 omitted by S.S.I. 2022/378 art. 2(8)
- Sch. A1 para. 20-23 omitted by S.S.I. 2022/378 art. 2(10)
- Sch. A1 para. 26(l) omitted by S.S.I. 2022/378 art. 2(14)
- Sch. A1 para. 26(m) omitted by S.S.I. 2022/378 art. 2(14)
- Sch. A1 para. 26(n) omitted by S.S.I. 2022/378 art. 2(14)
- Sch. A1 para. 26(o) omitted by S.S.I. 2022/378 art. 2(14)
- Sch. A1 para. 26(p) omitted by S.S.I. 2022/378 art. 2(14)
- Sch. A1 para. 46(a) omitted by S.S.I. 2022/378 art. 2(27)
- Sch. A1 substituted by S.S.I. 2016/91 art. 4
- sch. A1 title substituted by S.S.I. 2018/51 art. 2(4)
- Sch. A1 para. 43 substituted by S.S.I. 2022/378 art. 2(25)
- Sch. A1 para. 23 substituted by S.I. 2016/765 Sch. 14 Pt. 2 para. 11
- Sch. A1 para. 38(b) word omitted by S.S.I. 2022/378 art. 2(22)(b)
- Sch. A1 para. 47(q) word omitted by S.S.I. 2022/378 art. 2(29)(a)
- Sch. A1 para. 57(a) word omitted by S.S.I. 2022/378 art. 2(30)(b)
- Sch. A1 para. 57 word substituted by S.S.I. 2022/378 art. 2(30)(a)
- Sch. A1 para. 60 word substituted by S.S.I. 2022/378 art. 2(32)
- Sch. A1 para. 61 word substituted by S.S.I. 2022/378 art. 2(32)
- Sch. B1 para. 5A inserted by S.S.I. 2022/378 art. 3(3)
- Sch. B1 para. 10A inserted by S.S.I. 2022/378 art. 3(5)
- Sch. B1 para. 13A inserted by S.S.I. 2022/378 art. 3(7)
- Sch. B1 para. 17A inserted by S.S.I. 2022/378 art. 3(9)
- Sch. B1 para. 18A inserted by S.S.I. 2022/378 art. 3(10)
- Sch. B1 para. 35A inserted by S.S.I. 2022/378 art. 3(13)
- Sch. B1 para. 36A-36C inserted by S.S.I. 2022/378 art. 3(15)
- Sch. B1 para. 45A inserted by S.S.I. 2022/378 art. 3(17)
- Sch. B1 para. 50A inserted by S.S.I. 2022/378 art. 3(19)
- Sch. B1 para. 56(f)-(j) inserted by S.S.I. 2022/378 art. 3(20)(b)
- Sch. B1 para. 59A inserted by S.S.I. 2022/378 art. 3(21)
- Sch. B1 para. 64A64B inserted by S.S.I. 2022/378 art. 3(24)
- Sch. B1 para. 74A inserted by S.S.I. 2022/378 art. 3(28)
- Sch. B1 para. 88A inserted by S.S.I. 2022/378 art. 3(30)
- Sch. B1 para. 93A inserted by S.S.I. 2022/378 art. 3(32)

- Sch. B1 para. 102A inserted by S.S.I. 2022/378 art. 3(36)
- Sch. B1 para. 103(ga) inserted by S.S.I. 2022/378 art. 3(37)(c)
- Sch. B1 para. 106A inserted by S.S.I. 2022/378 art. 3(39)
- Sch. B1 para. 109A inserted by S.S.I. 2022/378 art. 3(41)
- sch. B1 para. 81(c) and word omitted by S.S.I. 2018/51 art. 2(5)(b)
- Sch. B1 para. 1 omitted by S.S.I. 2022/378 art. 3(2)
- Sch. B1 para. 8 omitted by S.S.I. 2022/378 art. 3(4)
- Sch. B1 para. 9 omitted by S.S.I. 2022/378 art. 3(4)
- Sch. B1 para. 11 omitted by S.S.I. 2022/378 art. 3(6)
- Sch. B1 para. 12 omitted by S.S.I. 2022/378 art. 3(6)
- Sch. B1 para. 16 omitted by S.S.I. 2022/378 art. 3(8)
- Sch. B1 para. 19 omitted by S.S.I. 2022/378 art. 3(11)
- Sch. B1 para. 21-29 omitted by S.S.I. 2022/378 art. 3(11)
- Sch. B1 para. 37 omitted by S.S.I. 2022/378 art. 3(16)
- Sch. B1 para. 38 omitted by S.S.I. 2022/378 art. 3(16)
- Sch. B1 para. 47 omitted by S.S.I. 2022/378 art. 3(18)
- Sch. B1 para. 62 omitted by S.S.I. 2022/378 art. 3(22)
- Sch. B1 para. 67-69 omitted by S.S.I. 2022/378 art. 3(25)
- Sch. B1 para. 70(d) omitted by S.S.I. 2022/378 art. 3(26)
- Sch. B1 para. 73(b) omitted by S.S.I. 2022/378 art. 3(27)
- Sch. B1 para. 73(c) omitted by S.S.I. 2022/378 art. 3(27)
- Sch. B1 para. 81(b) omitted by S.S.I. 2022/378 art. 3(29)
- Sch. B1 para. 89 omitted by S.S.I. 2022/378 art. 3(31)
- Sch. B1 para. 94-96 omitted by S.S.I. 2022/378 art. 3(33)
- Sch. B1 para. 97(b) omitted by S.S.I. 2022/378 art. 3(34)(b)
- Sch. B1 para. 100 omitted by S.S.I. 2022/378 art. 3(35)
- Sch. B1 para. 105 omitted by S.S.I. 2022/378 art. 3(38)
- Sch. B1 para. 107 omitted by S.S.I. 2022/378 art. 3(40)
- Sch. B1 para. 111(a) omitted by S.S.I. 2022/378 art. 3(43)
- Sch. B1 substituted by S.S.I. 2016/91 art. 5
- Sch. B1 para. 36 heading substituted by S.S.I. 2022/378 art. 3(12)
- Sch. B1 para. 63 substituted by S.S.I. 2022/378 art. 3(23)
- Sch. B1 para. 97(a) substituted by S.S.I. 2022/378 art. 3(34)(a)
- Sch. B1 para. 110 substituted by S.S.I. 2022/378 art. 3(42)
- Sch. B1 para. 36(a)-(d) substituted for Sch. B1 para. 36(a)(b) by S.S.I. 2022/378 art. 3(14)
- Sch. B1 para. 56(d) word omitted by S.S.I. 2022/378 art. 3(20)(a)
- Sch. B1 para. 103(g) word omitted by S.S.I. 2022/378 art. 3(37)(b)
- sch. B1 para. 75 word substituted by S.S.I. 2018/51 art. 2(5)(a)
- Sch. B1 para. 103(g) word substituted by S.S.I. 2022/378 art. 3(37)(a)
- Sch. 1 para. 29 inserted by S.S.I. 2013/204 art. 3
- Sch. 1 para. 5A inserted by S.S.I. 2016/147 art. 4
- Sch. 1 para. 30 inserted by S.I. 2020/103 Sch. 3 para. 6(3)
- Sch. 1 para. 10A words substituted by S.I. 2015/968 Sch. para. 11(2)
- Sch. 2 Pt. 1 para. 1(fa)(fb) inserted by S.I. 2013/1388 reg. 15(3)(a)
- Sch. 3 para. 3(3)(aa) inserted by S.S.I. 2016/147 art. 3(2)
- sch. 3 para. 17 inserted by S.S.I. 2022/110 art. 2(2)(b)
- Sch. 3 para. 16 inserted by S.I. 2020/103 Sch. 3 para. 6(4)
- sch. 3 para. 17 substituted by S.S.I. 2022/164 art. 2(2)
- Sch. 3 para. 3(3)(ca) words substituted by S.I. 2015/968 Sch. para. 11(3)
- sch. 4 Pt. 2 para. 66A substituted for sch. 4 Pt. 2 para. 6 by S.S.I. 2020/45 art. 2(6)
- art. 2(1A) inserted by S.I. 2017/80 Sch. para. 39
- art. 2A inserted by S.S.I. 2015/329 art. 2(2)
- art. 2A(3) word substituted by S.S.I. 2016/91 art. 3
- art. 3(1) art. 3 renumbered as art. 3(1) by S.S.I. 2015/329 art. 3(2)
- art. 3(2) inserted by S.S.I. 2015/329 art. 3(3)
- art. 3(2)(a) word omitted by S.S.I. 2020/45 art. 2(2)
- art. 4(1) art. 4 renumbered as art. 4(1) by S.S.I. 2015/329 art. 4(2)

- art. 4(2)-(4) inserted by [S.S.I. 2015/329](#) art. 4(3)
- art. 4(2)(b) substituted by [S.S.I. 2018/51](#) art. 2(2)(a)
- art. 4(2A) inserted by [S.S.I. 2018/51](#) art. 2(2)(b)
- art. 4(3) word omitted by [S.S.I. 2020/45](#) art. 2(3)(a)
- art. 4(3) words substituted by [S.I. 2020/103](#) Sch. 3 para. 6(2)
- art. 4(3)(a)(i) words inserted by [S.S.I. 2016/147](#) art. 3(1)
- art. 4(3)(ba) inserted by [S.S.I. 2020/45](#) art. 2(3)(b)
- art. 4(4) words substituted by [S.S.I. 2018/51](#) art. 2(2)(c)
- art. 4(5) inserted by [S.S.I. 2018/51](#) art. 2(2)(d)
- art. 5(1) art. 5 renumbered as art. 5(1) by [S.S.I. 2015/329](#) art. 5(2)
- art. 5(2)-(4) inserted by [S.S.I. 2015/329](#) art. 5(3)
- art. 5(2)(b) substituted by [S.S.I. 2018/51](#) art. 2(3)(a)
- art. 5(2A) inserted by [S.S.I. 2018/51](#) art. 2(3)(b)
- art. 5(3) substituted by [S.S.I. 2020/45](#) art. 2(4)
- art. 5(4) words substituted by [S.S.I. 2018/51](#) art. 2(3)(c)
- art. 5(5) inserted by [S.S.I. 2018/51](#) art. 2(3)(d)
- art. 5A inserted by [S.S.I. 2020/45](#) art. 2(5)