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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 52**

**The Police Act 1997 and the Protection of Vulnerable  
Groups (Scotland) Act 2007 Remedial Order 2018**

**Amendment of the 2007 Act 2**

4.—(1) The 2007 Act is amended as follows.

(2) In section 52ZA (procedure following correction of inaccurate scheme record)(1)—

(a) in subsection (1)(c), for the words from “for” to the end substitute “which falls within subsection (4)”;

(b) after subsection (3) insert—

“(4) A conviction falls within this subsection if it is—

(a) a conviction for an offence listed in schedule 8A of the 1997 Act which is a spent conviction and either—

(i) the person was aged under 18 on the date of conviction and at least 7 years and 6 months have passed since the date of conviction, or

(ii) the person was aged 18 or over on the date of conviction and at least 15 years have passed since the date of conviction,

(b) a conviction for an offence listed in schedule 8B of the 1997 Act which is—

(i) a spent conviction, but

(ii) not a protected conviction.”.

(3) In section 52 (disclosure of scheme records)(2)—

(a) in subsection (2), for the words from “for” to the end substitute “which falls within subsection (2A)”;

(b) after subsection (2) insert—

“(2A) A conviction falls within this subsection if it is—

(a) a conviction for an offence listed in schedule 8A of the 1997 Act which is a spent conviction and either—

(i) the person was aged under 18 on the date of conviction and at least 7 years and 6 months have passed since the date of conviction, or

(ii) the person was aged 18 or over on the date of conviction and at least 15 years have passed since the date of conviction,

(b) a conviction for an offence listed in schedule 8B of the 1997 Act which is—

(i) a spent conviction, but

(ii) not a protected conviction.”;

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(1) Section 52ZA was inserted by article 4(5) of [S.S.I. 2015/423](#).

(2) Section 52 was substituted by article 4(6) of [S.S.I. 2015/423](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (c) in subsection (4), for the words from “for” to the end substitute “which falls within subsection (2A).”.
- (4) In section 57A (meaning of “conviction” and “protected conviction”)(**3**), after “sections” insert “52ZA,”.

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(**3**) Section 57A was inserted by article 4(8) of [S.S.I. 2015/423](#).