

2023 No. 79 (C. 9)

CHILDREN AND YOUNG PERSONS

PROTECTION OF VULNERABLE ADULTS

**The Disclosure (Scotland) Act 2020 (Commencement No. 2)
Regulations 2023**

Made - - - - - *15th March 2023*

Laid before the Scottish Parliament *17th March 2023*

Coming into force - - - *1st April 2023*

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by section 97(2) of the Disclosure (Scotland) Act 2020(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Disclosure (Scotland) Act 2020 (Commencement No. 2) Regulations 2023 and come into force on 1 April 2023.

(2) In these Regulations, “the 2020 Act” means the Disclosure (Scotland) Act 2020.

Appointed day

2. 1 April 2023 is the day appointed for the coming into force of section 89 (guidance for chief constable) of the 2020 Act for all remaining purposes.

SHIRLEY-ANNE SOMERVILLE
A member of the Scottish Government

St Andrew’s House,
Edinburgh
15th March 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force section 89 of the Disclosure (Scotland) Act 2020 (“the 2020 Act”) for all remaining purposes on 1 April 2023.

Section 89 of the 2020 Act inserts section 84A into the Protection of Vulnerable Groups (Scotland) Act 2007 (“the 2007 Act”) and provides that the Scottish Ministers must issue guidance to the chief constable of the Police Service of Scotland about the chief constable’s functions under Parts 1 and 2 of the 2007 Act. Section 89 was partially brought into force on 10 December 2021 by the Disclosure (Scotland) Act 2020 (Commencement No. 1 and Transitory Provision) Regulations 2021^(a) for the limited purposes of allowing the Scottish Ministers to consult the chief constable on the guidance.

The Bill for the 2020 Act received Royal Assent on 14 July 2020. By virtue of section 97(1) of the 2020 Act, sections 91 (regulations), 92 (ancillary provisions), 94 (individual culpability where organisation commits offence), 95 (meaning of “the PVG Act”), 96 (crown application), 97 (commencement) and 98 (short title) came into force the day after Royal Assent.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the 2020 Act have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision of the 2020 Act</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 63 (partially)	10 December 2021	2021/380
Section 69 (partially)	10 December 2021	2021/380
Section 78	10 December 2021	2021/380
Section 83	10 December 2021	2021/380
Section 84	10 December 2021	2021/380
Section 85	10 December 2021	2021/380
Section 87	10 December 2021	2021/380
Section 88(1) and (2)	10 December 2021	2021/380
Section 89 (partially)	10 December 2021	2021/380
Section 90	10 December 2021	2021/380
Section 93 (partially)	10 December 2021	2021/380
Paragraph 12 of schedule 5	10 December 2021	2021/380

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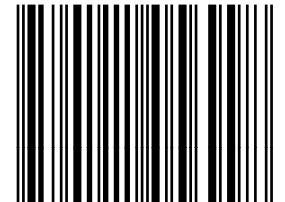
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^(a) S.S.I. 2021/380.

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