



Police Act 1997

1997 CHAPTER 50

PART V

CERTIFICATES OF CRIMINAL RECORDS, &C.

[^{F1}120A Refusal and cancellation of registration

- (1) The Secretary of State may refuse to include a person in the register maintained for the purposes of this Part if it appears to him that the registration of that person is likely to make it possible for information to become available to an individual who, in the Secretary of State's opinion, is not a suitable person to have access to that information.
- (2) The Secretary of State may remove a person from the register if it appears to the Secretary of State—
 - (a) that the registration of that person is likely to make it possible for information to become available to an individual who, in the Secretary of State's opinion, is not a suitable person to have access to that information; or
 - (b) that the registration of that person has resulted in information becoming known to such an individual.
- ^{F2}(3) In determining for the purposes of this section whether an individual is a suitable person to have access to any information, the Secretary of State may have regard, in particular, to—
 - (a) any information relating to that person which concerns a relevant matter;
 - (b) whether that person is included in any list mentioned in section 113(3A) or (3C) [^{F3}or (3EA)] [^{F4}or (3EC)]; and
 - (c) any information provided to the Secretary of State under subsection (4).
- (4) It shall be the duty of the chief officer of any police force to comply, as soon as practicable after receiving it, with any request by the Secretary of State to provide the Secretary of State with information which—
 - (a) is available to the chief officer;
 - (b) relates to—
 - (i) an applicant for registration;

Status: Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation: Police Act 1997, Section 120A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (ii) a registered person; or
 - (iii) an individual who is likely to have access to information in consequence of the countersigning of applications by a particular applicant for registration or by a particular registered person;
- and
- (c) concerns a matter which the Secretary of State has notified to the chief officer to be a matter which, in the opinion of the Secretary of State, is relevant to the determination of the suitability of individuals for having access to the information that may be provided in consequence of the countersigning of applications under this Part.

(5) In this section “relevant matter” has the same meaning as in section 113.]

Textual Amendments

- F1** S. 120A inserted (E.W.N.I.) (19.6.2001) by 2001 c. 16, s. 134(1); S.I. 2001/2223, art. 2(1)(c)
- F2** S. 120A(3) applied (13.8.2001) by S.I. 2001/1194, reg. 3A(4) (as inserted by S.I. 2001/2498, reg. 2(3))
- F3** Words in s. 120A(3)(b) inserted (N.I.) (1.4.2005) by The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (S.I. 2003/417), arts. 1(3), 17(6); S.R. 2005/104, art. 2
- F4** Words in s. 120A(3)(b) inserted (N.I.) (1.4.2005) by The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (S.I. 2003/417), arts. 1(3), 47(5); S.R. 2005/104, art. 2

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