



# Safeguarding Vulnerable Groups Act 2006

## 2006 CHAPTER 47

### *Offences: supplementary*

#### 18 Offences: companies &c.

- (1) If an offence under section 9<sup>F1</sup> ... or 38<sup>F2</sup> ... is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of—
  - (a) a director, manager, secretary or other similar officer of the body, or
  - (b) a person purporting to act in such a capacity,he (as well as the body) commits the offence.
- (2) If an offence under section 9<sup>F3</sup> ... or 38<sup>F4</sup> ... is committed by a partnership (whether or not a limited partnership) and is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of—
  - (a) a partner, or
  - (b) a person purporting to act as a partner,he (as well as the partnership) commits the offence.
- (3) In subsection (1), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body.

#### **Textual Amendments**

- F1** Words in s. 18(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 58\(2\)\(a\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F2** Words in s. 18(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 58\(2\)\(b\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)
- F3** Words in s. 18(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of](#)

*Status: Point in time view as at 02/04/2018.*

*Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Offences: supplementary is up to date with all changes known to be in force on or before 05 June 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)*

Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 58(3)(a), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**F4** Words in s. 18(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by **Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 58(3)(b), Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**Commencement Information**

**I1** S. 18 in force at 12.10.2009 for specified purposes by **S.I. 2009/2611, art. 2, Sch.**

**19 Offences: other persons**

<sup>F5</sup>(1) .....

- (2) A person commits an offence if, in the course of acting or appearing to act on behalf of a personnel supplier—
  - (a) he supplies an individual (B) to another (P),
  - (b) he knows or has reason to believe that P will make arrangements for B to engage in regulated activity from which B is barred, and
  - (c) he knows or has reason to believe that B is barred from the activity.

<sup>F6</sup>(3) .....

<sup>F6</sup>(4) .....

- (5) A person guilty of an offence under subsection (2) is liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or to a fine, or to both;
  - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both.

<sup>F7</sup>(6) .....

<sup>F7</sup>(7) .....

- (8) For the purpose of [<sup>F8</sup>subsection (2)(b)], Schedule 4 is modified as follows—

- (a) in paragraph 1, sub-paragraphs (1)(b) and (2)(a) must be disregarded;

<sup>F9</sup>(b) .....

<sup>F9</sup>(c) .....

<sup>F10</sup>(9) .....

- (10) In relation to an offence committed before the commencement of section 282(3) of the Criminal Justice Act 2003 (c. 44), the reference in subsection (5)(b) to 12 months must be taken to be a reference to six months.

**Textual Amendments**

**F5** S. 19(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by **Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 59(2), Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**F6** S. 19(3)(4) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by **Protection of**

**Status:** Point in time view as at 02/04/2018.

**Changes to legislation:** Safeguarding Vulnerable Groups Act 2006, Cross Heading: Offences: supplementary is up to date with all changes known to be in force on or before 05 June 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)

Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 59(3), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**F7** S. 19(6)(7) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 59(4), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**F8** Words in s. 19(8) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 59(5)(a)** (with s. 97); S.I. 2012/2234, art. 2(aa)(ii)

**F9** S. 19(8)(b)(c) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 59(5)(b), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

**F10** S. 19(9) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 59(6), **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

#### Commencement Information

**I2** S. 19(2)(5)(10) in force at 12.10.2009 by S.I. 2009/2611, art. 2, **Sch.**

**I3** S. 19(8) in force at 12.10.2009 for specified purposes by S.I. 2009/2611, art. 2, **Sch.**

## 20 Section 19: exclusions and defences

(1) A person does not commit an offence under section 19 if B has not attained the age of 16.

**F11**(2) .....

**F11**(3) .....

**F11**(4) .....

**F11**(5) .....

**F11**(6) .....

**F11**(7) .....

#### Textual Amendments

**F11** S. 20(2)-(7) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 60, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(ii)

#### Commencement Information

**I4** S. 20(1) in force at 12.10.2009 for specified purposes by S.I. 2009/2611, art. 2, **Sch.**

**Status:**

Point in time view as at 02/04/2018.

**Changes to legislation:**

Safeguarding Vulnerable Groups Act 2006, Cross Heading: Offences: supplementary is up to date with all changes known to be in force on or before 05 June 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.