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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This is the first Order to be made under section 54 of the Safeguarding Vulnerable Groups Act 2006 (“2006 Act”). That section allows the Secretary of State to make such provision as he thinks necessary or expedient in consequence of, or having regard to, relevant Northern Ireland legislation, which is defined in section 54(4) to include legislation which the Secretary of State thinks corresponds to provision made by or under 2006 Act.

For the purposes of this Order, the relevant Northern Ireland legislation in question is the Safeguarding Vulnerable Groups (Transitory Provisions) Order (Northern Ireland) 2009 ([S.R. \(N.I.\) 2009 No. 38](#)) (“the Northern Ireland Transitory Order”), which makes provision similar to that made under the Safeguarding Vulnerable Groups Act 2006 (Transitory Provisions) Order 2009 ([S.I. 2009/12](#)) (“the Transitory Provisions Order”).

Article 2 of this Order amends the Transitory Provisions Order to provide that where, in pursuance of its functions under the Northern Ireland Transitory Order, the Independent Barring Board includes a person in the children’s or adults’ barred lists established and maintained under Article 6 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 ([S.I. 2007/1351 \(N.I. 11\)](#)), the effect on that person in England and Wales is as if they were included in the list kept under section 1 of the Protection of Children Act 1999 ([c. 14](#)) and were subject to a direction under section 142 of the Education Act 2002 ([c. 32](#)) (where they are included in the children’s barred list), or were included in the list kept under section 81 of the Care Standards Act 2000 ([c. 14](#)) (where they are included in the adults’ barred list). (The Independent Barring Board is established under section 1 of 2006 Act; that section extends to England, Wales and Northern Ireland.)