SCOTTISH STATUTORY INSTRUMENTS

2004 No. 526

POLICE

The Police Act 1997 (Criminal Records) (Protection of Children) (Scotland) Regulations 2004

Made - - - -	*2nd December 2004*
Laid before the Scottish Parliament - - - -	*2nd December 2004*
Coming into force - -	*10th January 2005*

The Scottish Ministers, in exercise of the powers conferred on them by sections 113(3A)(b) and (d), 115(6A)(b) and (d), and 125(1) of the Police Act 1997(**1**) and of all other powers enabling them in that behalf hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Act 1997 (Criminal Records) (Protection of Children) (Scotland) Regulations 2004 and shall come into force on 10th January 2005.

(2) These Regulations extend to Scotland only.

Interpretation

2. In these Regulations–

"the applicant" means an applicant for a criminal record certificate under section 113 or an enhanced criminal record certificate under section 115 of the 1997 Act; and

"the 1997 Act" means the Police Act 1997.

(**1**) 1997 c. 50. Sections 113(3A) and 115(6A) were inserted by section 8(1) and (2) respectively of the Protection of Children Act 1999. Section 12(1) of the Protection of Children (Scotland) Act 2003 (asp 5) extended the amendments made to sections 113(3A) and 115(6A) to Scotland. Section 113(3A) was amended by sections 102(1), 104(1), (2)(a), 116 and Schedule 4, paragraph 25(1) of the Care Standards Act 2000 (c. 14), section 215 and Schedule 21, paragraph 72 of the Education Act 2002 (c. 32); and section 135(1) and (2) of the Adoption and Children Act 2002 (c. 38). Section 115(6A) was amended by sections 102(2), 104(1), (3)(b), 116 and Schedule 4, paragraph 25(b) of 2000 c. 14, section 215 and Schedule 21 paragraph 73 of 2002 c. 32, and section 135(1) and (3) of 2002 c. 38. Section 126(1) of 1997 c. 50 contains a definition of "prescribed" relevant to these regulations. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).