
STATUTORY INSTRUMENTS

2012 No. 2231 (C. 88)

**CHILDREN AND YOUNG
PERSONS, ENGLAND AND WALES
PROTECTION OF VULNERABLE
ADULTS, ENGLAND AND WALES**

The Safeguarding Vulnerable Groups Act 2006
(Commencement No. 8 and Saving) Order 2012

Made - - - - 28th August 2012

The Secretary of State makes the following Order in exercise of the powers conferred by sections 64(1)(b), (2)(b) and 65 of the Safeguarding Vulnerable Groups Act 2006⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Safeguarding Vulnerable Groups Act 2006 (Commencement No. 8 and Saving) Order 2012.

(2) In this Order “the Act” means the Safeguarding Vulnerable Groups Act 2006.

Provisions coming into force on 10th September 2012

2. The appointed day for the coming into force of the following provisions of the Act is 10th September 2012—

- (a) section 43(6)⁽²⁾;
- (b) section 43(7) insofar as it is not already in force;
- (c) section 47(1) to (4)⁽³⁾;
- (d) section 47(7)⁽⁴⁾ insofar as it is not already in force;

(1) 2006 c. 47.

(2) Section 43(6) is amended by sections 75(4) and 115(2) of, and Part 5 of Schedule 10 to, the Protection of Freedoms Act 2012 (c. 9).

(3) Section 47(1) to (4) is amended by sections 76 and 115(2) of, and Part 5 of Schedule 10 to, the Protection of Freedoms Act 2012. There are other amendments not relevant to this Order.

(4) Section 47(7) is amended by section 76 of the Protection of Freedoms Act 2012.

- (e) section 50(5) (provision of information to supervisory authorities) insofar as it is not already in force.

Provisions coming into force on the day on which section 72 of the Protection of Freedoms Act 2012 comes into force

3. Schedule 7 to the Act (insofar as it is not already in force) comes into force on the day on which section 72 of the Protection of Freedoms Act 2012(6) is brought into force for the purposes of inserting section 30A into the Act.

Provisions coming into force on the day on which section 83 of the Protection of Freedoms Act 2012 comes into force

4. The following provisions of the Act come into force on the day on which section 83 of the Protection of Freedoms Act 2012 comes into force—

- (a) section 63(2) insofar as it relates to the provisions in Schedule 10 specified in paragraph (b) below;
- (b) Schedule 10 insofar as it repeals provisions in the Criminal Justice and Court Services Act 2000(7), with the exception of the repeal of section 38 of that Act, insofar as those repeals have not already been brought into force.

Saving provision

5. Despite the commencement of the repeal of the provisions in the Criminal Justice and Court Services Act 2000 by virtue of article 4, the following provisions of that Act shall continue to have effect for any person who, at the time those provisions are repealed, is subject to a disqualification order—

- (a) section 31 (appeals);
- (b) section 32 (review of disqualification);
- (c) section 33 (conditions for application under section 32).

Home Office
28th August 2012

Lynne Featherstone
Parliamentary Under-Secretary of State

(5) Section 50 is amended by section 76 of the Protection of Freedoms Act 2012. There are other amendments not relevant to this Order.
(6) 2012 c. 9.
(7) 2000 c. 43.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Safeguarding Vulnerable Groups Act 2006 (“the 2006 Act”) and makes a saving provision in relation to the repeal of certain provisions in the Criminal Justice and Court Services Act 2000 (“the 2000 Act”).

Article 2 brings into force on 10th September 2012 provision in the 2006 Act relating to provision of information from the Independent Safeguarding Authority (“ISA”) to keepers of relevant registers and the ability for supervisory authorities to request information and be provided with information by the ISA.

Article 3 brings into force provisions in the 2006 Act relating to the list of persons who will be entitled to request barred list information from the ISA at the same time as the provisions in the 2006 Act which enable that barred list check to be done (which were inserted by the Protection of Freedoms Act 2012 (“the 2012 Act”)) are brought into force. This will be done by a commencement order made under the 2012 Act at a later date.

Article 4 fully commences the repeal of the disqualification order regime in the 2000 Act when the up-dating system in relation to Criminal Record Bureau certificates in the 2012 Act is brought into force.

Article 5 makes a saving provision to ensure that anyone subject to a disqualification order at the time the repeal is fully commenced may still appeal against their disqualification order or request a review of their disqualification order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Safeguarding Vulnerable Groups Act 2006 have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 1 in relation to England and Wales	2nd January 2008	2007/3545
section 1 in relation to Northern Ireland	31st March 2008	2008/930
section 2(2) to (5) partially	31st December 2007	2007/3545
section 2 partially	11th February 2008	2007/3545
section 2(2), (3) and (4) partially	19th May 2008	2008/1320
section 2 partially	20th January 2009	2009/39
section 2 insofar as not already in force	12th October 2009	2009/2611
section 3(1), (2) and (3) partially	19th May 2008	2008/1320
section 3 insofar as not already in force	12th October 2009	2009/2611
section 4(8)	31st December 2007	2007/3545
section 4 insofar as not already in force	19th May 2008	2008/1320

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 5(1) and (2) partially	11th February 2008	2007/3545
section 5(3) and (4) partially	19th May 2008	2008/1320
section 5 insofar as not already in force	20th January 2009	2009/39
section 6 partially	11th February 2008	2007/3545
section 6(12) partially	19th May 2008	2008/1320
section 6 partially	20th January 2009	2009/39
section 6 insofar as not already in force	12th October 2009	2009/2611
section 7	12th October 2009	2009/2611
section 9	12th October 2009	2009/2611
section 11(2) partially	19th May 2008	2008/1320
section 12 partially	19th May 2008	2008/1320
section 13(1) and (5) partially	19th May 2008	2008/1320
section 14(1), (2) and (3) partially	19th May 2008	2008/1320
section 18 partially	12th October 2009	2009/2611
section 19(2), (5) and (10)	12th October 2009	2009/2611
section 19(8) partially	12th October 2009	2009/2611
section 21 partially	20th January 2009	2009/39
section 21 partially	12th October 2009	2009/2611
section 21 insofar as not already in force	30th March 2012	2010/1101
section 22 partially	20th January 2009	2009/39
section 22 partially	12th October 2009	2009/2611
section 22 insofar as not already in force	30th March 2010	2010/1101
section 23(1) and (2)	12th October 2009	2009/2611
section 23(3) partially	20th January 2009	2009/39
section 23(3) partially	12th October 2009	2009/2611
section 23(3) insofar as not already in force	30th March 2010	2010/1101
section 24 partially	19th May 2008	2008/1320
section 25	19th May 2008	2008/1320
section 26(1) partially	19th May 2008	2008/1320
section 28	20th January 2009	2009/39
section 29	20th January 2009	2009/39
section 30(7) and (8) partially	19th May 2008	2008/1320
section 31(6) partially	19th May 2008	2008/1320
section 32(10) partially	19th May 2008	2008/1320

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 33(3) and (4) partially	19th May 2008	2008/1320
section 35(1) partially	19th May 2008	2008/1320
section 35 insofar as not already in force	12th October 2009	2009/2611
section 36(1), (2) and (3) partially	19th May 2008	2008/1320
section 36 insofar as not already in force	12th October 2009	2009/2611
section 37 partially	11th February 2008	2007/3545
section 37(2) partially	19th May 2008	2008/1320
section 37 insofar as not already in force	20th January 2009	2009/39
section 38 partially	11th February 2008	2007/3545
section 38 partially	20th January 2009	2009/39
section 38 insofar as not already in force	12th October 2009	2009/2611
section 39(1) and (5) partially	19th May 2008	2008/1320
section 39 insofar as not already in force	12th October 2009	2009/2611
section 40 partially	11th February 2008	2007/3545
section 40(2) partially	19th May 2008	2008/1320
section 40 insofar as not already in force	20th January 2009	2009/39
section 41(1), (5) and (8) partially	19th May 2008	2008/1320
section 41(7) partially	20th January 2009	2009/39
section 41 insofar as not already in force	12th October 2009	2009/2611
section 42 partially	11th February 2008	2007/3545
section 42(2) partially	19th May 2008	2008/1320
section 42 insofar as not already in force	20th January 2009	2009/39
section 43(3) to (5) partially	11th February 2008	2007/3545
section 43(7) partially	19th May 2008	2008/1320
section 44(6) and (7) partially	19th May 2008	2008/1320
section 45(1), (5) and (9) partially	19th May 2008	2008/1320
section 45(7) partially	20th February 2009	2009/39
section 45 insofar as not already in force	12th October 2009	2009/2611
section 46 partially	11th February 2008	2007/3545
section 46(1) and (2) partially	19th May 2008	2008/1320
section 46 insofar as not already in force	20th January 2009	2009/39
section 47(6) and (7) partially	19th May 2008	2008/1320
section 48(6), (7) and (8) partially	19th May 2008	2008/1320
section 49(6), (7) and (8) partially	19th May 2008	2008/1320

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 50 partially	11th February 2008	2007/3545
section 50 partially	22nd June 2009	2009/1503
section 50 partially	22nd April 2010	2010/1101
section 51 partially	11th February 2008	2007/3545
section 51 insofar as not already in force	12th October 2009	2009/2611
section 52	12th October 2009	2009/2611
section 53 partially	11th February 2008	2007/3545
section 53 insofar as not already in force	20th January 2009	2009/39
section 54(1) and (3) partially	19th May 2008	2008/1320
section 54 insofar as not already in force	12th October 2009	2009/2611
section 56	31st December 2007	2007/3545
section 57 partially	11th February 2008	2007/3545
section 57 insofar as not already in force	20th January 2009	2009/39
section 58 partially	11th February 2008	2007/3545
section 58(6) partially	19th May 2008	2008/1320
section 58 insofar as not already in force	12th October 2009	2009/2611
section 59 partially in relation to England and Wales	11th February 2008	2007/3545
section 59 partially in relation to Northern Ireland	31st March 2008	2008/930
section 59 insofar as not already in force	12th October 2009	2009/2611
section 60(1) partially in relation to England and Wales	31st December 2007	2007/3545
section 60(1) and (4) partially in relation to England and Wales	11th February 2008	2007/3545
section 60 partially in relation to Northern Ireland	31st March 2008	2008/930
section 60 insofar as not already in force	12th October 2009	2009/2611
section 61 in relation to England and Wales	31st December 2007	2007/3545
section 61 partially in relation to Northern Ireland	31st March 2008	2008/930
section 61 insofar as not already in force	12th October 2009	2009/2611
section 62 partially	31st December 2007	2007/3545
section 62 insofar as not already in force	11th February 2008	2007/3545
section 63(1) partially	19th May 2008	2008/1320
section 63(1) partially	17th December 2008	2008/3204

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 63(1) partially	20th January 2009	2009/39
section 63(1) partially	22nd June 2009	2009/1503
section 63(2) partially	30th March 2010	2010/1101
section 63 partially	12th October 2009	2009/2610
section 63 partially	12th October 2009	2009/2611
section 64	31st December 2007	2007/3545
section 66	31st December 2007	2007/3545
section 67	31st December 2007	2007/3545
Schedule 1 in relation to England and Wales	2nd January 2008	2007/3545
Schedule 1 in relation to Northern Ireland	31st March 2008	2008/930
Schedule 2	2nd January 2008	2007/3545
Schedule 3 partially	31st December 2007	2007/3545
Schedule 3 partially	11th February 2008	2007/3545
Schedule 3 partially	19th May 2008	2008/1320
Schedule 3 partially	20th January 2009	2009/39
Schedule 3 partially	12th October 2009	2009/2611
Schedule 4 partially	11th February 2008	2007/3545
Schedule 4 partially	19th May 2008	2008/1320
Schedule 4 insofar as not already in force	20th January 2009	2009/39
Schedule 5 partially	19th May 2008	2008/1320
Schedule 6 partially	19th May 2008	2008/1320
Schedule 7 partially	19th May 2008	2008/1320
Schedule 8 partially	31st December 2007	2007/3545
Schedule 8 partially	11th February 2008	2008/3545
Schedule 9 partially	19th May 2008	2008/1320
Schedule 9 partially	17th December 2008	2008/3204
Schedule 9 partially	20th January 2009	2009/39
Schedule 9 partially	22nd June 2009	2009/1503
Schedule 9 partially in relation to England and Wales	12th October 2009	2009/2610
Schedule 9 partially in relation to Northern Ireland	12th October 2009	2009/2611
Schedule 9 partially	12th October 2009	2009/2611
Schedule 10 partially	12th October 2009	2009/2610
Schedule 10 partially	12th October 2009	2009/2611

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Schedule 10 partially	30th March 2010	2010/1101