STATUTORY RULES OF NORTHERN IRELAND

2027 No. 0000

CRIMINAL LAW

The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2027

Made - - - -	*11th January 2027*
Coming into operation- -	*8th February 2027*

The Department of Justice makes the following Regulations in exercise of the powers conferred by sections 113B(2)(b), 113BB(1), 125(1) and (5) of the Police Act 1997(**a**) as modified by section 126A(**b**) of that Act.

Citation and commencement

1. These Regulations may be cited as the Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2027 and shall come into operation on 8th February 2027.

Amendment of the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008

2.—(1) The Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008(**c**) are amended as follows.

(2) After regulation 9(1)(t) insert—

"(u) considering the applicant's suitability to undertake work done infrequently which, if done frequently, would be regulated activity relating to children within the meaning of Part 1 of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.".

(3) In regulation 9A, after "(h)," insert " (k),".

(4) In regulation 9B, after "(h)," insert " (k),".

Sealed with the Official Seal of the Department of Justice on 11th January 2027.

(**a**) 1997 c. 50. Section 113B of the 1997 Act was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (2005 c. 15). Section 113BB(1) of the 1997 Act was inserted by paragraph 14(4) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (2006 c. 47) as modified by section 126(3) of the 1997 Act. Section 125(1) of the 1997 Act (as modified by section 126A(2)) provides that anything authorised or required by any provision of Part 5 of the 1997 Act to be prescribed shall be prescribed by regulations made by the Department of Justice in Northern Ireland.

(**b**) Section 126A was inserted by Article 12 of, and paragraph 38 of Schedule 14 to, S.I. 2010/976.

(**c**) S.I. 2008/542; relevant amending Regulations are S.R. 2010 No. 229, S.R. 2012 No. 321, S.R. 2015 No. 350, S.R. 2022 No. 212, S.R. 2023 No. 16 and S.R. 2026 No. 13.

L.S.

Naomi Long MLA
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 ("the 2008 Regulations") to make provision for enhanced criminal record checks for individuals undertaking work done infrequently which, if done frequently, would be regulated activity relating to children within the meaning of Part 1 of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007. The amendments also make provision for checks against suitability information (barred list information) for staff working in AccessNI.

The 2008 Regulations make detailed provision in relation to applications for criminal conviction certificates, criminal record certificates and enhanced criminal record certificates under Part V of the Police Act 1997 ("the 1997 Act"). Regulation 9 of the 2008 Regulations prescribes the purposes for which an enhanced criminal record certificate may be required. Regulation 9A prescribes the cases in which an enhanced criminal record certificate must also include suitability information relating to children. Regulation 9B prescribes the cases in which an enhanced criminal record certificate must also include suitability information relating to adults.

Regulation 2(2) of these regulations amends regulation 9 of the 2008 Regulations, creating a new prescribed purpose for which an enhanced criminal record certificate may be required. The effect of the amendment is to enable enhanced criminal record checks to be carried out for individuals undertaking work done infrequently which, if done frequently, would be regulated activity relating to children within the meaning of Part 1 of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

Regulation 2(3) amends regulation 9A of the 2008 Regulations, to make provision for checks on suitability information (barred list information) in respect of children, for staff working in AccessNI.

Regulation 2(4) amends regulation 9B of the 2008 Regulations, to make provision for checks on suitability information (barred list information) in respect of vulnerable adults, for staff working in AccessNI.