

**Executive Order on the retrieval of a statement of previous convictions in respect of children for use in the employment and engagement of staff in sports associations, at music, ballet, dancing and riding schools, and at riding, exercise and fitness centres
- Exec. Order no. 645 of 24 June 2005**

Pursuant to Section 2 (1) and (4) in Act no. 520 of 21 June on the retrieval of a statement of previous convictions in respect of children for use in the appointment of staff, etc., the following is stipulated:

1. Authorities, associations, etc., within the Ministry of Culture's sphere of jurisdiction must obtain a statement of previous convictions in respect of children before they employ or engage people who, as an element of performing their work, will come into direct contact with children under the age of 15, cf. Subsection 2.

(2) A statement of previous convictions in respect of children shall be obtained in accordance with the rules in force for such statements in Section 36 of the Executive Order on the processing of personal data in the Central Criminal Register (the Criminal Register), including that the person to whom the information relates has given his/her written consent to the information being obtained.

2. The following authorities, associations, etc., have a duty to obtain a statement of previous convictions in respect of children for people who are to work as trainers, instructors, team leaders or teachers for children under the age of 15, including assistants, temporary staff, deputies and students on work placements, if a permanent affiliation is involved:

- 1) Sports associations that are members of the National Olympic Committee and Sports Confederation of Denmark (DIF), Danish Gymnastics and Sports Associations (DGI), the Danish Shooting Associations (DDI), the Danish Company Sports Association or associations (DFIF), etc., that are members of these organisations.
- 2) Music schools.
- 3) Ballet and dancing schools.
- 4) Riding schools and riding centres.
- 5) Exercise and fitness centres.

(2) The term 'permanent affiliation' in Subsection 1 means that from the commencement of the period of employment or engagement it is the intention that the person's affiliation with the authority, association, etc., will be of more than a one-off or short-term nature. In such instances a statement of previous convictions in respect of children must be obtained before the person is employed or engaged. However, a statement of previous convictions in respect of children must in all circumstances have been obtained pursuant to subsection 1 no later than three weeks after the date on which a person has been associated with the authority, association, etc., for more than three months and within this period on at least three occasions or in one consecutive period of more than two weeks has worked as a trainer, instructor, team

leader or teacher, cf. Subsection 1, on the condition that the person shall continue to be associated with the authority, association, etc.

(3) A statement of previous convictions in respect of children does not have to be obtained once more for a person as mentioned in subsection 1 if the person in question moves to different employment or engagement within the same authority, association, etc. The same applies if the person is either re-employed or re-engaged and the interruption in the affiliation with the authority, association, etc., is a consequence of natural breaks, including the transition from one season to another or from one school year to another.

3. Any deliberate infringement of Section 2 is punished by a fine. However, this does not apply to infringements by public administrative authorities. Companies, etc., (legal persons) may be subject to criminal liability pursuant to the rules of Part 5 of the Danish Criminal Code.

(2) Violations covered by Subsection 1 are subject to action by the public authorities.

4. This Executive Order enters into force on 1 July 2005.

Ministry of Culture, 24 June 2005

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/Peter Schønning