



Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

PART 2

SEXUAL HARM

CHAPTER 3

SEXUAL HARM PREVENTION ORDERS

VALID FROM 31/03/2023

Interaction with notification requirements

18 Application of notification requirements where order made

- (1) This section applies to a person against whom a sexual harm prevention order is made.
- (2) Where the person—
 - (a) was a relevant offender immediately before this section applied to the person, and
 - (b) would (apart from this subsection and sections 88F and 88G of the 2003 Act) cease to be subject to the notification requirements of Part 2 of the 2003 Act while the order has effect,the person remains subject to the notification requirements while the order has effect.
- (3) Where the person was not a relevant offender immediately before this section applied to the person—
 - (a) the person, by virtue of this section, becomes subject to the notification requirements of Part 2 of the 2003 Act from the time this section first applies to the person and remains so subject until the order ceases to have effect, and

Status: Point in time view as at 24/04/2017. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: *There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Cross Heading: Interaction with notification requirements. (See end of Document for details)*

(b) that Part of that Act applies to the person subject to the modification set out in subsection (4).

(4) The “relevant date” is the date of service of the order.

(5) In this section, “relevant offender” has the meaning given by section 80(2) of the 2003 Act.

19 Cessation of order: relevant sexual offenders

(1) This section applies where—

(a) a sexual harm prevention order is in effect in relation to a relevant sexual offender, and

(b) by virtue of section 88F or 88G of the 2003 Act, the relevant sexual offender ceases to be subject to the notification requirements of Part 2 of the 2003 Act.

(2) The sexual harm prevention order ceases to have effect.

(3) For the purposes of this section, a person is a “relevant sexual offender” if the person falls within section 88A(1)(a) or (b) of the 2003 Act.

Status:

Point in time view as at 24/04/2017. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Cross Heading: Interaction with notification requirements.