



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 5

CRIMINAL JUSTICE

Risk of sexual harm orders

103 Risk of sexual harm orders

- (1) The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9) is amended as follows.
- (2) In section 2 (risk of sexual harm orders: applications, grounds and effect)—
 - (a) in subsection (7)(a), after “doing” insert “, or requires that person to do,”, and
 - (b) in subsection (8), after “prohibitions” insert “or requirements”.
- (3) In section 4 (risk of sexual harm orders: variations, renewals and discharges), in subsection (4), after “prohibitions” in both places where it occurs insert “or requirements”.
- (4) In section 5 (interim risk of sexual harm orders), in subsection (3), after “doing” insert “, or requiring that person to do,”.
- (5) In section 7 (offence: breach of risk of sexual harm order or interim risk of sexual harm order), in subsection (1), after “doing” insert “, or fails to do anything which the person is required to do,”.

104 Risk of sexual harm orders: spent convictions

In section 7 of the Rehabilitation of Offenders Act 1974 (c.53) (limitations on rehabilitation under the Act), in subsection (2), after paragraph (bb) insert—

- “(bc) in any proceedings on an application under section 2, 4 or 5 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9) or in any appeal under section 6 of that Act;”.