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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 61**

**Act of Adjournal (Criminal Procedure Rules 1996  
Amendment) (Sexual Harm Prevention Orders) 2023**

**Amendment of the Criminal Procedure Rules 1996**

- 2.—(1) The Criminal Procedure Rules 1996(1) are amended in accordance with this paragraph.  
(2) After Chapter 72 (overseas production orders)(2) insert—

**“CHAPTER 73**

**SEXUAL HARM PREVENTION ORDERS UNDER THE ABUSIVE  
BEHAVIOUR AND SEXUAL HARM (SCOTLAND) ACT 2016**

**Interpretation**

**73.1.** In this Chapter—

“the 2016 Act” means the Abusive Behaviour and Sexual Harm (Scotland) Act 2016(3);  
“sexual harm prevention order” means an order under section 11 (making of order on dealing with person for offence) of the 2016 Act.

**Sexual harm prevention orders**

**73.2.** A sexual harm prevention order is made in Form 73.2.

**Variation, renewal or discharge of sexual harm prevention orders**

**73.3.** An application for the variation, renewal or discharge of a sexual harm prevention order under section 20 (variation, renewal and discharge) of the 2016 Act is made in Form 73.3.

**Notice under section 11(6) or section 20(8) of the 2016 Act**

**73.4.** Notice under section 11(6) or section 20(8) (wish for a hearing to be held) of the 2016 Act is to be given to the court not later than seven days after the intention of the court to consider making, or (as the case may be) varying, renewing or discharging, a sexual harm prevention order is intimated to the person against whom the order would be made or its proposed subject.”.

- (3) In the appendix after Form 72.4 (form of application to vary or revoke an overseas production order)(4) insert Forms 73.2 and 73.3 as set out in the schedule of this Act of Adjournal.

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(1) The Criminal Procedure Rules 1996 are in schedule 2 of the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513), last amended by S.S.I. 2022/231.  
(2) Chapter 72 was inserted by S.S.I. 2022/231.  
(3) 2016 asp 22.  
(4) Form 72.4 was inserted by S.S.I. 2022/231.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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