



Serious Crime Act 2007

2007 CHAPTER 27

PART 1

SERIOUS CRIME PREVENTION ORDERS

Duration, variation and discharge of orders

18 Discharge of orders

- (1) On an application under this section—
 - (a) the High Court in England and Wales may discharge a serious crime prevention order in England and Wales; and
 - (b) the High Court in Northern Ireland may discharge a serious crime prevention order in Northern Ireland.
- (2) An application for the discharge of an order may be made by—
 - (a) the relevant applicant authority; or
 - (b) subject as follows—
 - (i) the person who is the subject of the order; or
 - (ii) any other person.
- (3) The court must not entertain an application by the person who is the subject of the order unless it considers that there has been a change of circumstances affecting the order.
- (4) The court must not entertain an application by any person falling within subsection (2)(b)(ii) unless it considers that—
 - (a) the person is significantly adversely affected by the order; and
 - (b) condition A or B is met.
- (5) Condition A is that—
 - (a) the person—
 - (i) has, on an application under section 9, been given an opportunity to make representations; or

Status: Point in time view as at 06/04/2008. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 18. (See end of Document for details)

- (ii) has made an application otherwise than under that section;
in earlier proceedings in relation to the order (whether before the High Court or the Crown Court); and
 - (b) there has been a change of circumstances affecting the order.
- (6) Condition B is that—
- (a) the person has not made an application of any kind in earlier proceedings in relation to the order (whether before the High Court or the Crown Court); and
 - (b) it was reasonable in all the circumstances for the person not to have done so.

Commencement Information

II S. 18 in force at 6.4.2008 by [S.I. 2008/755](#), [art. 15\(1\)\(d\)](#)

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