



Stalking Protection Act 2019

2019 CHAPTER 9

Stalking protection orders

2 Power to make orders

- (1) A magistrates' court may make a stalking protection order on an application under section 1(1) if satisfied that—
 - (a) the defendant has carried out acts associated with stalking,
 - (b) the defendant poses a risk associated with stalking to another person, and
 - (c) the proposed order is necessary to protect another person from such a risk (whether or not the other person was the victim of the acts mentioned in paragraph (a)).
- (2) A magistrates' court may include a prohibition or requirement in a stalking protection order only if satisfied that the prohibition or requirement is necessary to protect the other person from a risk associated with stalking.
- (3) Prohibitions or requirements must, so far as practicable, be such as to avoid—
 - (a) conflict with the defendant's religious beliefs, and
 - (b) interference with any times at which the defendant normally works or attends an educational establishment.
- (4) A prohibition or requirement has effect in all parts of the United Kingdom unless expressly limited to a particular locality.
- (5) It does not matter—
 - (a) whether the acts mentioned in subsection (1)(a) were carried out in a part of the United Kingdom or elsewhere, or
 - (b) whether they were carried out before or after the commencement of this section.
- (6) Subsection (7) applies where a magistrates' court makes a stalking protection order in relation to a defendant who is already subject to such an order (whether made by that court or another).

Status: Point in time view as at 20/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Stalking Protection Act 2019, Section 2. (See end of Document for details)

- (7) The court may not include any prohibition or requirement in the new stalking protection order which is incompatible with a prohibition or requirement in the earlier stalking protection order.

Commencement Information

II S. 2 in force at 20.1.2020 by S.I. 2020/26, reg. 2

Status:

Point in time view as at 20/01/2020.

Changes to legislation:

There are currently no known outstanding effects for the Stalking Protection Act 2019, Section 2.