



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Banning orders

22 Right to apply for banning order

- (1) An application for a banning order may be made only by or on behalf of—
 - (a) an adult whose well-being or property would be safeguarded by the order,
 - (b) any other person who is entitled to occupy the place concerned, or
 - (c) where subsection (2) applies, the council.
- (2) The council must apply for a banning order if it is satisfied—
 - (a) as to the matters set out in section 20,
 - (b) that nobody else is likely to apply for a banning order in respect of the circumstances which caused the council to be satisfied as to those matters, and
 - (c) that no other proceedings (under this Part or otherwise) to eject or ban the person concerned from the place concerned are depending before a court.
- (3) An applicant for a banning order may also apply for a temporary banning order in respect of the same case.