Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

PART 2

SEXUAL HARM

CHAPTER 3

SEXUAL HARM PREVENTION ORDERS

What order does

16 Content and duration of order

(1) A sexual harm prevention order is an order prohibiting the person against whom it is made from doing, or requiring the person to do, a thing or things described in the order.

(2) A prohibition or requirement contained in a sexual harm prevention order applies throughout the United Kingdom (unless expressly confined to particular localities).

(3) A prohibition or requirement contained in a sexual harm prevention order has effect for a fixed period, specified in the order, of not less than 5 years.

(4) Different periods may be provided for different prohibitions or requirements.

(5) Subsection (3) is subject, in the case of a prohibition on foreign travel, to subsection (1) of section 17.

(6) The prohibitions and requirements which may be imposed in a sexual harm prevention order are those necessary for the purpose of—

(a) protecting the public, or any particular members of the public, from sexual harm from the person against whom the order is made, or

(b) protecting children or vulnerable adults generally, or any particular children or vulnerable adults, from sexual harm from the person against whom the order is made outside the United Kingdom.

(7) Where a court makes a sexual harm prevention order in relation to a person already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.

(8) A sexual harm prevention order ceases to have effect, if it has not already done so, when all of the prohibitions or requirements contained in it have ceased to have effect.

Commencement Information

I1 S. 16 in force at 31.3.2023 by S.S.I. 2023/51, **reg. 2** (with reg. 3)

Changes to legislation:
There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Section 16.