



Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

PART 2 **S**

SEXUAL HARM

CHAPTER 4 **S**

SEXUAL RISK ORDERS

What order does

29 Prohibitions on foreign travel **S**

- (1) A prohibition on foreign travel contained in a sexual risk order must not be for a period of more than 5 years.
- (2) A “prohibition on foreign travel” means—
 - (a) a prohibition on travelling to any country outside the United Kingdom named or described in the order,
 - (b) a prohibition on travelling to any country outside the United Kingdom other than a country named or described in the order, or
 - (c) a prohibition on travelling to any country outside the United Kingdom.
- (3) Subsection (1) does not prevent a prohibition on foreign travel from being extended for a further period (of no more than 5 years each time) under section 30.
- (4) A sexual risk order that contains a prohibition within subsection (2)(c) must require the person who is subject to the order to surrender all of the person's passports at a police station specified in the order—
 - (a) on or before the date when the prohibition takes effect, or
 - (b) within a period specified in the order.
- (5) In this section, “passport” means—

Changes to legislation: There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Section 29. (See end of Document for details)

- (a) a United Kingdom passport within the meaning of the Immigration Act 1971,
 - (b) a passport issued by or on behalf of the authorities of another country,
 - (c) a passport issued by or on behalf of an international organisation,
 - (d) a document that can be used (in some or all circumstances) instead of a passport.
- (6) Any passports surrendered in accordance with the requirement must be returned as soon as reasonably practicable after the person ceases to be subject to a sexual risk order containing such a prohibition (unless the person is subject to an equivalent prohibition under another order).
- (7) Subsection (6) does not apply in relation to—
- (a) a passport issued by or on behalf of the authorities of another country if the passport has been returned to those authorities,
 - (b) a passport issued by or on behalf of an international organisation if the passport has been returned to that organisation.

Commencement Information

II S. 29 in force at 31.3.2023 by S.S.I. 2023/51, reg. 2 (with reg. 3)

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