



# Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

## PART 3

### GENERAL

#### 44 Crown application

- (1) No contravention by the Crown of any provision of, or made under, this Act makes the Crown criminally liable.
- (2) But the Court of Session may, on the application of the Scottish Ministers or any public body or office-holder having responsibility for enforcing the provision, declare unlawful any act or omission which constitutes such a contravention.
- (3) Despite subsection (1), any provision of, or made under, this Act applies to persons in the public service of the Crown as it applies to other persons.