

## SCHEDULE

### ANCILLARY PROVISION

#### **Modification of the Protection from Abuse (Scotland) Act 2001**

- 3.—**(1) The Protection from Abuse (Scotland) Act 2001<sup>(1)</sup> is modified as follows.
- (2) In section 4—
- (a) in subsection (2)—
    - (i) the words from “informed” to “practicable and” are omitted;
    - (ii) paragraph (a) is omitted;
  - (b) subsections (3) to (5) are repealed.
- (3) In section 5—
- (a) in subsection (1), from the words from the beginning to “detained” substitute “Where a person is detained under section 4(2), the”;
  - (b) after subsection (2) there is inserted—

“(2A) Subsections (3) to (5) apply where, on being brought before the sheriff under this section, the detained person is not accused on petition or charged on complaint with an offence in respect of the facts and circumstances giving rise to the arrest.”.

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(1) 2001 asp 14.