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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 51**

**The Abusive Behaviour and Sexual Harm (Scotland)  
Act 2016 (Commencement No. 3, Transitional  
and Saving Provisions) Regulations 2023**

**Saving provisions**

4.—(1) In schedule 2 paragraph 1 of the Act, sub-paragraphs (2)(a) and (3) do not apply in relation to a risk of sexual harm order which continues to have effect under section 40 of the Act.

(2) In schedule 2 paragraph 2 of the Act, the repeals made by sub-paragraphs (2)(c) and (3)(c) do not apply in relation to a risk of sexual harm order or interim risk of sexual harm order to the extent that such an order or interim order continues to have effect under section 40 of the Act.

(3) The repeals made by schedule 2 paragraph 4 of the Act do not apply in relation to an application for a sexual offences prevention order or interim sexual offences prevention order made before 31 March 2023, or to a sexual offences prevention order or interim sexual offences prevention order which continues to have effect under section 40 of the Act.

(4) The repeal made by schedule 2 paragraph 5(a) does not apply in relation to an offence of breaching a risk of sexual harm order or interim risk of sexual harm order where that offence was committed—

(a) before 31 March 2023, or

(b) in respect of an order or interim order which continues to have effect under section 40 of the Act.

(5) The repeals made by schedule 2 paragraph 7 of the Act do not apply in relation to an application for a risk of sexual harm order or interim risk of sexual harm order which is made before 31 March 2023, or to a risk of sexual harm order or interim risk of sexual harm order which continues to have effect under section 40 of the Act.

(6) The repeal made by schedule 2 paragraph 8 of the Act does not apply in relation to an application for a risk of sexual harm order which is made before 31 March 2023, or to a risk of sexual harm order which continues to have effect under section 40 of the Act.

(7) The repeal made by schedule 2 paragraph 9 of the Act does not apply in relation to a sexual offences prevention order which continues to have effect under section 40 of the Act.