



Stalking Protection Act 2019

2019 CHAPTER 9

Stalking protection orders

5 Interim stalking protection orders

- (1) This section applies where an application for a stalking protection order (the “main application”) has not been determined.
- (2) A magistrates' court may make an order (an “interim stalking protection order”) in respect of the defendant on an application—
 - (a) made at the same time and by the same chief officer of police as the main application, or
 - (b) if the main application has already been made, made by the chief officer of police who made that application.
- (3) The court may, if it considers it appropriate to do so, make an interim stalking protection order—
 - (a) prohibiting the defendant from doing anything described in the order, or
 - (b) requiring the defendant to do anything described in the order.
- (4) Prohibitions or requirements must, so far as practicable, be such as to avoid—
 - (a) conflict with the defendant's religious beliefs, and
 - (b) interference with any times at which the defendant normally works or attends an educational establishment.
- (5) A prohibition or requirement has effect in all parts of the United Kingdom unless expressly limited to a particular locality.
- (6) An interim stalking protection order—
 - (a) has effect only for a fixed period specified in the order, and
 - (b) ceases to have effect, if it has not already done so, on the determination of the main application.

Changes to legislation: There are currently no known outstanding effects for the Stalking Protection Act 2019, Section 5. (See end of Document for details)

- (7) The defendant or the chief officer of police who applied for an interim stalking protection order may apply to a magistrates' court for an order varying, renewing or discharging the interim stalking protection order.
- (8) On an application under subsection (7), the court may make any order varying, renewing or discharging the stalking protection order that the court considers appropriate.

Commencement Information

II S. 5 in force at 20.1.2020 by S.I. 2020/26, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Stalking Protection Act 2019, Section 5.