

## **EXPLANATORY NOTES**

### **PROTECTION OF CHILDREN AND PREVENTION OF SEXUAL OFFENCES (SCOTLAND) ACT 2005**

#### **INTRODUCTION**

#### **THE ACT**

#### **THE ACT – COMMENTARY ON SECTIONS**

Section 1 – Meeting a child following certain preliminary contact

Sections 2 and 3 – Risk of sexual harm orders: applications, grounds and effects and Interpretation of section 2

Section 4 – RSHOs: variations, renewals and discharges

Section 5 – Interim RSHOs

Section 6 – Appeals

Section 7 – Offence: breach of RSHO or interim RSHO

Section 8 – Effect of conviction etc. under section 7 above or section 128 of Sexual Offences Act 2003

Section 9 – Paying for sexual services of a child

Section 10 – Causing or inciting provision by child of sexual services or child pornography

Section 11 – Controlling a child providing sexual services or involved in pornography

Section 12 – Arranging or facilitating provision by child of sexual services or child pornography

Section 13 – Sections 10 to 12: supplementary

Section 14 – Liability to other criminal proceedings

Section 15 – Removal of time limit for prosecution of offence

Section 16 – Indecent photographs of 16 and 17 year olds

Section 17 – Prevention of sexual offences: further provision

Section 18 and the schedule – Minor and consequential amendments

*These notes relate to the Protection of Children and  
Prevention of Sexual Offences (Scotland) Act 2005 (asp 9)*

## **PARLIAMENTARY HISTORY**