

*These notes relate to the Adult Support and Protection (Scotland) Act 2007 (asp 10) which received Royal Assent on 21 March 2007*

# **ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **THE ACT – AN OVERVIEW**

#### **Part 1**

#### **Protection of Adults at Risk of Harm**

#### **Other provisions**

#### ***Section 51 – Appeals***

79. There can be no appeals made against the granting of an assessment order, a removal order or a warrant for entry.
80. A decision of a sheriff to grant, or refuse to grant a banning order or temporary banning order may be appealed to the sheriff principal. However an appeal against the granting of, or a refusal to grant, a temporary banning order is competent only with the leave of the sheriff.
81. The sheriff principal's decision on an appeal under subsection (2) may be appealed to the Court of Session. However, an appeal relating to a temporary banning order is competent only with the leave of the sheriff principal.
82. Where a sheriff principal decides to quash a banning order or temporary banning order, the order will continue to have effect until either the end of the period for appeal (if no appeal is made) or, where an appeal is made, when it is abandoned or where the decision is confirmed. Alternatively, the order will continue to have effect until the order otherwise expires by virtue of section 19(5) or 21(4) or, in the case of a temporary banning order, the sheriff principal refuses leave to appeal against the decision to quash the order.