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*Changes to legislation: There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Cross Heading: Police Act 1997. (See end of Document for details)*

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## SCHEDULE 2 MINOR AND CONSEQUENTIAL MODIFICATIONS

### *Police Act 1997*

- 2 (1) The Police Act 1997 is amended as follows.
- (2) In section 113CA(2)—
- (a) after paragraph (fb) insert—
- “(fc) if a sexual harm prevention order, made under section 11(2) or 12(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—
- (i) the prohibitions and requirements contained in that order;
  - (ii) the date of that order;
  - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 16(3) or, as the case may be, 17(1) of that Act;
  - (iv) details as to whether that order has been varied or renewed under section 20(1) of that Act;
- (fd) if an interim sexual harm prevention order, made under section 21 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—
- (i) the prohibitions and requirements contained in that order;
  - (ii) the date of that order;
  - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 21(5) of that Act;
  - (iv) details as to whether that order has been varied or renewed under section 21(10) of that Act;”

(b) after paragraph (ib) insert—

“(ic) if a sexual risk order, made under section 27(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—

    - (i) the prohibitions and requirements contained in that order;
    - (ii) the date of that order;
    - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 28(3) or, as the case may be, 29(1) of that Act;
    - (iv) details as to whether that order has been varied or renewed under section 30(1) of that Act;

(id) if an interim sexual risk order, made under section 31(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—

    - (i) the prohibitions and requirements contained in that order;

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- (ii) the date of that order;
  - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 31(5) of that Act;
  - (iv) details as to whether that order has been varied or renewed under section 31(9) of that Act;”,
  - (c) paragraphs (l) and (m) are repealed.
- (3) In section 113CB(2)—
- (a) after paragraph (fb) insert—
    - “(fc) if a sexual harm prevention order, made under section 11(2) or 12(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—
      - (i) the prohibitions and requirements contained in that order;
      - (ii) the date of that order;
      - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 16(3) or, as the case may be, 17(1) of that Act;
      - (iv) details as to whether that order has been varied or renewed under section 20(1) of that Act;
    - (fd) if an interim sexual harm prevention order, made under section 21 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—
      - (i) the prohibitions and requirements contained in that order;
      - (ii) the date of that order;
      - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 21(5) of that Act;
      - (iv) details as to whether that order has been varied or renewed under section 21(10) of that Act;”,
  - (b) after paragraph (ib) insert—
    - “(ic) if a sexual risk order, made under section 27(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—
      - (i) the prohibitions and requirements contained in that order;
      - (ii) the date of that order;
      - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 28(3) or, as the case may be, 29(1) of that Act;
      - (iv) details as to whether that order has been varied or renewed under section 30(1) of that Act;
    - (id) if an interim sexual risk order, made under section 31(1) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, is in effect in respect of the applicant—

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- (i) the prohibitions and requirements contained in that order;
  - (ii) the date of that order;
  - (iii) the period for which each of the prohibitions and requirements contained in that order has effect by virtue of section 31(5) of that Act;
  - (iv) details as to whether that order has been varied or renewed under section 31(9) of that Act;”,
- (c) paragraphs (l) and (m) are repealed.

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**Commencement Information**

**II** Sch. 2 para. 2 in force at 31.3.2023 by S.S.I. 2023/51, reg. 2 (with regs. 3, 4(2))

**Changes to legislation:**

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