



# Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

## PART 2

### SEXUAL HARM

## CHAPTER 3

### SEXUAL HARM PREVENTION ORDERS

#### *What order does*

#### **16 Content and duration of order**

- (1) A sexual harm prevention order is an order prohibiting the person against whom it is made from doing, or requiring the person to do, a thing or things described in the order.
- (2) A prohibition or requirement contained in a sexual harm prevention order applies throughout the United Kingdom (unless expressly confined to particular localities).
- (3) A prohibition or requirement contained in a sexual harm prevention order has effect for a fixed period, specified in the order, of not less than 5 years.
- (4) Different periods may be provided for different prohibitions or requirements.
- (5) Subsection (3) is subject, in the case of a prohibition on foreign travel, to subsection (1) of section 17.
- (6) The prohibitions and requirements which may be imposed in a sexual harm prevention order are those necessary for the purpose of—
  - (a) protecting the public, or any particular members of the public, from sexual harm from the person against whom the order is made, or
  - (b) protecting children or vulnerable adults generally, or any particular children or vulnerable adults, from sexual harm from the person against whom the order is made outside the United Kingdom.

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**Changes to legislation:** There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Section 16. (See end of Document for details)

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- (7) Where a court makes a sexual harm prevention order in relation to a person already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.
- (8) A sexual harm prevention order ceases to have effect, if it has not already done so, when all of the prohibitions or requirements contained in it have ceased to have effect.

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**Commencement Information**

**II** S. 16 in force at 31.3.2023 by S.S.I. 2023/51, reg. 2 (with reg. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, Section 16.