

SCHEDULE 1

MODIFICATIONS RELATING TO POLICE

PART 1

Modification of Acts

Sexual Offences Act 2003

- 20.**—(1) The Sexual Offences Act 2003(1) is modified as follows.
- (2) In section 87(1)(a) (method of notification and related matters)(2) omit “in his local police area”.
- (3) In section 88 (section 87: interpretation)(3) omit subsection (3).
- (4) In section 88C(8) (review of the indefinite notification requirements: procedure and grounds)(4), for “police force” to “resides” substitute “Police Service of Scotland”.
- (5) In section 89(5) (young offenders: parental directions)—
- (a) for “a chief constable” substitute “the chief constable of the Police Service of Scotland”; and
- (b) omit “within” to “force”.
- (6) In section 90(2)(parental directions: variations, renewals and discharges), for paragraph (e) substitute—
- “(e) in Scotland—
- (i) where the appropriate court is a civil court, the chief constable of the Police Service of Scotland; and
- (ii) in any other case, the prosecutor;”.
- (7) In section 96A (police powers of entry to and examination of relevant offender’s home address)(5)—
- (a) in subsection (1)—
- (i) omit the first “of the relevant force”; and
- (ii) for the second “relevant force” substitute “Police Service of Scotland”;
- (b) in subsection (2)(d), for “relevant force” substitute “Police Service of Scotland”; and
- (c) in subsection (11)—
- (i) omit the definition of “the relevant force”; and
- (ii) in the definition of “senior police officer”, after “constable” insert “of the Police Service of Scotland”.
- (8) In section 103(1) (sections 97 to 100: Scotland)—
- (a) in paragraph (a), for second “a” to “force” substitute “the chief constable of the Police Service of Scotland and to Scotland”; and

(1) [2003 c.42](#).

(2) There are amendments to section 87 which are not relevant to this Order.

(3) There are amendments to section 88 which are not relevant to this Order.

(4) Section 88C was inserted by [S.S.I. 2011/45](#).

(5) Section 96A was inserted by the Police, Public Order and Criminal Justice (Scotland) Act [2006 \(asp 10\)](#), section 80.

Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, *The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013* ISBN 978-0-11-101989-4

- (b) in paragraph (c) omit “within” to “force”.
- (9) In section 105(1) (SOPOs: further provision as respects Scotland)(**6**)—
 - (a) for “A chief constable” substitute “The chief constable of the Police Service of Scotland”;
and
 - (b) for “the area of his police force” substitute “Scotland”.
- (10) In section 112(1)(c) (sections 104 and 106 to 109: Scotland)(**7**), for second “a” to “force” substitute “the chief constable of the Police Service of Scotland and to Scotland”.
- (11) In section 121(1)(a) (sections 114 to 118: Scotland), for second “a” to “force” substitute “the chief constable of the Police Service of Scotland and to Scotland”.

(6) Section 105 has been amended by section 17(1) of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 ([asp 9](#)), subject to the savings specified in [S.S.I. 2005/480](#).

(7) There are amendments to section 112 which are not relevant to this Order.