
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 45

**The Sexual Offences Act 2003
(Remedial) (Scotland) Order 2011**

Consequential amendments to the 2003 Act

- 4.—(1) In section 107 (SOPOs: effect)—
- (a) in subsection (3)(b) after “apart from this subsection” insert “and sections 88F and 88G”; and
 - (b) after subsection (3) insert—
 - “(3A) Where—
 - (a) a sexual offences prevention order is in effect in relation to a relevant sex offender (within the meaning of section 88A); and
 - (b) by virtue of section 88F or 88G the relevant sex offender ceases to be subject to the notification requirements of this Part,the sexual offences prevention order ceases to have effect.
 - (3B) Subsection (3A) applies to the orders mentioned in section 108(8)(b) and (c) as it applies to sexual offences prevention orders.”
- (2) In section 133 (Part 2: general interpretation), in subsection (1)—
- (a) in the appropriate place alphabetically insert the following:—
 - ““applicable date” has the meaning given by section 88D(5);
 - ““date of discharge” has the meaning given by section 88B(1);
 - ““further date of discharge” has the meaning given by section 88B(5);
 - ““notification continuation order” has the meaning given by section 88C(2); and
 - (b) in the definition of “relevant date”, after “sections” insert “88B,”.
- (3) In section 138 (orders and regulations), in subsection (2), after “86” insert “, 88H”.
- (4) Until the coming into force of section 102(6) of the Criminal Justice and Licensing (Scotland) Act 2010, section 138 has effect as if, after subsection (3), there were inserted—
- “(4) An order under section 88H may—
 - (a) make different provision for different purposes,
 - (b) include supplementary, incidental, consequential, transitional, transitory or saving provisions.”.