

These notes refer to the Anti-Social Behaviour, Crime and Policing Act 2014 (c.12) which received Royal Assent on 13 March 2014

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Protection from sexual harm and violence

Section 114: Saving and transitional provisions

289. *Subsection (1)* defines a SOPO, FTO, or RoSHO as an “existing order”, sexual harm prevention order or sexual risk order as a “new order” and a restraining order or a sex offender order as an “old order”. The “old orders” are ones made under legislation repealed by the Sexual Offences Act.
290. *Subsection (2)* provides that the repeal or amendments by this Act do not apply to an existing order made, an application for an existing order or anything done in connection with such an order before the commencement of the provisions in this Act for the new orders.
291. The effect of *subsection (3)* is to allow any “old orders” that are still in effect to be varied, renewed or discharged, and to allow a breach of any such order to be prosecuted. This is necessary because of the repeal by the Act of provisions of the Sexual Offences Act that have that effect.
292. *Subsection (4)* prevents the variation of SOPOs, FTOs, RoSHOs and old orders to extend their duration on or after the date the new orders come into force.
293. *Subsection (5)* provides that five years after the new orders come into force, the provisions in any SOPO or RoSHO which continues to have effect will be treated as if they were provisions in a new order.