



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 10

MANAGEMENT OF OFFENDERS

CHAPTER 3

MANAGEMENT OF SEX OFFENDERS

Sexual harm prevention orders and sexual risk orders

172 List of countries

- (1) The Secretary of State may—
 - (a) prepare a list of countries and territories outside the United Kingdom in which the Secretary of State considers children are at a high risk of sexual abuse or sexual exploitation from United Kingdom nationals or United Kingdom residents, or
 - (b) direct a relevant person to prepare a list of countries and territories outside the United Kingdom in which the relevant person considers children are at a high risk of sexual abuse or sexual exploitation from United Kingdom nationals or United Kingdom residents.
- (2) If a list is prepared by the Secretary of State, the Secretary of State must lay the list before Parliament.
- (3) If a list is prepared by a relevant person—
 - (a) the relevant person must submit the list to the Secretary of State, and
 - (b) the Secretary of State must lay the list before Parliament.

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 172. (See end of Document for details)

- (4) As soon as reasonably practicable after a list has been laid before Parliament, the person who prepared the list must publish it.
- (5) A list published under subsection (4) has effect for the purposes of—
- (a) section 346 of the Sentencing Code (exercise of power to make sexual harm prevention order),
 - (b) section 350 of the Sentencing Code (sexual harm prevention orders: variations, renewals and discharges),
 - (c) section 103A of the Sexual Offences Act 2003 (sexual harm prevention orders: applications and grounds),
 - (d) section 103E of that Act (sexual harm prevention orders: variations, renewals and discharges),
 - (e) section 103F of that Act (interim sexual harm prevention orders),
 - (f) section 122A of that Act (sexual risk orders: applications, grounds and effect),
 - (g) section 122D of that Act (sexual risk orders: variations, renewals and discharges),
 - (h) section 122E of that Act (interim sexual risk orders),
 - (i) section 136ZG of that Act (variation of sexual harm prevention order made in Scotland by court in England and Wales),
 - (j) section 136ZH of that Act (variation of sexual offences prevention order or foreign travel order by court in England and Wales), and
 - (k) section 136ZI of that Act (variation of sexual risk order made in Scotland by court in England and Wales).
- (6) If a list has been published, the person who prepared it must keep it under review and may, from time to time, prepare a revised list (but see subsections (7) and (8)).
- (7) If the function under subsection (6) is for the time being exercisable by the Secretary of State, the Secretary of State may direct a relevant person to exercise that function.
- (8) If the function under subsection (6) is for the time being exercisable by a relevant person, the Secretary of State may direct that the function is to be exercisable by another relevant person or by the Secretary of State.
- (9) A list published under this section may at any time be withdrawn by the Secretary of State.
- (10) Subsections (2) to (9) apply to a revised list as they apply to a list prepared under subsection (1).
- (11) In this section—
- “child” means a person under 18;
 - “relevant person” means a person whose statutory functions relate to—
 - (a) the prevention or detection of crime, or
 - (b) other law enforcement purposes;
 - “United Kingdom national” means—
 - (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
 - (b) a person who under the British Nationality Act 1981 is a British subject, or
 - (c) a British protected person within the meaning of that Act;

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“United Kingdom resident” means an individual who is resident in the United Kingdom.

Commencement Information

- I1** S. 172 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** S. 172(1)-(4)(11) in force at 28.6.2022 by [S.I. 2022/520](#), [reg. 5\(u\)](#)
- I3** [S. 172\(5\)\(a\)-\(h\)](#) in force at 29.11.2022 by [S.I. 2022/1227](#), [reg. 3\(e\)\(i\)](#)
- I4** [S. 172\(5\)\(i\)-\(k\)](#) in force at 31.3.2023 by [S.I. 2023/387](#), [reg. 3\(a\)](#)
- I5** [S. 172\(6\)-\(10\)](#) in force at 29.11.2022 by [S.I. 2022/1227](#), [reg. 3\(e\)\(ii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 172.