
STATUTORY INSTRUMENTS

2023 No. 387

**The Police, Crime, Sentencing and Courts Act
2022 (Commencement No. 6 and Piloting,
Transitional and Saving Provisions) Regulations 2023**

PART 2

Management of Sex Offenders

Transitional and saving provision for provisions commencing on 31st March 2023

4.—(1) The amendments made by sections 180(5)(a), (6)(a) and (7)(b), 181(1)(a) and (e) and (2)(a) and (e) and 182(7) of the 2022 Act do not apply in relation to—

- (a) an application for an order made under, or an order made under, sections 2 (risk of sexual harm order: application, grounds and effect) or 5 (interim risk of sexual harm orders) of the 2005(1) Act before 31st March 2023, or
- (b) an order made under sections 2 or 5 of that Act on or after 31st March 2023 where the application was made before 31st March 2023.

(2) The amendment made by section 182(4)(a)(i) of the 2022 Act does not apply in relation to an order made by a court in Scotland pursuant to an application for an order under sections 104(2) (sexual offences prevention orders: application and grounds) or 114(3) (foreign travel orders: application and grounds) of the Sexual Offences Act 2003, or under section 2 of the 2005 Act, where that application was made before 31st March 2023.

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- (1) Section 2 was amended by section 103(1), (2)(a) and (b) of the Criminal Justice and Licensing (Scotland) Act 2010 ([asp 13](#)) (“the 2010 Act”) and by paragraph 26(2) of Schedule 7 to the Police and Fire Reform (Scotland) Act 2012 ([asp 13](#)). Section 5 was amended by the 2010 Act, sections 103(1) and (4). Sections 2 and 5 are repealed from 31 March 2023 by section 39(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 ([asp 9](#)) (“the 2016 Act”); section 40 of that Act makes saving and transitional provision in relation to those repeals.
 - (2) Section 104 was repealed as it had effect in England and Wales by the Anti-social Behaviour, Crime and Policing Act 2014 ([c. 14](#)) (“the 2014 Act”). It is repealed, as it has effect in Scotland, from 31 March 2023, by section 39(1)(a) of the 2016 Act; section 40 of that Act makes saving and transitional provision in relation to that repeal.
 - (3) Section 114 was repealed as it had effect in England and Wales by the 2014 Act. It is repealed, as it has effect in Scotland, from 31 March 2023, by section 39(1)(b) of the 2016 Act; section 40 of that Act makes saving and transitional provision in relation to that repeal.