

*These notes relate to the Antisocial Behaviour etc. (Scotland)  
Act 2004 (asp 8) which received Royal Assent on 26 July 2004*

# **ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 2 – Antisocial behaviour orders**

Part 2 replaces existing provisions on antisocial behaviour orders in the Crime and Disorder Act 1998. Antisocial behaviour orders are preventative orders to protect people affected by antisocial behaviour from further acts or conduct that would cause them alarm or distress. Breach of an order is a criminal offence. Part 2 extends the orders to 12-15 year olds. It also gives the court new powers to refer such children to the children's hearing system and where appropriate make a parenting order. It introduces other changes such as the introduction of a statutory power of arrest for breach of an order and a requirement on local authorities to keep records of orders.