



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Banning orders

33 Information to be presented to sheriff

Where a person is brought before the sheriff under section 32, the fiscal must present to the sheriff a petition—

- (a) giving the detained person's particulars,
- (b) stating the facts and circumstances which gave rise to the arrest,
- (c) giving any information known to the fiscal—
 - (i) about the circumstances which gave rise to the banning order or temporary banning order concerned, and
 - (ii) which is relevant to an assessment of whether the detained person is likely to breach that order again, and
- (d) requesting the sheriff to consider whether a longer period of detention is justified.

Commencement Information

II S. 33 in force at 29.10.2008 by [S.S.I. 2008/314](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 33.