



Abusive Behaviour and Sexual Harm (Scotland) Act 2016

2016 asp 22

ABUSIVE BEHAVIOUR AND SEXUAL HARM (SCOTLAND) ACT 2016

PART 1

ABUSIVE BEHAVIOUR

Abusive behaviour towards partner or ex-partner

- 1 Aggravation of offence where abuse of partner or ex-partner
- 1A Presumption as to the relationship

Disclosure of an intimate photograph or film

- 2 Disclosing, or threatening to disclose, an intimate photograph or film
- 3 Interpretation of section 2
- 4 Section 2: special provision in relation to providers of information society services

Non-harassment orders

- 5 Making of non-harassment orders in criminal cases

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- 6 Jury directions relating to sexual offences

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- 7 Incitement to commit certain sexual acts elsewhere in the United Kingdom
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 - Circumstances where sexual harm prevention order may be made*
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- 13 Qualifying offender: conviction etc. in Scotland
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- 20 Variation, renewal and discharge

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- 21 Interim orders

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- 27 Making of order

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- 30 Variation, renewal and discharge

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- 37 Breach of orders equivalent to orders in Chapters 3 and 4: offence
38 Breach of certain equivalent orders: application of notification requirements

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- 40 Saving and transitional provision

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SCHEDULE 1 — SECTION 2: SPECIAL PROVISION IN RELATION TO PROVIDERS OF INFORMATION SOCIETY SERVICES

Exceptions for mere conduits

- 1 (1) A service provider is not capable of being guilty...

Exception for caching

- 2 (1) This paragraph applies where an information society service consists...

Exception for hosting

- 3 (1) A service provider is not capable of being guilty...

Interpretation

- 4 (1) In this schedule— “information society services”— has the meaning...

SCHEDULE 2 — MINOR AND CONSEQUENTIAL MODIFICATIONS

Criminal Procedure (Scotland) Act 1995

- 1 (1) The 1995 Act is amended as follows.

Police Act 1997

- 2 (1) The Police Act 1997 is amended as follows.

Sexual Offences Act 2003

- 3 (1) The 2003 Act is amended as follows.

Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

- 4 Subsections (1) to (5) of section 17 of the 2005...

Protection of Vulnerable Groups (Scotland) Act 2007

- 5 Paragraph 1 of schedule 1 of the Protection of Vulnerable...

Sexual Offences (Scotland) Act 2009

- 6 In section 54(8) of the 2009 Act, in the definition...

Criminal Justice and Licensing (Scotland) Act 2010

- 7 The following provisions of the Criminal Justice and Licensing (Scotland)...

Police and Fire Reform (Scotland) Act 2012

- 8 Paragraph 26 of schedule 7 of the Police and Fire...

Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 (S.S.I. 2011/45)

- 9 Article 4(1) of the Sexual Offences Act 2003 (Remedial) (Scotland)...

Anti-social Behaviour, Crime and Policing Act 2014

- 10 Paragraphs 78 and 79 of schedule 11 of the Anti-social...

Changes to legislation:

There are currently no known outstanding effects for the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.