



Protection from Harassment Act 1997

1997 CHAPTER 40

Scotland

9 Breach of non-harassment order.

- (1) Any person who is ^{F1}... in breach of a non-harassment order made under section 8 [^{F2}or section 8A] is guilty of an offence and liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both such imprisonment and such fine; and
 - (b) on summary conviction, to imprisonment for a period not exceeding six months or to a fine not exceeding the statutory maximum, or to both such imprisonment and such fine.
- (2) A breach of a non-harassment order shall not be punishable other than in accordance with subsection (1).
- [^{F3}(3) A constable may arrest without warrant any person he reasonably believes is committing or has committed an offence under subsection (1).
- (4) Subsection (3) is without prejudice to any power of arrest conferred by law apart from that subsection.]

Textual Amendments

- F1** Words in s. 9(1) repealed (27.6.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), **ss. 49(2)(a)**, 89(2); S.S.I. 2003/288, art. 2, Sch.
- F2** Words in s. 9(1) inserted (21.7.2011) by [Domestic Abuse \(Scotland\) Act 2011 \(asp 13\)](#), **ss. 1(3)**, 5(2)
- F3** S. 9(3) - S. 9(4) inserted (27.6.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), **ss. 49(2)(b)**, 89(2); S.S.I. 2003/288, art. 2, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Protection from Harassment Act 1997, Section 9.