



# Stalking Protection Act 2019

## 2019 CHAPTER 9

### *General*

#### **13 Procedure**

- (1) An application to a magistrates' court under any provision of this Act is to be by complaint.
- (2) Section 127 of the Magistrates' Courts Act 1980 (time limits) does not apply to a complaint under any provision of this Act.

#### **Commencement Information**

**II** [S. 13](#) in force at 20.1.2020 by [S.I. 2020/26](#), [reg. 2](#)

#### **14 Interpretation**

- (1) In this Act—
  - “acts” includes omissions;
  - “chief officer of police” means—
    - (a) the chief constable of a police force maintained under section 2 of the Police Act 1996 (police forces in England and Wales outside London);
    - (b) the Commissioner of Police of the Metropolis;
    - (c) the Commissioner of Police for the City of London;
    - (d) the chief constable of the British Transport Police;
    - (e) the chief constable of the Ministry of Defence Police;
  - “defendant” has the meaning given by section 1(1);
  - “home address”, in relation to a person, means—
    - (a) the address of the person's sole or main residence in the United Kingdom, or
    - (b) if the person has no such residence, the address or location of a place in the United Kingdom where the person can regularly be found and,

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*Changes to legislation: There are currently no known outstanding effects for the Stalking Protection Act 2019, Cross Heading: General. (See end of Document for details)*

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if there is more than one such place, such of those places as the person may select;

“interim stalking protection order” has the meaning given by section 5(2);

“local police area”, in relation to a person, means—

- (a) the police area in which the person's home address is situated,
- (b) in the absence of a home address, the police area in which the home address last notified is situated (whether that notification was in accordance with the requirements imposed by section 9 or in accordance with notification requirements under Part 2 of the Sexual Offences Act 2003), or
- (c) in the absence of a home address and of any such notification, the police area in which the magistrates' court which last made a stalking protection order or an interim stalking protection order in respect of the person is situated;

“magistrates' court”, in relation to a defendant under the age of 18, means youth court;

“photograph” includes any process by means of which an image may be produced;

“relevant chief officer of police”, in relation to an application for an order under section 4 or to an appeal under section 7, means—

- (a) the chief officer of police for the area in which the defendant resides,
- (b) a chief officer of police who believes that the defendant is in, or is intending to come to, that chief officer's police area, and
- (c) the chief officer of police who applied for the stalking protection order to which the application or appeal relates;

“stalking protection order” has the meaning given by section 1(1).

- (2) In this Act, references to a “risk associated with stalking” are to be read in accordance with section 1(4).

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**Commencement Information**

**I2** S. 14 in force at 20.1.2020 by S.I. 2020/26, reg. 2

**15 Extent, commencement and short title**

- (1) This Act extends to England and Wales only.
- (2) This section comes into force on the day on which this Act is passed.
- (3) The other provisions of this Act come into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (4) This Act may be cited as the Stalking Protection Act 2019.

**Changes to legislation:**

There are currently no known outstanding effects for the Stalking Protection Act 2019, Cross  
Heading: General.