

**2011 No. 355**

**HIGH COURT OF JUSTICIARY**

**SHERIFF COURT**

**JUSTICE OF THE PEACE COURT**

**Act of Adjournal (Criminal Procedure Rules Amendment No.6)  
(Sexual Offences Prevention Order) 2011**

*Made* - - - - - *7th October 2011*

*Laid before the Scottish Parliament* *11th October 2011*

*Coming into force* - - - *1st November 2011*

The Lord Justice General, the Lord Justice Clerk and the Lords Commissioners of Justiciary, under and by virtue of the powers conferred on them by section 305 of the Criminal Procedure (Scotland) Act 1995<sup>(a)</sup> and of all other powers enabling them in that behalf do hereby enact and declare:

**Citation, commencement etc.**

**1.**—(1) This Act of Adjournal may be cited as the Act of Adjournal (Criminal Procedure Rules Amendment No.6) (Sexual Offences Prevention Order) 2011.

(2) It comes into force on 1st November 2011.

(3) A certified copy of this Act of Adjournal is to be inserted in the Books of Adjournal.

**Form of sexual offences prevention order**

**2.**—(1) The Criminal Procedure Rules 1996<sup>(b)</sup> are amended as follows.

(2) In the appendix, for Form 48.2<sup>(c)</sup> substitute Form 48.2 set out in the Schedule to this Act of Adjournal.

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<sup>(a)</sup> 1995 c.46.

<sup>(b)</sup> The Criminal Procedure Rules 1996 are contained in Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513, last amended by S.S.I. 2011/290).

<sup>(c)</sup> Form 48.2 was inserted by S.S.I. 2005/472.

Edinburgh  
7th October 2011

*A.C. HAMILTON*  
Lord Justice General  
I.P.D.

SCHEDULE

Paragraph 2(2)

Form 48.2

Rule 48.2

**Form of sexual offences prevention order under section 104 of the Sexual Offences Act 2003**

SEXUAL OFFENCES PREVENTION ORDER

COURT:

DATE:

NAME: *(of person subject to the order)*

Address:

Date of birth:

THE COURT, dealing with a person in respect of an offence listed at paragraphs 36-60 of Schedule 3 to the Sexual Offences Act 2003 , [*or, dealing with a person in respect of a finding that he is not guilty of an offence listed in Schedule 3 to the Sexual Offences Act 2003 by reason of insanity*] [*or, dealing with a person in respect of a finding that he is under a disability and has done the act charged against him in respect of an offence listed in Schedule 3 to the Sexual Offences Act 2003*], namely the offence(s) of *(specify)*;

AND being satisfied that it is necessary for the purposes of protecting the public or any particular member of the public from serious sexual harm from that person;

ORDERS that the person, *(specify name of person)*, shall for *(specify period of not less than 5 years)* from the date of this order be prohibited from *(or, require to do)* *(specify in numbered paragraphs the prohibitions or requirements imposed)*.

*Signed*

Clerk of Court

## EXPLANATORY NOTE

*(This note is not part of the Act of Adjournal)*

This Act of Adjournal amends Form 48.2 contained in the appendix of the Criminal Procedure Rules 1996; in consequence of the commencement of section 100 of the Criminal Justice and Licensing (Scotland) Act 2010, which amended the Sexual Offences Act 2003.

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