

# DELEGATED POWERS AND LAW REFORM COMMITTEE

**10th Meeting, 2023 (Session 6)  
Tuesday 21 March 2023**

## Instrument Responses

**Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules 1999 Amendment) (Sexual Harm Prevention Orders and Sexual Risk Orders) 2023 (SSI 2023/62)**

On 10 March 2023, the Committee asked the Lord President's Private Office:

Paragraph 2 of the Act of Sederunt amends the Summary Applications, Statutory Applications and Appeals etc. Rules and inserts Part LIV which provides the procedural rules for applications for sexual harm prevention orders and sexual risk orders. Rule 3.54.4 makes rules for applications to vary, renew or discharge these orders. Any person who receives intimation of an application may give notice that they wish to have a hearing to consider the application. Rule 3.54.4 paragraph (6) provides that where no notice of a wish for a hearing has been given and the sheriff gives an opportunity to parties to make written representations the sheriff must specify the period within which the representations must be lodged and any party lodging written representations must intimate them to any other party.

1. In Rule 3.54.4 paragraph (6) should the reference to paragraph 4(b) be to paragraph 4(c)?
2. Please confirm whether any corrective action is proposed, and if so, what action and when.

On 10 March 2023, the Lord President's Private Office responded:

1. The reference in the chapeau to rule 3.54.4(6) should be to paragraph (4)(c) rather than paragraph (4)(b).
2. This will be rectified in a forthcoming instrument which will be making amendments to the Summary Application Rules.