



Serious Crime Act 2007

2007 CHAPTER 27

PART 1

SERIOUS CRIME PREVENTION ORDERS

General safeguards in relation to orders

9 Right of third parties to make representations

- (1) The High Court^[F1] or (in Scotland) the appropriate court] must, on an application by a person, give the person an opportunity to make representations in proceedings before it about the making of a serious crime prevention order if it considers that the making of the order would be likely to have a significant adverse effect on that person.
- (2) The High Court^[F1] or (in Scotland) the appropriate court] must, on an application by a person, give the person an opportunity to make representations in proceedings before it about the variation of a serious crime prevention order if it considers that—
 - (a) the variation of the order; or
 - (b) a decision not to vary it;would be likely to have a significant adverse effect on that person.
- (3) The High Court^[F1] or (in Scotland) the appropriate court] must, on an application by a person, give the person an opportunity to make representations in proceedings before it about the discharge of a serious crime prevention order if it considers that—
 - (a) the discharge of the order; or
 - (b) a decision not to discharge it;would be likely to have a significant adverse effect on that person.
- (4) The Crown Court must, on an application by a person, give the person an opportunity to make representations in proceedings before it arising by virtue of section 19, 20 ^[F2], 21 or 22E] if it considers that the making or variation of the serious crime prevention order concerned (or a decision not to vary it) would be likely to have a significant adverse effect on that person.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 9. (See end of Document for details)

[^{F3}(4A) The High Court of Justiciary must, on an application by a person, give the person an opportunity to make representations in proceedings before it arising by virtue of section 24B(3) if it considers that the making or variation of the serious crime prevention order concerned (or a decision not to vary it) would be likely to have a significant adverse effect on that person.]

(5) A court which is considering an appeal in relation to a serious crime prevention order must, on an application by a person, give the person an opportunity to make representations in the proceedings if that person was given an opportunity to make representations in the proceedings which are the subject of the appeal.

Textual Amendments

- F1** Words in s. 9(1)-(3) inserted (1.3.2016) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 1 para. 10\(2\)](#); [S.I. 2016/148](#), reg. 3(f)
- F2** Words in s. 9(4) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 76](#); [S.I. 2015/820](#), reg. 2(r)(xv)
- F3** S. 9(4A) inserted (1.3.2016) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 1 para. 10\(3\)](#); [S.I. 2016/148](#), reg. 3(f)
-

Commencement Information

- I1** S. 9 in force at 6.4.2008 by [S.I. 2008/755](#), [art. 15\(1\)\(d\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 9.