

Status: This is the original version (as it was originally enacted).

SCHEDULE MINOR AND CONSEQUENTIAL AMENDMENTS

The Sexual Offences Act 2003 (c. 42)

- 3 In Schedule 3 to the 2003 Act (offences which make a person subject to the requirements of Part 2 of the Act)—
- (a) in paragraph 45, after “children)” there is inserted “if—
 - (a) the child was under 16 and the offender—
 - (i) was 18 or over, or
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months, or
 - (b) in imposing sentence or otherwise disposing of the case, the court determines that it is appropriate that the offender be regarded, for the purposes of Part 2 of this Act, as a person who has committed an offence under this paragraph”;
 - (b) in paragraph 46, after “children)” there is inserted “if—
 - (a) the child was under 16 and the offender—
 - (i) was 18 or over, or
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months, or
 - (b) in imposing sentence or otherwise disposing of the case, the court determines that it is appropriate that the offender be regarded, for the purposes of Part 2 of this Act, as a person who has committed an offence under this paragraph”;
 - (c) after paragraph 59 there is inserted—
 - “59A An offence under section 1 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9) (meeting a child following certain preliminary contact) if—
 - (a) the offender—
 - (i) was 18 or over, or
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months, or
 - (b) in imposing sentence or otherwise disposing of the case, the court determines that it is appropriate that the offender be regarded, for the purposes of Part 2 of this Act, as a person who has committed an offence under this paragraph.
 - 59B An offence under section 9 of that Act (paying for sexual services of a child), if—
 - (a) the victim or (as the case may be) other party was under 16 and the offender—
 - (i) was 18 or over, or
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months, or
 - (b) in imposing sentence or otherwise disposing of the case, the court determines that it is appropriate that the

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offender be regarded, for the purposes of Part 2 of this Act, as a person who has committed an offence under this paragraph.

- 59C An offence under any of sections 10 to 12 of that Act, if—
- (a) the provider of sexual services or (as the case may be) person involved in pornography was under 16 and the offender—
 - (i) was 18 or over, or
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months, or
 - (b) in imposing sentence or otherwise disposing of the case, the court determines that it is appropriate that the offender be regarded, for the purposes of Part 2 of this Act, as a person who has committed an offence under this paragraph.”; and
- (d) in paragraph 60, for “59” there is inserted “59C”.