



# Sexual Offences (Scotland) Act 2009

## 2009 asp 9

### PART 7

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

- 49 Establishment of purpose for the purposes of sections 5 to 9, 22 to 26 and 32 to 36**
- (1) For the purposes of sections 5 to 9, 22 to 26 and 32 to 36, A's purpose was—
- (a) obtaining sexual gratification, or
  - (b) humiliating, distressing or alarming B,
- if in all the circumstances of the case it may reasonably be inferred A was doing the thing for the purpose in question.
- (2) In applying subsection (1) to determine A's purpose, it is irrelevant whether or not B was in fact humiliated, distressed or alarmed by the thing done by A.

**Changes to legislation:**

There are currently no known outstanding effects for the Sexual Offences (Scotland) Act 2009, Section 49.