

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Disclosure (Scotland) Act 2020, Cross Heading: Sexual offences is up to date with all changes known to be in force on or before 21 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 1 LIST A OFFENCES

PART 2

STATUTORY OFFENCES

Sexual offences

- 52 An offence under section 50(3) of the Customs and Excise Management Act 1979 (penalty for improper importation of goods) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876, but only where the prohibited goods include indecent photographs of persons.
- 53 An offence under section 51A of the Civic Government (Scotland) Act 1982 (extreme pornography).
- 54 A sexual offence within the meaning given in section 210A(10) of the Criminal Procedure (Scotland) Act 1995 other than an offence mentioned in paragraph (xxvii)(ZF) or (ZG) of the definition of “sexual offence” in that subsection (engaging while an older child in sexual conduct with or towards another older child).
- 55 An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 67A (voyeurism: additional offences),
 - (b) section 103I (breach of sexual harm prevention order or interim sexual harm prevention order),
 - (c) section 113 (breach of sexual offences prevention order or interim sexual offences prevention order, etc.),
 - (d) section 122H (breach of sexual risk order or interim sexual risk order).
- 56 An offence under section 7 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (offence: breach of risk of sexual harm order or interim risk of sexual harm order etc.).
- 57 An offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
- (a) section 54 (incitement to commit certain sexual acts outside Scotland),
 - (b) section 54A (offences committed outside Scotland),
 - (c) section 55 (offences committed outside the United Kingdom).
- 58 An offence under section 69 of the Serious Crime Act 2015 (possession of paedophile material).
- 59 An offence under any of the following provisions of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016—
- (a) section 2 (disclosing, or threatening to disclose, an intimate photograph or film),

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- (b) section 24 (breach of sexual harm prevention order or interim sexual harm prevention order),
- (c) section 34 (breach of sexual risk order or interim sexual risk order),
- (d) section 37 (breach of orders equivalent to orders in Chapters 3 and 4).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 3 para. 31(1) words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(i\)](#)
- sch. 3 para. 20 words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(ii\)](#)
- sch. 3 para. 21 words repealed by [2024 asp 5 Sch. para. 25\(2\)\(a\)\(iii\)](#)
- sch. 3 para. 31 words substituted by [2024 asp 5 Sch. para. 25\(2\)\(b\)](#)