

*Status: This version of this part contains provisions that are prospective.*

**Changes to legislation:** Disclosure (Scotland) Act 2020, PART 3 is up to date with all changes known to be in force on or before 28 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 2 LIST B OFFENCES

### PART 3

#### OTHER

##### *Common law aggravations*

106 An offence (other than a List A offence or an offence listed in paragraph 104 of this schedule), the conviction for which indicates that it included an element of racial prejudice or was racially motivated.

107 An offence (other than a List A offence or an offence listed in paragraph 104 of this schedule), the conviction for which indicates that it included an element of religious prejudice or was motivated by religious prejudice.

##### *Inchoate offences*

108 An offence committed by aiding, abetting, counselling, procuring or inciting the commission of any offence listed in paragraphs 1 to 107 of this schedule.

109 An offence committed by attempting or conspiring to commit any offence listed in paragraphs 1 to 107 of this schedule.

##### *Superseded offences*

110 An offence superseded (whether directly or indirectly) by any offence listed in paragraphs 1 to 109 of this schedule (and any qualification in relation to a listed offence applies to the superseded offence as it applies to the listed offence).

##### *Combined offences*

111 An offence which was charged, and the conviction for which was received, in conjunction with any offence listed in paragraphs 1 to 110 of this schedule.

##### *Corresponding offences elsewhere in the UK or abroad*

112 An offence under the law of England and Wales or Northern Ireland, or any country or territory outside the United Kingdom, which corresponds to any offence listed in paragraphs 1 to 111 of this schedule.

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- sch. 3 para. 31(1) words repealed by [2024 asp 5 Sch.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- sch. 3 para. 20 words repealed by [2024 asp 5 Sch.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- sch. 3 para. 21 words repealed by [2024 asp 5 Sch.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