



Hate Crime and Public Order (Scotland) Act 2021

2021 asp 14

PART 3

OFFENCES RELATING TO STIRRING UP HATRED

Further provision relating to the offences

9 Protection of freedom of expression

For the purposes of section 4(2), behaviour or material is not to be taken to be threatening or abusive solely on the basis that it involves or includes—

- (a) discussion or criticism of matters relating to—
 - (i) age,
 - (ii) disability,
 - (iii) sexual orientation,
 - (iv) transgender identity,
 - (v) variations in sex characteristics,
- (b) discussion or criticism relating to, or expressions of antipathy, dislike, ridicule or insult towards—
 - (i) religion, whether religions generally or a particular religion,
 - (ii) religious beliefs or practices, whether religious beliefs or practices generally or a particular religious belief or practice,
 - (iii) the position of not holding religious beliefs, whether religious beliefs generally or a particular religious belief,
- (c) proselytising, or
- (d) urging of persons to cease practising their religions.

Commencement Information

II S. 9 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the Hate Crime and Public Order (Scotland) Act 2021, Section 9.