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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 341 (C. 27)**

**CRIMINAL LAW**

**The Sexual Offences (Scotland) Act 2009  
(Commencement No. 2) Order 2013**

*Made* - - - - 28th November 2013  
*Laid before the Scottish  
Parliament* - - - - 3rd December 2013  
*Coming into force* - - 16th December 2013

The Scottish Ministers make the following Order in exercise of the power conferred by section 62(2) of the Sexual Offences (Scotland) Act 2009(1).

**Citation and commencement**

1. This Order may be cited as the Sexual Offences (Scotland) Act 2009 (Commencement No. 2) Order 2013 and comes into force on 16th December 2013.

**Commencement of the Sexual Offences (Scotland) Act 2009**

2. The following provisions of the Sexual Offences (Scotland) Act 2009 come into force on 16th December 2013—

- (a) section 52; and
- (b) section 53(2)(a) to (d).

St Andrew's House,  
Edinburgh  
28th November 2013

*KENNY MACASKILL*  
A member of the Scottish Government

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 16th December 2013 sections 52 and 53(2)(a) to (d) of the Sexual Offences (Scotland) Act 2009 (“the 2009 Act”). Section 52 abolishes the common law offences of rape, clandestine injury to women, lewd, indecent or libidinous practice or behaviour and sodomy. Section 53(2)(a) to (d) makes transitional provision related to the abolition of these offences.

The Bill for the 2009 Act received Royal Assent on 14th July 2009. Section 62 of the 2009 Act brought into force sections 1(4), 17(3), 58 to 60 and 62 on that date.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 1(1) to (3)	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Sections 2 to 16	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Section 17(1) and (2)	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Sections 18 to 51	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Section 53(1), (2)(e) to (g) and (3) to (5)	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Sections 54 to 57	1st December 2010	<a href="#">S.S.I. 2010/357</a>
Section 61	1st December 2010	<a href="#">S.S.I. 2010/357</a>