

*Status: Point in time view as at 01/08/1997.*

**Changes to legislation:** There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Cross Heading: The Criminal Law (Consolidation)(Scotland) Act 1995 (c.39). (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

**E1** Sch. 1: amendments/repeals are coextensive with the enactments they affect see s. 65(7).

#### *The Criminal Law (Consolidation)(Scotland) Act 1995 (c.39)*

##### Commencement Information

**II** Sch. 1 para. 18 partly in force; Sch. 1 para. 18 not in force at Royal Assent see s. 65(2); Sch. 1 para. 18(1)(2)(b)(3)-(8) in force at 1.8.1997 by S.I. 1997/1712, art. 3, Sch. (with arts. 4, 5)

- 18 (1) The Criminal Law (Consolidation) (Scotland) Act 1995 shall be amended in accordance with this paragraph.
- (2) In section 5 (unlawful sexual intercourse with a girl under the age of 13 years)—
- (a) in subsection (1), at the beginning there shall be inserted the words “Subject to section 205A of the <sup>M1</sup>Criminal Procedure (Scotland) Act 1995 (imprisonment for life on further conviction of certain offences),”; and
- (b) in subsection (6) (definition of “like offence” for purposes of that section), for the words “section 10(1) of this Act” there shall be substituted the words “section 9(1) of this Act”.
- (3) In section 7(3) (deemed rape where husband impersonated) after the word “with” there shall be inserted the word “her”.
- (4) In section 19(3) (vehicles in relation to which certain offences relating to alcohol at sporting events may be committed), for the word “principle” there shall be substituted the word “principal”.
- (5) In section 21 (police powers in relation to control of alcohol etc. at sporting events), in paragraph (e), after sub-paragraph (ii) there shall be inserted the following sub-paragraph—
- “; or
- (iii) a controlled article or substance as defined in section 20(8) of this Act.”.
- (6) In section 23 (interpretation of Part II), after the definition of “keeper” there shall be inserted the following definition—
- ““motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;”.

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(7) In section 26(11) (interpretation of powers of Customs and Excise officers to detain persons in connection with drug smuggling) for the definition of superior officer there shall be substituted the following definition—

““superior officer” means an officer whose title is specified for the purposes of this section by the Treasury in an order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”.

(8) In section 45(1) (aiding and abetting offences under section 44), for the word “principle” there shall be substituted the word “principal”.

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**Marginal Citations**

**M1** 1995 c.46.

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