

*Status: Point in time view as at 03/05/2015.*

*Changes to legislation: Sexual Offences Act 2003, Paragraph 93 is up to date with all changes known to be in force on or before 06 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)*

## SCHEDULES

### SCHEDULE 3

#### SEXUAL OFFENCES FOR PURPOSES OF PART 2

##### *Service offences*

- 93 (1) An offence under—
- (a) section 70 of the Army Act 1955 (3 & 4 Eliz. 2 c. 18),
  - (b) section 70 of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19), or
  - (c) section 42 of the Naval Discipline Act 1957 (c. 53),
- of which the corresponding civil offence (within the meaning of that Act) is an offence listed in any of paragraphs 1 to [F135B].
- (2) A reference in any of those paragraphs to being made the subject of a community sentence of at least 12 months is to be read, in relation to an offence under an enactment referred to in sub-paragraph (1), as a reference to being sentenced to a term of F2 . . . detention of at least 112 days.
- [F3(3) In sub-paragraph (2), the reference to detention is to detention awarded under section 71(1)(e) of the Army Act 1955 or Air Force Act 1955 or section 43(1)(e) of the Naval Discipline Act 1957.]

#### **Textual Amendments**

- F1** Word in Sch. 3 para. 93(1) substituted for "35A" (E.W.N.I.) (6.4.2010) by **Coroners and Justice Act 2009** (c. 25), ss. 177(1), 182(5), **Sch. 21 para. 62(5)**; S.I. 2010/816, **art. 2**, Sch. para. 20(a) (with art. 7)
- F2** Word in Sch. 3 para. 93(2) repealed (28.3.2009 for certain purposes and otherwise 31.10.2009) by **Armed Forces Act 2006** (c. 52), ss. 378, 383(2), Sch. 16 para. 212(2)(a), **Sch. 17**; S.I. 2009/812, **art. 3** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**
- F3** Sch. 3 para. 93(3) added (28.3.2009 for certain purposes and otherwise 31.10.2009) by **Armed Forces Act 2006** (c. 52), ss. 378(1), 383(2), **Sch. 16 para. 212(2)(b)**; S.I. 2009/812, **art. 3** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**

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