



Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

2012 asp 1

Threatening communications

8 Section 6: interpretation

- (1) Subsections (2) to (5) define expressions used in section 6.
- (2) “Communicates” means communicates by any means (other than by means of unrecorded speech); and related expressions are to be construed accordingly.
- (3) “Material” means anything that is capable of being read, looked at, watched or listened to, either directly or after conversion from data stored in another form.
- (4) “Hatred on religious grounds” means hatred against—
 - (a) a group of persons based on their membership (or presumed membership) of—
 - (i) a religious group (within the meaning given by section 74(7) of the Criminal Justice (Scotland) Act 2003 (asp 7)),
 - (ii) a social or cultural group with a perceived religious affiliation, or
 - (b) an individual based on the individual’s membership (or presumed membership) of a group mentioned in either of sub-paragraphs (i) and (ii) of paragraph (a).
- (5) “Seriously violent act” means an act that would cause serious injury to, or the death of, a person.
- (6) In subsection (4)—
 - (a) “membership”, in relation to a group, includes association with members of that group, and
 - (b) “presumed” means presumed by the person making the communication.