Serious Crime Act 2007

2007 CHAPTER 27

PART 2

ENCOURAGING OR ASSISTING CRIME

Consequential alterations of the law

59   Abolition of common law replaced by this Part

The common law offence of inciting the commission of another offence is abolished.

60   Amendments relating to service law

Schedule 5 (which amends enactments relating to service law) has effect.

61   Repeal of offence of enabling unauthorised access to computer material

(1) The Police and Justice Act 2006 (c. 48) is amended as follows.

(2) In section 35 (unauthorised access to computer material), omit subsection (2).

(3) In section 36 (unauthorised acts with intent to impair operation of computer, etc.), in the section to be substituted for section 3 of the Computer Misuse Act 1990 (c. 18)—
    (a)   in subsection (2)—
          (i) at the end of paragraph (b), insert "or"; and
          (ii) omit paragraph (d) and the word "or" preceding it;
    (b)   in subsection (3) for "to (d)" substitute "to (c)".

(4) In section 38 (transitional and saving provision), omit subsection (1).

(5) In Schedule 14 (minor and consequential amendments), omit paragraphs 19(2) and 29(2).

62   No individual liability in respect of corporate manslaughter

In section 18 of the Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19) (no individual liability for offences under that Act) after subsection (1) insert—

"(1A) An individual cannot be guilty of an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) by reference to an offence of corporate manslaughter."

63   Consequential amendments: Part 2

(1) In the provisions listed in Part 1 of Schedule 6, any reference however expressed to (or to conduct amounting to) the offence abolished by section 59 has effect as a reference to (or to conduct amounting to) the offences under this Part.

(2) Part 2 of Schedule 6 contains other minor and consequential amendments.

(3) The Secretary of State may by order amend Part 1 of Schedule 6 by adding or removing a provision.