



Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

2005 asp 9

Sexual services of children and child pornography

10 Causing or inciting provision by child of sexual services or child pornography

- (1) A person (“A”) commits an offence if—
- (a) A intentionally causes or incites another person (“B”) to become a provider of sexual services, or to be involved in pornography, in any part of the world; and
 - (b) either—
 - (i) B is aged under 18, and A does not reasonably believe that B is aged 18 or over; or
 - (ii) B is aged under 13.
- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years [^{F1}or a fine or both].

Textual Amendments

- F1** Words in s. 10(2)(b) inserted (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 40(2)(b)**, 206(1); [S.S.I. 2010/413](#), **art. 2**, Sch. (with **art. 4**)

Commencement Information

- I1** S. 10 in force at 7.10.2005 by [S.S.I. 2005/480](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005, Section 10.