

*These notes relate to the Sexual Offences (Scotland) Act  
2009 (asp 9) which received Royal Assent on 14 July 2009*

# **SEXUAL OFFENCES (SCOTLAND) ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 7 – Miscellaneous and General**

##### ***Section 55 – Offences committed outside the United Kingdom***

171. As with section 54, this dual criminality requirement is removed in respect of UK nationals, in line with the Council of Europe Convention. Therefore, a UK national will commit an offence under this section if he or she carries out a sexual act outside the UK that would constitute an offence in Scotland. It is no longer necessary to show that the sexual act that was committed is also an offence in the country in which it was intended to take place. The dual criminality test is retained in relation to UK residents.