

---

**Changes to legislation:** *Sexual Offences (Scotland) Act 2009, Part 2 is up to date with all changes known to be in force on or before 14 November 2020. 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) View outstanding changes*

---

## SCHEDULE 1 RELEVANT SEXUAL OFFENCES

### PART 2

#### OFFENCES REPLACED BY AN OFFENCE IN PART 1 OR THIS PART

- 15 The following common law offences against a person under the age of 16 years—
- (a) rape,
  - (b) clandestine injury to women,
  - (c) sexual assault,
  - (d) lewd, indecent or libidinous practice or behaviour,
  - (e) sodomy.
- 16 Rape under the common law of Northern Ireland of a person under the age of 17.
- 17 Any of the following offences under the Sexual Offences Act 2003, in its application to Northern Ireland—
- (a) an offence under section 15,
  - (b) an offence under section 16, 17, 18, 19, 47, 48, 49, 50, 66 or 67 against a child under the age of 17.
- 18 An offence under article 18, 19, 20 or 21 of the Criminal Justice (Northern Ireland) Order 2003 (SINo. 1247 (N.I. 13)) against a person under the age of 17.
- 19 An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (c. 44) against a person under the age of 16.
- 20 An offence under section 3, 5, 6 or 13(5)(c) of the Criminal Law (Consolidation) (Scotland) Act 1995.
- 21 An offence under article 123 of the Mental Health (Northern Ireland) Order 1986 (SI No. 595 (N.I. 4)) against a person under the age of 17.
- 22 An offence under article 9 of the Criminal Justice (Northern Ireland) Order 1980 (SI No. 704 (N.I. 6)).
- 23 An offence under section 54 of the Criminal Law Act 1977 (c. 45).
- 24 Any of the following offences under the Sexual Offences (Scotland) Act 1976 (c. 67)—
- (a) an offence under section 2A or 2B against a person under the age of 16,
  - (b) an offence under section 2C, 3, 4, 5 or 10(1).
- 25 An offence under section 21 or 22 of the Children and Young Persons Act (Northern Ireland) 1968 (c. 34).
- 26 An offence under section 1 of the Indecency with Children Act 1960 (c. 33).
- 27 An offence under section 2 of the Attempted Rape, etc., Act 1960 (Northern Ireland) (c.3) against a person under the age of 17.
- 28 An offence under section 1, 10, 11, 12, 14, 15 or 16 of the Sexual Offences Act 1956 (c. 69) against a person under the age of 16.
- 29 An offence under section 5, 6 or 28 of that Act.
- 30 An offence under section 1 of the Punishment of Incest Act 1908 (c. 45)—

---

**Changes to legislation:** *Sexual Offences (Scotland) Act 2009, Part 2 is up to date with all changes known to be in force on or before 14 November 2020. 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) View outstanding changes*

---

- (a) in its application to England and Wales, against a girl under the age of 16,
  - (b) in its application to Northern Ireland, against a girl under the age of 17.
- 31 Any of the following offences under the Criminal Law Amendment Act 1885 (48 & 49 Vict.) (c.69)—
- (a) an offence under section 2, 3, 5, 7 or 8—
    - (i) in its application to Scotland or England and Wales, against a girl under the age of 16,
    - (ii) in its application to Northern Ireland, against a girl under the age of 17,
  - (b) an offence under section 4 or 6.
- 32 Any of the following offences under the Offences Against the Person Act 1861 (24 & 25 Vict.) (c.100)—
- (a) an offence under section 52, 53 or 54—
    - (i) in its application to England and Wales, against a person under the age of 16,
    - (ii) in its application to Northern Ireland, against a person under the age of 17,
  - (b) an offence under section 61 or 62.
- 33 An attempt, conspiracy or incitement to commit an offence in Part 2 of this schedule.
- 34 An offence under section 293(2) of the Criminal Procedure (Scotland) Act 1995 (c. 46) (aiding and abetting etc. the commission of a statutory offence) relating to any of the following offences—
- (a) an offence against a person under the age of 16 under section 3 of the Sexual Offences (Amendment) Act 2000 in its application to Scotland (see paragraph 19),
  - (b) an offence in paragraph 20 or 24,
  - (c) an offence against a girl under the age of 16 under section 2, 3, 5, 7 or 8 of the Criminal Law Amendment Act 1885 in its application to Scotland.

**Changes to legislation:**

Sexual Offences (Scotland) Act 2009, Part 2 is up to date with all changes known to be in force on or before 14 November 2020. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 39(2)(a)(ia) words inserted by [S.S.I. 2020/339 reg. 14\(a\)](#)
- s. 39(2)(b)(ia) words inserted by [S.S.I. 2020/339 reg. 14\(a\)](#)