



# Sexual Offences (Scotland) Act 2009

## 2009 asp 9

### PART 1

#### RAPE ETC.

##### *Sexual assault and other sexual offences*

#### **9 Voyeurism**

- (1) A person (“A”) commits an offence, to be known as the offence of voyeurism, if A does any of the things mentioned in subsections (2) to (5).
- (2) The first thing is that A—
  - (a) without another person (“B”) consenting, and
  - (b) without any reasonable belief that B consents,for a purpose mentioned in subsection (6) observes B doing a private act.
- (3) The second thing is that A—
  - (a) without another person (“B”) consenting, and
  - (b) without any reasonable belief that B consents,operates equipment with the intention of enabling A or another person (“C”), for a purpose mentioned in subsection (7), to observe B doing a private act.
- (4) The third thing is that A—
  - (a) without another person (“B”) consenting, and
  - (b) without any reasonable belief that B consents,records B doing a private act with the intention that A or another person (“C”), for a purpose mentioned in subsection (7), will look at an image of B doing the act.
- (5) The fourth thing is that A—
  - (a) installs equipment, or
  - (b) constructs or adapts a structure or part of a structure with the intention of enabling A or another person to do an act referred to in subsection (2), (3) or (4).
- (6) The purposes referred to in subsection (2) are—

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*Status: This is the original version (as it was originally enacted).*

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- (a) obtaining sexual gratification,
  - (b) humiliating, distressing or alarming B.
- (7) The purposes referred to in subsections (3) and (4) are—
- (a) obtaining sexual gratification (whether for A or C),
  - (b) humiliating, distressing or alarming B.