



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 1

SENTENCING

Other sentencing measures

23 Extended sentences for certain sexual offences

In section 210A of the 1995 Act (extended sentences for sex and violent offenders)—

(a) in subsection (10), at the end of the definition of “sexual offence” add—

“(xxviii) an offence (other than one mentioned in the preceding paragraphs) where the court determines for the purposes of this paragraph that there was a significant sexual aspect to the offender’s behaviour in committing the offence;”, and

(b) after subsection (11) add—

“(12) An extended sentence may be passed by reference to paragraph (xxviii) only if the offender is or is to become, by virtue of Schedule 3 to the Sexual Offences Act 2003 (c.42), subject to the notification requirements of Part 2 of that Act.”.