



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 2

CRIMINAL LAW

Sexual offences

45 Penalties for offences of brothel-keeping and living on the earnings of prostitution

(1) The Criminal Law (Consolidation) (Scotland) Act 1995 (c.39) is amended as follows.

(2) In section 11 (trading in prostitution and brothel-keeping)—

- (a) in subsection (1), for the words from “liable” to the end substitute “ guilty of an offence and liable to the penalties set out in subsection (1A) ”,
- (b) after that subsection insert—

“(1A) A person—

- (a) guilty of the offence set out in subsection (1)(a) is liable—
 - (i) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (ii) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both,
- (b) guilty of the offence set out in subsection (1)(b) is liable—
 - (i) on conviction on indictment, to imprisonment for a term not exceeding two years,
 - (ii) on summary conviction, to imprisonment for a term not exceeding 12 months.”,
- (c) in subsection (4), for “subsection (1)” substitute “ subsection (1A)(a) ”, and
- (d) for subsection (6) substitute—

“(6) A person guilty of an offence under subsection (5) is liable—

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 45. (See end of Document for details)

- (a) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both.”.
- (3) In section 13(9) (living on earnings of another from male prostitution), for paragraphs (a) and (b) substitute—
 - “(a) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both.”.

Commencement Information

II [S. 45](#) in force at 13.12.2010 by [S.S.I. 2010/413](#), art. 2, [Sch.](#) (with [Sch.](#))

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