



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 3

CRIMINAL PROCEDURE

Retention and use of samples etc.

81 Extension of section 19A of 1995 Act

In section 19A(6) of the 1995 Act (definitions of certain expressions for purposes of section 19A)—

- (a) in the definition of “relevant sexual offence”, for paragraph (g) substitute—
- “(g) public indecency if the court, in imposing sentence or otherwise disposing of the case, determined for the purposes of paragraph 60 of Schedule 3 to the Sexual Offences Act 2003 (c.42) that there was a significant sexual aspect to the offender’s behaviour in committing the offence;”, and
- (b) in paragraph (h) of the definition of “relevant violent offence”, after subparagraph (iv), insert—
- “(v) section 47(1) (possession of offensive weapon in public place), 49(1) (possession of article with blade or point in public place), 49A(1) or (2) (possession of article with blade or point or offensive weapon on school premises) or 49C(1) (possession of offensive weapon or article with blade or point in prison) of the Criminal Law (Consolidation) (Scotland) Act 1995 (c.39);”.