

SCHEDULE

PART 2

Amendment of Scottish statutory instruments

The Adoptions with a Foreign Element (Scotland) Regulations 2009

7. In Schedule 1 (specified offences) to the Adoptions with a Foreign Element (Scotland) Regulations 2009⁽¹⁾—

- (a) in paragraph 1, after “rape” insert “(whether at common law or under section 1 of the Sexual Offences (Scotland) Act 2009 (asp 9))”;
- (b) in paragraph 2—
 - (i) omit “and” where it appears at the end of sub-paragraph (b); and
 - (ii) at the end of sub-paragraph (c) insert—
 - “; and
 - (d) an offence under section 37 of the Sexual Offences (Scotland) Act 2009 (older children engaging in sexual conduct with each other)”; and
- (c) in paragraph 3—
 - (i) omit “and” where it appears at the end of sub-paragraph (b); and
 - (ii) at the end of sub-paragraph (c) insert—
 - “; and
 - (d) an offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
 - (i) section 28 (having intercourse with an older child);
 - (ii) section 29 (engaging in penetrative sexual activity with or towards an older child);
 - (iii) section 30 (engaging in sexual activity with or towards an older child);
 - (iv) section 31 (causing an older child to participate in a sexual activity);
 - (v) section 32 (causing an older child to be present during a sexual activity);
 - (vi) section 33 (causing an older child to look at a sexual image);
 - (vii) section 34 (communicating indecently with an older child etc.);
 - (viii) section 35 (sexual exposure to an older child); and
 - (ix) section 36 (voyeurism towards an older child)”.

⁽¹⁾ S.S.I. 2009/182, amended by S.S.I. 2010/173.