

SCHEDULE

PART 2

Amendment of Scottish statutory instruments

The Victim Notification (Prescribed Offences) (Scotland) Order 2004

5. In the Schedule to the Victim Notification (Prescribed Offences) (Scotland) Order 2004(1)—
- (a) in paragraph 9, after “Rape” insert “at common law”;
 - (b) in paragraph 11, after “rape” insert “(at common law)”;
 - (c) after paragraph 11 insert—
 - “**11A.** Abduction with intent to commit the offence of rape under section 1 of the Sexual Offences (Scotland) Act 2009 ([asp 9](#)).
 - “**11B.** Abduction with intent to commit the offence of rape of a young child under section 18 of that Act.”;
 - (d) in paragraph 12, after “rape” insert “(at common law)”;
 - (e) after paragraph 12 insert—
 - “**12A.** Assault with intent to commit the offence of rape under section 1 of the Sexual Offences (Scotland) Act 2009.
 - “**12B.** Assault with intent to commit the offence of rape under section 18 of that Act.”;
 - (f) after paragraph 22 insert—
 - “**22A.** An offence under the Sexual Offences (Scotland) Act 2009.”.

The Victim Statements (Prescribed Offences) (No. 2) (Scotland) Order 2009

6. In the Schedule (offences prescribed for the purposes of section 14(2) of the Criminal Justice (Scotland) Act 2003) to the Victim Statements (Prescribed Offences) (No. 2) (Scotland) Order 2009(2)—
- (a) in paragraph 9, after “Rape” insert “at common law”;
 - (b) in paragraph 11, after “rape” insert “(at common law)”;
 - (c) after paragraph 11, insert—
 - “**11A.** Abduction with intent to commit the offence of rape under section 1 of the Sexual Offences (Scotland) Act 2009 ([asp 9](#)).
 - “**11B.** Abduction with intent to commit the offence of rape of a young child under section 18 of that Act.”;
 - (d) in paragraph 12, after “rape” insert “(at common law)”;
 - (e) after paragraph 12, insert—
 - “**12A.** Assault with intent to commit the offence of rape under section 1 of the Sexual Offences (Scotland) Act 2009.

(1) S.S.I. 2004/411, amended by S.S.I. 2005/445 and 2009/142.

(2) S.S.I. 2009/71.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

12B. Assault with intent to commit the offence of rape of a young child under section 18 of that Act.”; and

(f) after paragraph 17, insert—

“**17A.** An offence under the Sexual Offences (Scotland) Act 2009.”.

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**(3)**—

(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)”;

(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)”.

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