

Changes to legislation: Sexual Offences Act 2003, Paragraph 44A is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

SEXUAL OFFENCES FOR PURPOSES OF PART 2

Modifications etc. (not altering text)

- C1** Sch. 3 modified (28.6.2022) by [2007 c. 21, s. 28\(4ZA\)](#) (as inserted by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 146\(c\)](#), 208(5)(p))
- C1** Sch. 3 modified (S.) (31.3.2023) by [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016 \(asp 22\)](#), [ss. 25\(3\)](#), 45(2)(3) (with s. 44); [S.S.I. 2023/51, reg. 2](#) (with [reg. 3](#))

Scotland

- [^{F1}44A An offence under section 51A of the Civic Government (Scotland) Act 1982 (c.45) (possession of extreme pornography) if—
- (a) the offender—
 - (i) was 18 or over, and
 - (ii) is or has been sentenced in respect of the offence to imprisonment for a term of more than 12 months, and
 - (b) in imposing sentence, the court determines that it is appropriate that Part 2 of this Act should apply in relation to the offender.]

Textual Amendments

- F1** Sch. 3 para. 44A inserted (S.) (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 42\(3\)](#), 206(1); [S.I. 2011/178, art. 2](#), [Sch.](#)

Modifications etc. (not altering text)

- C1** Sch. 3 para. 44A extended (16.9.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2011 \(S.I. 2011/2298\)](#), art. 1, [Sch. para. 3\(2\)](#) (with [art. 4\(4\)](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)