



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 5

#### VIRGINITY TESTING AND HYMENOPLASTY OFFENCES

### CHAPTER 2

#### HYMENOPLASTY OFFENCES

#### *Hymenoplasty offences: Scotland*

#### **155 Hymenoplasty offences in Scotland: penalties and supplementary**

- (1) A person who commits an offence under section 152, 153 or 154 is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).
- (2) Where a person outside Scotland commits an offence under section 152, 153 or 154 the person may be prosecuted, tried and punished for the offence—
  - (a) in a sheriff court district in which the person is apprehended or in custody, or
  - (b) in a sheriff court district determined by the Lord Advocate,as if the offence had been committed in that district.
- (3) Where subsection (2) applies, the offence is, for all purposes incidental to or consequential on the trial and punishment, deemed to have been committed in that district.
- (4) In this section “sheriff court district” is to be construed in accordance with section 307(1) of the Criminal Procedure (Scotland) Act 1995 (interpretation).

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Care Act 2022, Section 155. (See end of Document for details)

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#### Commencement Information

- I1** S. 155 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** [S. 155](#) in force at 1.7.2022 by [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with [regs. 13, 29, 30](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Care Act 2022, Section 155.