

*These notes relate to the Sexual Offences (Scotland) Act  
2009 (asp 9) which received Royal Assent on 14 July 2009*

# **SEXUAL OFFENCES (SCOTLAND) ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part One – Rape Etc**

##### ***Section 8 – Sexual exposure***

28. This section creates the offence of ‘sexual exposure’. Subsection (1) provides that the offence of sexual exposure is committed if a person intentionally exposes his or her genitals in a sexual manner to another person with the intention that the person will see them without that person’s consent and without any reasonable belief that the person consented.
29. Subsection (2) provides that an offence under subsection (1) is committed only where the accused’s purpose is to obtain sexual gratification or to humiliate, distress or alarm the victim.