



# Sexual Offences (Scotland) Act 2009

## 2009 asp 9

### PART 1

#### RAPE ETC.

##### *Sexual assault and other sexual offences*

#### **11 Administering a substance for sexual purposes**

- (1) If a person (“A”) intentionally administers a substance to, or causes a substance to be taken by, another person (“B”)—
- (a) without B knowing, and
  - (b) without any reasonable belief that B knows,
- and does so for the purpose of stupefying or overpowering B, so as to enable any person to engage in a sexual activity which involves B, then A commits an offence, to be known as the offence of administering a substance for sexual purposes.
- (2) For the purposes of subsection (1), if A, whether by act or omission, induces in B a reasonable belief that the substance administered or taken is (either or both)—
- (a) of a substantially lesser strength, or
  - (b) in a substantially lesser quantity,
- than it is, any knowledge which B has (or belief as to knowledge which B has) that it is being administered or taken is to be disregarded.

**Changes to legislation:**

There are currently no known outstanding effects for the Sexual Offences (Scotland) Act 2009, Section 11.