



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 2

### CRIMINAL LAW

#### *Serious organised crime*

#### **30 Directing serious organised crime**

- (1) A person commits an offence by directing another person—
  - (a) to commit a serious offence,
  - (b) to commit an offence aggravated by a connection with serious organised crime under section 29.
- (2) A person commits an offence by directing another person to direct a further person to commit an offence mentioned in subsection (1).
- (3) For the purposes of subsections (1) and (2), a person directs another person to commit an offence if the person—
  - (a) does something, or a series of things, to direct the person to commit the offence,
  - (b) intends that the thing or things done will persuade the person to commit the offence, and
  - (c) intends that the thing or things done will—
    - (i) result in a person committing serious organised crime, or
    - (ii) enable a person to commit serious organised crime.
- (4) The person directing the other person commits an offence under subsection (1) whether or not the other person in fact commits—
  - (a) a serious offence, or
  - (b) an offence aggravated by a connection with serious organised crime under section 29.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In this section “directing” a person to commit an offence includes inciting the person to commit the offence.
- (6) A person guilty of an offence under subsection (1) or (2) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 14 years or to a fine or to both,
  - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or to both.