



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 2

CRIMINAL LAW

Sexual offences

45 Penalties for offences of brothel-keeping and living on the earnings of prostitution

(1) The Criminal Law (Consolidation) (Scotland) Act 1995 (c.39) is amended as follows.

(2) In section 11 (trading in prostitution and brothel-keeping)—

- (a) in subsection (1), for the words from “liable” to the end substitute “guilty of an offence and liable to the penalties set out in subsection (1A)”,
- (b) after that subsection insert—

“(1A) A person—

- (a) guilty of the offence set out in subsection (1)(a) is liable—
 - (i) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (ii) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both,
- (b) guilty of the offence set out in subsection (1)(b) is liable—
 - (i) on conviction on indictment, to imprisonment for a term not exceeding two years,
 - (ii) on summary conviction, to imprisonment for a term not exceeding 12 months.”,
- (c) in subsection (4), for “subsection (1)” substitute “subsection (1A)(a)”, and
- (d) for subsection (6) substitute—

“(6) A person guilty of an offence under subsection (5) is liable—

Status: This is the original version (as it was originally enacted).

- (a) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both.”.
- (3) In section 13(9) (living on earnings of another from male prostitution), for paragraphs (a) and (b) substitute—
 - “(a) on conviction on indictment, to imprisonment for a term not exceeding seven years, to a fine, or to both,
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both.”.