

**Changes to legislation:** There are currently no known outstanding effects for the Hate Crime and Public Order (Scotland) Act 2021, SCHEDULE 2. (See end of Document for details)

## SCHEDULE 2

(introduced by section 18)

### MODIFICATIONS OF ENACTMENTS

#### *Public Order Act 1986*

- 1 (1) The Public Order Act 1986 is amended in accordance with this paragraph.
- (2) Sections 18 to 21 (stirring up racial hatred) are repealed.
- (3) In section 23—
  - (a) in subsection (1)(a), the words “displayed, published, distributed, or” are repealed,
  - (b) in subsection (1)(b), the words “distributed, shown, played, or” are repealed,
  - (c) in subsection (2), the words “display, publication, distribution, showing, playing, or” are repealed.
- (4) In section 25(1), for paragraphs (a) and (b), substitute “an offence under section 23”.
- (5) In section 29—
  - (a) the definitions of “distribute”, “dwelling” and “publish” are repealed,
  - (b) for the definition of “recording” (including the interpretation of “play” and “show”, in relation to a recording), substitute—

““recording” means any record from which visual images or sounds may, by any means, be reproduced;”.

#### Commencement Information

**I1** Sch. 2 para. 1 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

#### *Criminal Law (Consolidation) (Scotland) Act 1995*

- 2 Section 50A (racially-aggravated harassment) of the Criminal Law (Consolidation) (Scotland) Act 1995 is repealed.

#### Commencement Information

**I2** Sch. 2 para. 2 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

#### *Crime and Disorder Act 1998*

- 3 Section 96 (offences racially aggravated) of the Crime and Disorder Act 1998 is repealed.

#### Commencement Information

**I3** Sch. 2 para. 3 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

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*Criminal Justice (Scotland) Act 2003*

- 4 Section 74 (offences aggravated by religious prejudice) of the Criminal Justice (Scotland) Act 2003 is repealed.

**Commencement Information**

**I4** Sch. 2 para. 4 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

*Offences (Aggravation by Prejudice) (Scotland) Act 2009*

- 5 The Offences (Aggravation by Prejudice) (Scotland) Act 2009 is repealed.

**Commencement Information**

**I5** Sch. 2 para. 5 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

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