
Changes to legislation: *Sexual Offences Act 2003, Cross Heading: Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 43 (1) The Powers of Criminal Courts (Sentencing) Act 2000 is amended as follows.
- ^{F1}(2)
- (3) In section 109 (life sentence for second serious offence), in subsection (5), after paragraph (f) insert—
- “(fa) an offence under section 1 or 2 of the Sexual Offences Act 2003 (in this section, “the 2003 Act”) (rape, assault by penetration);
 - (fb) an offence under section 4 of the 2003 Act (causing a person to engage in sexual activity without consent), where the activity caused involved penetration within subsection (4)(a) to (d) of that section;
 - (fc) an offence under section 5 or 6 of the 2003 Act (rape of a child under 13, assault of a child under 13 by penetration);
 - (fd) an offence under section 8 of the 2003 Act (causing or inciting a child under 13 to engage in sexual activity), where an activity involving penetration within subsection (3)(a) to (d) of that section was caused;
 - (fe) an offence under section 30 of the 2003 Act (sexual activity with a person with a mental disorder impeding choice), where the touching involved penetration within subsection (3)(a) to (d) of that section;
 - (ff) an offence under section 31 of the 2003 Act (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity), where an activity involving penetration within subsection (3)(a) to (d) of that section was caused;
 - (fg) an attempt to commit an offence within any of paragraphs (fa) to (ff);”.
- (4) In section 161 (definition of “sexual offence” etc.), in subsection (2)—
- (a) after paragraph (f) insert—
 - “(fa) an offence under any provision of Part 1 of the Sexual Offences Act 2003 except section 52, 53 or 71;”;
 - (b) in paragraph (g), for “(a) to (f)” substitute “(f) and (fa)”.
- (5) In Schedule 9 (consequential amendments), omit paragraphs 189, 190 and 193.

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Textual Amendments

- F1** Sch. 6 para. 43(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)