



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 2

CRIMINAL LAW

Serious organised crime

28 Involvement in serious organised crime

- (1) A person who agrees with at least one other person to become involved in serious organised crime commits an offence.
- (2) Without limiting the generality of subsection (1), a person agrees to become involved in serious organised crime if the person—
 - (a) agrees to do something (whether or not the doing of that thing would itself constitute an offence), and
 - (b) knows or suspects, or ought reasonably to have known or suspected, that the doing of that thing will enable or further the commission of serious organised crime.
- (3) For the purposes of this section and sections 29 to 31—

“serious organised crime” means crime involving two or more persons acting together for the principal purpose of committing or conspiring to commit a serious offence or a series of serious offences,

“serious offence” means an indictable offence—

 - (a) committed with the intention of obtaining a material benefit for any person, or
 - (b) which is an act of violence committed or a threat made with the intention of obtaining such a benefit in the future, and

“material benefit” means a right or interest of any description in any property, whether heritable or moveable and whether corporeal or incorporeal.
- (4) A person guilty of an offence under subsection (1) is liable—

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 28. (See end of Document for details)

- (a) on conviction on indictment, to imprisonment for a term not exceeding 10 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.

Commencement Information

II [S. 28](#) in force at 13.12.2010 by [S.S.I. 2010/413](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 28.