



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 5

#### CRIMINAL LAW

##### *Pornography etc.*

#### **67 Penalties etc. for possession of extreme pornographic images**

- (1) This section has effect where a person is guilty of an offence under section 63.
- (2) Except where subsection (3) applies to the offence, the offender is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding the relevant period or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 3 years or a fine or both.
- (3) If the offence relates to an image that does not portray any act within section 63(7) (a) or (b), the offender is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding the relevant period or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine or both.
- (4) In subsection (2)(a) or (3)(a) “the relevant period” means—
  - (a) in relation to England and Wales, 12 months;
  - (b) in relation to Northern Ireland, 6 months.