

Sexual Offences Act 1956

1956 CHAPTER 69 4 and 5 Eliz 2

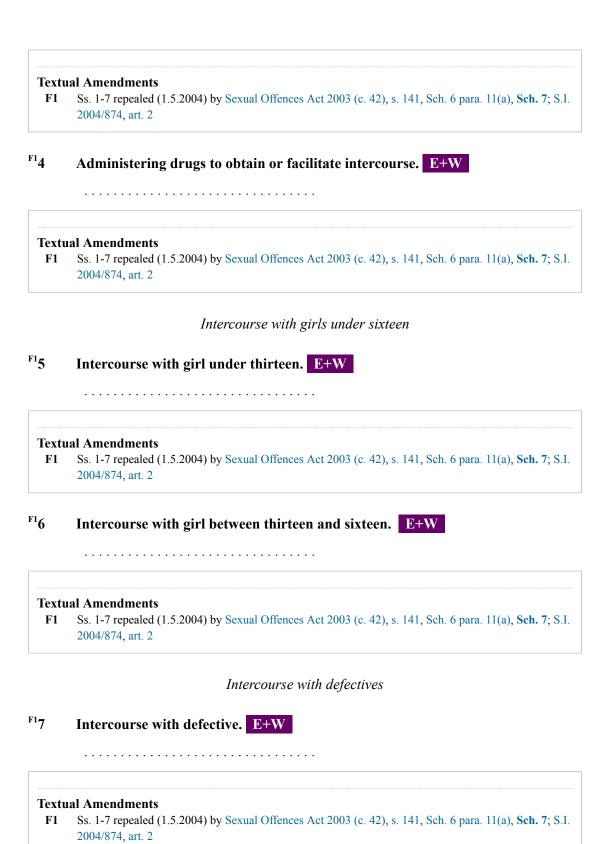
PART I U.K.

OFFENCES, AND THE PROSECUTION AND PUNISHMENT OF OFFENCES

Intercourse by force, intimidation, etc.

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^{F1} 1	Rape of woman or man. E+W
Textu	nal Amendments
F1	Ss. 1-7 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7 ; S.I. 2004/874, art. 2
^{F1} 2	Procurement of woman by threats. E+W
Textu	nal Amendments
F1	Ss. 1-7 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7 ; S.I. 2004/874, art. 2
F13	Procurement of woman by false pretences. E+W
J	1 rocarement of woman by raise precences. Etw

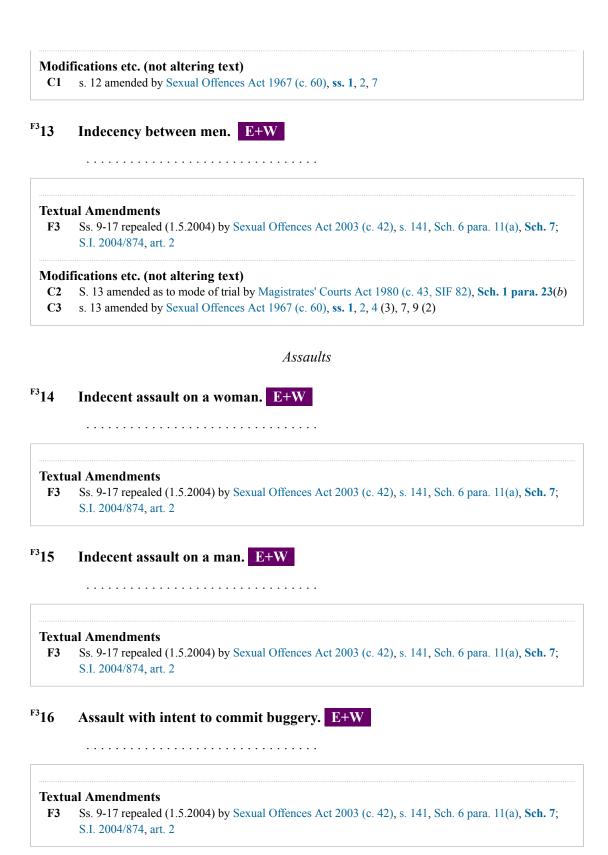


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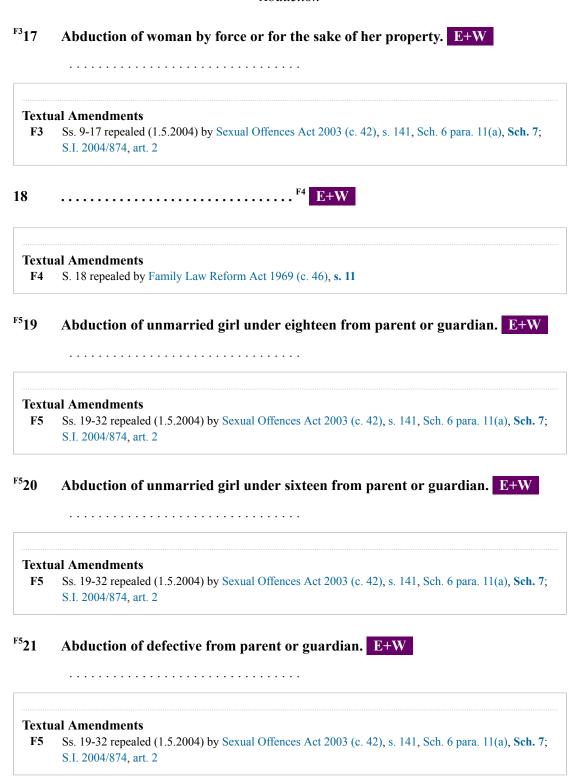
Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)

8 **Textual Amendments** S. 8 repealed by Mental Health Act 1959 (c. 72), Sch. 8 Pt. I F39 **Procurement of defective.** E+W **Textual Amendments** Ss. 9-17 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 Incest F310 Incest by a man. E+W **Textual Amendments** Ss. 9-17 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 F311 Incest by a woman. E+W **Textual Amendments** Ss. 9-17 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 Unnatural offences F312 Buggery. E+W **Textual Amendments**

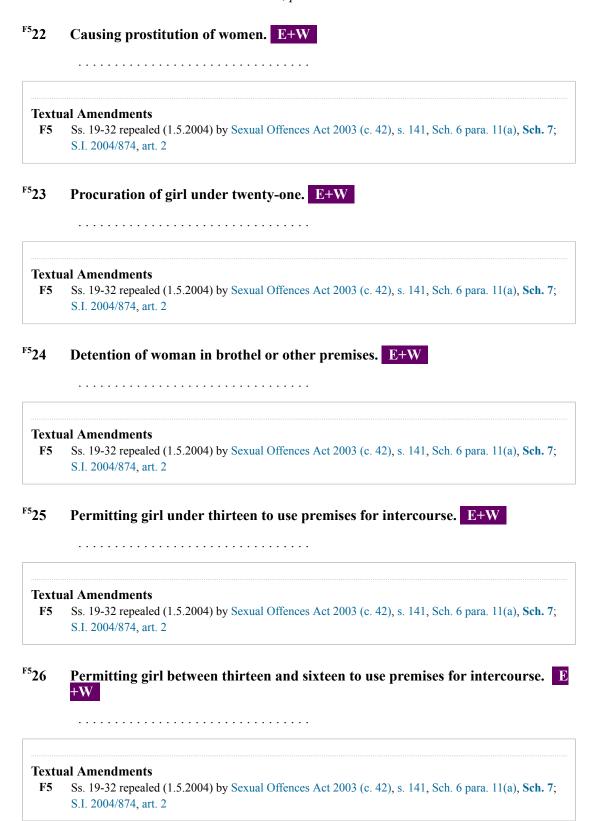
F3 Ss. 9-17 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), **Sch. 7**; S.I. 2004/874, art. 2



Abduction



Prostitution, procuration etc.



F527	Permitting defective to use premises for intercourse. E+W		
Textu	nal Amendments		
F5	Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7 ; S.I. 2004/874, art. 2		
F528	Causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under sixteen. E+W		
Textı	nal Amendments		
F5	Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2		
^{F5} 29	Causing or encouraging prostitution of defective. E+W		
Textı	ual Amendments		
F5	Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2		
F530	Man living on earnings of prostitution. E+W		
Textı	nal Amendments		
F5	Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7 ; S.I. 2004/874, art. 2		
F531	Woman exercising control over prostitute. E+W		
Textı	nal Amendments		
F5	Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2		

Solicitation

F532 Solicitation by men. E+W

Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2

Suppression of brothels

33 Keeping a brothel. E+W

It is an offence for a person to keep a brothel, or to manage, or act or assist in the management of, a brothel.

Modifications etc. (not altering text)

C4 s. 33 extended by Sexual Offences Act 1967 (c. 60), s. 6

[F633A Keeping a brothel used for prostitution E+W

- (1) It is an offence for a person to keep, or to manage, or act or assist in the management of, a brothel to which people resort for practices involving prostitution (whether or not also for other practices).
- (2) In this section "prostitution" has the meaning given by section 51(2) of the Sexual Offences Act 2003.]

Textual Amendments

F6 S. 33A inserted (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 55(2), 141; S.I. 2004/874, art. 2

Landlord letting premises for use as brothel. E+W

It is an offence for the lessor or landlord of any premises or his agent to let the whole or part of the premises with the knowledge that it is to be used, in whole or in part, as a brothel, or, where the whole or part of the premises is used as a brothel, to be wilfully a party to that use continuing.

Modifications etc. (not altering text)

C5 s. 34 extended by Sexual Offences Act 1967 (c. 60), s. 6

Tenant permitting premises to be used as brothel. E+W

- (1) It is an offence for the tenant or occupier, or person in charge, of any premises knowingly to permit the whole or part of the premises to be used as a brothel.
- (2) Where the tenant or occupier of any premises is convicted F7... of knowingly permitting the whole or part of the premises to be used as a brothel, the First Schedule to this Act shall apply to enlarge the rights of the lessor or landlord with respect to the assignment or determination of the lease or other contract under which the premises are held by the person convicted.
- (3) Where the tenant or occupier of any premises is so convicted, F8... and either—
 - (a) the lessor or landlord, after having the conviction brought to his notice, fails or failed to exercise his statutory rights in relation to the lease or contract under which the premises are or were held by the person convicted; or
 - (b) The lessor or landlord, after exercising his statutory rights so as to determine that lease or contract, grants or granted a new lease or enters or entered into a new contract of tenancy of the premises to, with or for the benefit of the same person, without having all reasonable provisions to prevent the recurrence of the offence inserted in the new lease or contract;

then, if subsequently an offence under this section is committed in respect of the premises during the subsistence of the lease or contract referred to in paragraph (a) of this subsection or (where paragraph (b) applies) during the subsistence of the new lease or contract, the lessor or landlord shall be deemed to be a party to that offence unless he shows that he took all reasonable steps to prevent the recurrence of the offence.

References in this subsection to the statutory rights of a lessor or landlord refer to his rights under the First Schedule to this Act ^{F8}....

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Textual Amendments
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F7 Words in s. 35(2) repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), Sch. 1 Pt. 3

F8 Words in s. 35(3) repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), Sch. 1 Pt. 3

Modifications etc. (not altering text)

C6 s. 35 extended by Sexual Offences Act 1967 (c. 60), s. 6

Tenant permitting premises to be used for prostitution. E+W

It is an offence for the tenant or occupier of any premises knowingly to permit the whole or part of the premises to be used for the purposes of habitual prostitution. [F9(whether any prostitute involved is male or female)]

Textual Amendments

F9 Words in s. 36 inserted (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, **Sch. 1 para. 1**; S.I. 2004/874, art. 2

Powers and procedure for dealing with offenders

37 Prosecution and punishment of offences. E+W

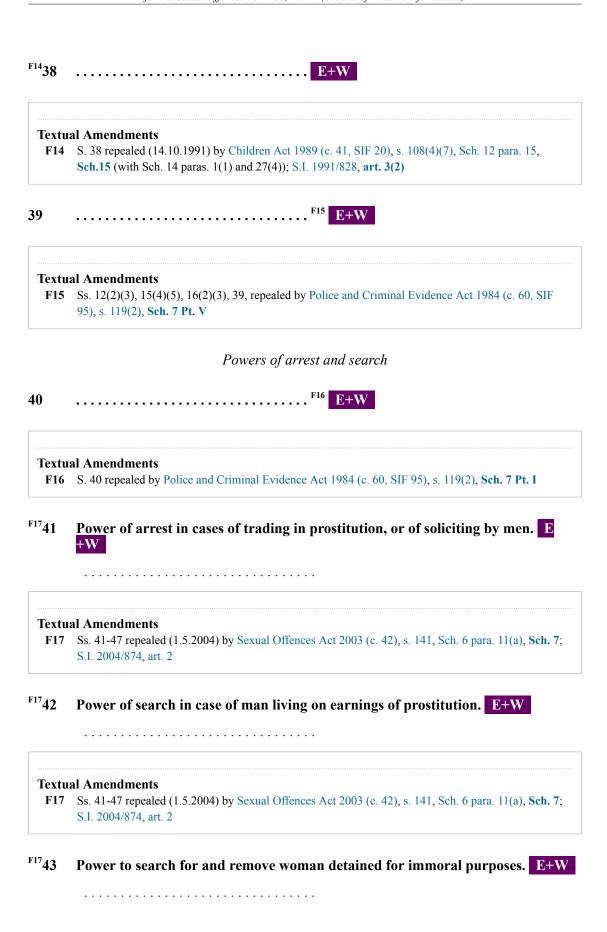
- (1) The Second Schedule to this Act shall have effect, subject to and in accordance with the following provisions of this section, with respect to the prosecution and punishment of the offences listed in the first column of the Schedule, being the offences under this Act and attempts to commit certain of those offences.
- (2) The second column in the Schedule shows, for any offence, if it may be prosecuted on indictment or summarily, or either, . . . ^{F10} and what special restrictions (if any) there are on the commencement of a prosecution.
- (3) The third column in the Schedule shows, for any offence, the punishments which may be imposed on conviction on indictment or on summary conviction, a reference to a period giving the maximum term of imprisonment and a reference to a sum of money the maximum fine.
- (4) The fourth column in the Schedule contains provisions which are either supplementary to those in the second or third column or enable a person charged on indictment with the offence specified in the first column to be found guilty of another offence if the jury are not satisfied that he is guilty of the offence charged or of an attempt to commit it, but are satisfied that he is guilty of the other offence.
- (5) A provision in the fourth column of the Schedule enabling the jury to find the accused guilty of an offence specified in that provision authorises them, if not satisfied that he is guilty of the offence so specified, to find him guilty of any other offence of which they could find him guilty if he had been indicted for the offence so specified.
- (6) Where in the Schedule there is used a phrase descriptive of an offence or group of offences followed by a reference to a section by its number only, the reference is to a section of this Act, and the phrase shall be taken as referring to any offence under the section mentioned.
- (7) Nothing in this section or in the Second Schedule to this Act shall exclude the application to any of the offences referred to in the first column of the Schedule—
 - (a) [F11 of [F12 section 24 of the Magistrates' Courts Act 1980] (which relates] to the summary trial of young offenders for indictable offences); or
 - (b) of [F13 subsection (5) of section 121 of the Magistrates' Courts Act 1980] (which limits the punishment which may be imposed by a magistrates' court sitting in an occasional courthouse); or
 - (c) of any enactment or rule of law restricting a court's power to imprison; or
 - (d) of any enactment or rule of law authorising an offender to be dealt with in a way not authorised by the enactments specially relating to his offence; or
 - (e) of any enactment or rule of law authorising a jury to find a person guilty of an offence other than that with which he is charged.

Textual Amendments

- F10 Words repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV
- F11 Words substituted by Children and Young Persons Act 1969 (c. 54), Sch. 5 para. 27
- F12 Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 7 para. 17(a)
- F13 Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 7 para. 17(b)

Part I – Offences, and the Prosecution and Punishment of Offences

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Textual Amendments F17 Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 *Interpretation* F1744 Meaning of "sexual intercourse". E+W **Textual Amendments** F17 Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 F1745 Meaning of "defective". E+W **Textual Amendments** F17 Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 F1746 Use of words "man", "boy", "woman" and "girl". E+W **Textual Amendments** Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2 **Modifications etc. (not altering text)** s. 46 amended by Sexual Offences (Amendment) Act 1976 (c. 82), s. 7 (2) F17 | F1846 Meaning of parental responsibility. E+W

Textual Amendments

- **F17** Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), **Sch. 7**; S.I. 2004/874, art. 2
- F18 S. 46A inserted (14.10.1991 by Children Act 1989 (c. 41, SIF 20), s. 108(4), Sch. 12 para.17 (with Sch. 14 para. 1(1)); S.I. 1991/828, art. 3(2)

Sexual Offences Act 1956 (c. 69) Part I – Offences, and the Prosecution and Punishment of Offences

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Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)

F1747	Proof of exceptions.	E+W
4/	Proof of exceptions.	F+ A

Textual Amendments

F17 Ss. 41-47 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 11(a), Sch. 7; S.I. 2004/874, art. 2

Changes to legislation:

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