

STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 5

PROSTITUTION^[F1] AND PAYING FOR SEXUAL SERVICES OF A PERSON]

Interpretation of this Part

58.—(1) The following provisions apply for the purposes of this Part.

(2) “Prostitute” means a person (A) who, on at least one occasion and whether or not compelled to do so, offers or provides sexual services to another person in return for payment or a promise of payment to A or a third person; and “prostitution” is to be interpreted accordingly.

(3) ^{F1} . . . “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount^[F2] other than in Article 64A].

(4) “Gain” means—

(a) any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount; or

(b) the goodwill of any person which is or appears likely, in time, to bring financial advantage.

(5) Conduct is persistent if it takes place on two or more occasions in any period of three months.

(6) ^{F3}

(7) For the purposes of ^[F4]Article 60]—

(a) “street” includes any bridge, road, lane, footway, subway, square, court, alley or passage, whether a thoroughfare or not, which is for the time being open to the public; and

(b) the doorways and entrances of premises abutting on a street (as defined in subparagraph (a)), and any ground adjoining and open to a street, shall be treated as forming part of the street.

Textual Amendments

F1 Words in art. 58(3) repealed (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112(1)(2), 116(1), [Sch. 7 para. 26\(a\)](#), [Sch. 8 Pt. 2](#); [S.I. 2010/507](#), [art. 5\(q\)\(r\)\(v\)\(x\)](#) (subject to art. 6)

F2 Words in art. 58(3) inserted (1.6.2015) by [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015 \(c. 2\)](#), [ss. 15\(3\)](#), 28(5)

F3 Art. 58(6) repealed (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112(1)(2), 116(1), [Sch. 7 para. 26\(b\)](#), [Sch. 8 Pt. 2](#); [S.I. 2010/507](#), [art. 5\(q\)\(r\)\(v\)\(x\)](#) (subject to art. 6)

F4 Words in art. 58(7) substituted (14.1.2015) by [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015 \(c. 2\)](#), s. 28(2), [Sch. 4 para. 8\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 58.