



# Protection of Children Act 1978

## 1978 CHAPTER 37

### 2 Evidence.

(1) ..... F1

(2) ..... F2

(3) In proceedings under this Act [<sup>F3</sup>relating to indecent photographs of children] a person is to be taken as having been a child at any material time if it appears from the evidence as a whole that he was then under the age of [<sup>F4</sup>18].

#### Textual Amendments

- F1** S. 2(1) repealed by [Police and Criminal Evidence Act 1984](#) (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. V**
- F2** S. 2(2) repealed by [Magistrates' Courts Act 1980](#) (c. 43, SIF 82), **Sch. 9**
- F3** Words in s. 2(3) inserted (3.2.1995) by [1994 c. 33](#), s. 168(2), **Sch. 10 para. 37(2)**; S.I. 1995/127, art. 2(1), **Sch1** Appendix B
- F4** Word in s. 2(3) substituted (1.5.2004) by [Sexual Offences Act 2003](#) (c. 42), **ss. 45(2)**, 141; S.I. 2004/874, art. 2

#### Modifications etc. (not altering text)

- C1** Ss. 1(3), 2(3), 3, 7 amended by [Criminal Justice Act 1988](#) (c. 33, SIF 39:1), s. 160(4), **Sch. 8 para. 16**

**Status:**

Point in time view as at 01/05/2004.

**Changes to legislation:**

There are currently no known outstanding effects for the Protection of Children Act 1978, Section 2.