



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

Child sex offences

9 Sexual activity with a child

- (1) A person aged 18 or over (A) commits an offence if—
- (a) he intentionally touches another person (B),
 - (b) the touching is sexual, and
 - (c) either—
 - (i) B is under 16 and A does not reasonably believe that B is 16 or over, or
 - (ii) B is under 13.
- (2) A person guilty of an offence under this section, if the touching involved—
- (a) penetration of B's anus or vagina with a part of A's body or anything else,
 - (b) penetration of B's mouth with A's penis,
 - (c) penetration of A's anus or vagina with a part of B's body, or
 - (d) penetration of A's mouth with B's penis,
- is liable, on conviction on indictment, to imprisonment for a term not exceeding 14 years.
- (3) Unless subsection (2) applies, a person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 88A-88I inserted by [S.S.I. 2011/45 art. 3](#)

Commencement Orders yet to be applied to the Sexual Offences Act 2003:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2011/3019 art. 3 Sch. 1](#) Commencement Order
- [S.S.I. 2011/178 art. 2](#) commences (2010 asp 13)
- [S.S.I. 2011/354 art. 3](#) commences (2010 asp 13)