2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 2
NON-CONSENSUAL SEXUAL OFFENCES

Rape

5.—(1) A person (A) commits an offence if—
   (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis,
   (b) B does not consent to the penetration, and
   (c) A does not reasonably believe that B consents.

(2) Whether a belief is reasonable is to be determined having regard to all the circumstances,
including any steps A has taken to ascertain whether B consents.

(3) Articles 9 and 10 apply to an offence under this Article.

(4) A person guilty of an offence under this Article is liable, on conviction on indictment, to
imprisonment for life.

(5) Any reference to rape in a statutory provision shall be construed in accordance with paragraph (1).

(6) The common law offence of rape is abolished.
**Changes to legislation:**
There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Cross Heading: Rape.