



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

Supplementary and general

79 Part 1: general interpretation

- [^{F1}(1) The following apply for the purposes of this Part.
- (2) Penetration is a continuing act from entry to withdrawal.
 - (3) References to a part of the body include references to a part surgically constructed (in particular, through gender reassignment surgery).
 - (4) “Image” means a moving or still image and includes an image produced by any means and, where the context permits, a three-dimensional image.
 - (5) References to an image of a person include references to an image of an imaginary person.
 - (6) “Mental disorder” has the meaning given by section 1 of the Mental Health Act 1983 (c. 20).
 - (7) References to observation (however expressed) are to observation whether direct or by looking at an image.
 - (8) Touching includes touching—
 - (a) with any part of the body,
 - (b) with anything else,
 - (c) through anything,and in particular includes touching amounting to penetration.
 - (9) “Vagina” includes vulva.

Changes to legislation: Sexual Offences Act 2003, Section 79 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(10) In relation to an animal, references to the vagina or anus include references to any similar part.]

.....
Textual Amendments

F1 Ss. 78,79 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(f), [Sch. 3](#); S.R. 2008/510, [art. 2](#)

Changes to legislation:

Sexual Offences Act 2003, Section 79 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\), s. 28\(2\), Sch. 5](#); and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30, Sch. 5 para. 5\(2\)](#); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)