

SCHEDULE 2

Regulation 4(5)

REPEALED STATUTORY OFFENCES

- 1.—(1) An offence under any of the following sections of the Sexual Offences Act 1956⁽¹⁾—
- (a) section 1 (rape)⁽²⁾;
 - (b) section 2 or 3 (procurement of woman by threats or false pretences);
 - (c) section 4 (administering drugs to obtain or facilitate intercourse);
 - (d) section 5 (intercourse with a girl under 13);
 - (e) section 6 (intercourse with a girl under 16)⁽³⁾;
 - (f) section 14 or 15 (indecent assault);
 - (g) section 16 (assault with intent to commit buggery);
 - (h) section 17 (abduction of women by force or for the sake of her property);
 - (i) section 19 or 20 (abduction of girl under 18 or 16);
 - (j) section 24 (detention of woman in brothel or other premises);
 - (k) section 25 or 26 (permitting girl under 13, or between 13 and 16, to use premises for intercourse)⁽⁴⁾;
 - (l) section 28 (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16).
- (2) An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards young child)⁽⁵⁾.
- (3) An offence under section 54 of the Criminal Law Act 1977 (inciting girl under 16 to incest)⁽⁶⁾.
- (4) An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)⁽⁷⁾.
- (5) An offence under section 70 of the 1989 Act, section 16 of the Foster Children Act 1980 or section 14 of the Children Act 1958 (offences relating to private fostering)⁽⁸⁾.
- (6) An offence under section 63(10) of, paragraph 1(5) of Schedule 5 to, or paragraph 2(3) of Schedule 6 to, the 1989 Act (offences relating to voluntary homes and children's homes)⁽⁹⁾.
2. P falls within this paragraph if P has been found to have committed an offence under any of the following provisions committed against or involving a child—
- (a) section 7 of the Sexual Offences Act 1956 (intercourse with defective);
 - (b) section 9 of that Act (procurement of defective);
 - (c) section 10 of that Act (incest by a man);
 - (d) section 11 of that Act (incest by a woman);

(1) 1956 c. 69.

(2) Section 1 was substituted by section 142 of the Criminal Justice and Public Order Act 1994 (c. 33) (“the 1994 Act”) and repealed by paragraph 11 of Schedule 6 to the Sexual Offences Act 2003 (c. 42) (“the 2003 Act”). Sections 2 to 6, 14 to 17, 19, 20, 24 to 26 and 28 were also repealed by this provision of the 2003 Act.

(3) Section 6 was repealed in part by Schedule 2 to the Criminal Law Act 1967 (c. 58) and in full by the 2003 Act.

(4) Section 26 was repealed in part by section 10 of, and Schedule 2 to, the Criminal Law Act 1967 and in full by the 2003 Act.

(5) 1960 c. 33. Section 1 was amended by section 39 of the 2000 Act and repealed by the 2003 Act.

(6) 1977 c. 45. Section 54 was repealed by the 2003 Act.

(7) 2000 c. 44. Section 3 extends to Scotland and Northern Ireland (see section 7(2) and (4)) but was repealed in relation to England and Wales and Northern Ireland by the 2003 Act.

(8) Section 14 was repealed by the Foster Children Act 1980.

(9) Each of these provisions was repealed by the Care Standards Act 2000 (c. 14).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (e) section 12 of that Act (buggery)(**10**) except if the other party to the act of buggery was aged 16 or over and consented to the act;
- (f) section 13 of that Act (indecent between men)(**11**) except if the other party to the act of gross indecency was aged 16 or over and consented to the act;
- (g) section 21 of that Act (abduction of defective from parent or guardian);
- (h) section 22 of that Act (causing prostitution of women);
- (i) section 23 of that Act (procurement of girl under 21);
- (j) section 27 of that Act (permitting defective to use premises for intercourse);
- (k) section 29 of that Act (causing or encouraging prostitution of defective);
- (l) section 30 of that Act (man living on earnings of prostitution);
- (m) section 31 of that Act (woman exercising control over prostitute);
- (n) section 128 of the Mental Health Act 1959 (sexual intercourse with patients)(**12**);
- (o) section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts)(**13**);
- (p) section 5 of that Act (living on earnings of male prostitution);
- (q) section 9(1)(a) of the Theft Act 1968 (burglary); or
- (r) an offence that is related to an offence specified in sub-paragraphs (a) to (q).

(10) Section 12 was amended by section 143 of the 1994 Act and sections 1 and 2 of the Sexual Offences (Amendment) Act 2000 (c. 44) and repealed by the 2003 Act.

(11) Section 13 was amended by section 2 of the Sexual Offences (Amendment) Act 2000 and repealed by the 2003 Act.

(12) 1959 c. 72; section 128 was amended by section 1(4) of the Sexual Offences Act 1967 (c. 60) and by other provisions including paragraph 2 of Schedule 4 to the Care Standards Act 2000, and was repealed by the 2003 Act.

(13) 1967 c. 60; sections 4 and 5 were repealed by the 2003 Act.