



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 3

OTHER PROVISIONS FOR COMBATTING CRIME AND DISORDER

Advertisements relating to prostitution

46 Placing of advertisement relating to prostitution

- (1) A person commits an offence if—
 - (a) he places on, or in the immediate vicinity of, a public telephone an advertisement relating to prostitution, and
 - (b) he does so with the intention that the advertisement should come to the attention of any other person or persons.
- (2) For the purposes of this section, an advertisement is an advertisement relating to prostitution if it—
 - (a) is for the services of a prostitute, whether male or female; or
 - (b) indicates that premises are premises at which such services are offered.
- (3) In any proceedings for an offence under this section, any advertisement which a reasonable person would consider to be an advertisement relating to prostitution shall be presumed to be such an advertisement unless it is shown not to be.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or both.
- (5) In this section—

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Cross Heading: Advertisements relating to prostitution. (See end of Document for details)

“public telephone” means—

- (a) any telephone which is located in a public place and made available for use by the public, or a section of the public, and
- (b) where such a telephone is located in or on, or attached to, a kiosk, booth, acoustic hood, shelter or other structure, that structure; and

“public place” means any place to which the public have or are permitted to have access, whether on payment or otherwise, other than—

- (a) any place to which children under the age of 16 years are not permitted to have access, whether by law or otherwise, and
- (b) any premises which are wholly or mainly used for residential purposes.

(6) ^{F1}.....

Textual Amendments

F1 S. 46(6) repealed (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), s. 107, [Sch. 8](#); S.I. 2002/2306, [art. 2\(g\)\(iii\)\(j\)](#)

47 Application of section 46 by order to public structures

(1) The Secretary of State may, by order, provide for section 46 to apply in relation to any public structure of a description specified in the order as it applies in relation to a public telephone.

(2) In this section—

“public structure” means any structure that—

- (a) is provided as an amenity for the use of the public or a section of the public, and
- (b) is located in a public place; and

“public place” and “public telephone” have the same meaning as in section 46.

(3) ^{F2}.....

(4) The power to make an order under this section is exercisable by statutory instrument.

(5) No order may be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

Textual Amendments

F2 S. 47(3) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 174(2), 178, [Sch. 7 para. 35\(b\)](#), [Sch. 17 Pt. 2](#); S.I. 2005/3495, [art. 2\(1\)](#) (subject to [art. 2\(2\)](#))

Changes to legislation:

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