



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART XI

#### SEXUAL OFFENCES

##### *Homosexuality*

**F1** 145 .....

#### Textual Amendments

**F1** S. 145 repealed and superseded (8.1.2001) by 2000 c. 44, s. 1(5); S.I. 2000/3303, art. 2(1); S.S.I. 2000/452, art. 2(a)

#### **146 Extension of Sexual Offences Act 1967 to the armed forces and merchant navy.**

- (1) Section 1(5) of the Sexual Offences Act 1967 (homosexual acts in the armed forces) is repealed.
- (2) In section 80 of the <sup>M1</sup>Criminal Justice (Scotland) Act 1980—
  - (a) subsection (5) (homosexual acts in the armed forces) shall cease to have effect;
  - (b) in subsection (7)—
    - (i) after paragraph (b) there shall be inserted the word “ or ”; and
    - (ii) paragraph (d) (homosexual acts on merchant ships) and the word “; or” immediately preceding that paragraph shall cease to have effect; and
  - (c) subsection (8) (interpretation) shall cease to have effect.

*Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Homosexuality is up to date with all changes known to be in force on or before 16 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*

(3) Section 2 of the <sup>M2</sup>Sexual Offences Act 1967 (homosexual acts on merchant ships) is repealed.

<sup>F2</sup>(4) .....

#### Extent Information

**E1** S. 146(1)(3) extends to England and Wales; s. 146(2) extends to Scotland only; s. 146(4) extends to England and Wales and Scotland see s. 172(7)(8)(13)

#### Textual Amendments

**F2** S. 146(4) omitted (27.4.2017) by virtue of [Merchant Shipping \(Homosexual Conduct\) Act 2017](#) (c. 26), **ss. 1, 2(1)**

#### Marginal Citations

**M1** 1980 c. 62.

**M2** 1967 c. 60.

### 147 Homosexuality on merchant ships and in the armed forces: Northern Ireland.

(1) In the <sup>M3</sup>Homosexual Offences (Northern Ireland) Order 1982, the following are revoked—

- (a) in article 3(1) (homosexual acts in private), the words “and Article 5 (merchant seamen)”; and
- (b) article 5 (homosexual acts on merchant ships).

(2) Article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in the armed forces) is revoked.

<sup>F3</sup>(3) .....

#### Textual Amendments

**F3** S. 147(3) omitted (27.4.2017) by virtue of [Merchant Shipping \(Homosexual Conduct\) Act 2017](#) (c. 26), **ss. 1, 2(1)**

#### Marginal Citations

**M3** S.I. 1982/1536 (N.I. 19).

### 148 Amendment of law relating to homosexual acts in Scotland.

In section 80(6) of the <sup>M4</sup>Criminal Justice (Scotland) Act 1980 (which defines “homosexual act” for the purpose of section 80), after “gross indecency” there is inserted “or shameless indecency”.

#### Marginal Citations

**M4** 1980 c. 62.

**Changes to legislation:**

Criminal Justice and Public Order Act 1994, Cross Heading: Homosexuality is up to date with all changes known to be in force on or before 16 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.

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**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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)