



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

[^{F1}Sexual exploitation of children]

Textual Amendments

- F1** S. 47 cross-heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), ss. 68\(2\), 88\(1\)](#); S.I. 2015/820, reg. 2(l)

47 Paying for sexual services of a child

[^{F2}(1) A person (A) commits an offence if—

- (a) he intentionally obtains for himself the sexual services of another person (B),
 - (b) before obtaining those services, he has made or promised payment for those services to B or a third person, or knows that another person has made or promised such a payment, and
 - (c) either—
 - (i) B is under 18, and A does not reasonably believe that B is 18 or over,
or
 - (ii) B is under 13.
- (2) In this section, “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount.
- (3) A person guilty of an offence under this section against a person under 13, where subsection (6) applies, is liable on conviction on indictment to imprisonment for life.

Status: Point in time view as at 31/03/2017.

Changes to legislation: Sexual Offences Act 2003, Cross Heading: Sexual exploitation of children is up to date with all changes known to be in force on or before 21 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)

- (4) Unless subsection (3) applies, a person guilty of an offence under this section against a person under 16 is liable—
- (a) where subsection (6) applies, on conviction on indictment, to imprisonment for a term not exceeding 14 years;
 - (b) in any other case—
 - (i) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (ii) on conviction on indictment, to imprisonment for a term not exceeding 14 years.
- (5) Unless subsection (3) or (4) applies, a person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.
- (6) This subsection applies where the offence involved—
- (a) penetration of B’s anus or vagina with a part of A’s body or anything else,
 - (b) penetration of B’s mouth with A’s penis,
 - (c) penetration of A’s anus or vagina with a part of B’s body or by B with anything else, or
 - (d) penetration of A’s mouth with B’s penis.
- (7) ^{F3}]

Textual Amendments

- F2** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), [Sch. 3](#) (with [Sch. 2](#) para. 1); S.R. 2008/510, [art. 2](#)
- F3** S. 47(7) omitted (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland\) Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), [8](#); S.R. 2008/510, [art. 2](#)

48 Causing or inciting [^{F4}sexual exploitation of a child]

- [^{F5}(1) A person (A) commits an offence if—
- (a) he intentionally causes or incites another person (B) [^{F6}to be sexually exploited] in any part of the world, and
 - (b) either—
 - (i) B is under 18, and A does not reasonably believe that B is 18 or over,
or
 - (ii) B is under 13.
- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

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Textual Amendments

- F4** Words in s. 48 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(3)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(l)
- F5** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), **Sch. 3** (with Sch. 2 para. 1); S.R. 2008/510, **art. 2**
- F6** Words in s. 48(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(3)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(l)

49 Controlling a child [^{F7}in relation to sexual exploitation]

[^{F8}(1) A person (A) commits an offence if—

- (a) he intentionally controls any of the activities of another person (B) relating to B's [^{F9}sexual exploitation] in any part of the world, and
- (b) either—
 - (i) B is under 18, and A does not reasonably believe that B is 18 or over,
or
 - (ii) B is under 13.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

Textual Amendments

- F7** Words in s. 49 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(4)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(l)
- F8** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), **Sch. 3** (with Sch. 2 para. 1); S.R. 2008/510, **art. 2**
- F9** Words in s. 49(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(4)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(l)

50 Arranging or facilitating [^{F10}sexual exploitation of a child]

[^{F11}(1) A person (A) commits an offence if—

- (a) he intentionally arranges or facilitates the [^{F12}sexual exploitation] in any part of the world of another person (B), and
- (b) either—
 - (i) B is under 18, and A does not reasonably believe that B is 18 or over,
or
 - (ii) B is under 13.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;

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- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

Textual Amendments

- F10** Words in s. 50 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(5)(a)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)
- F11** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), [arts. 1, 78\(c\)](#), **Sch. 3** (with [Sch. 2 para. 1](#)); [S.R. 2008/510](#), **art. 2**
- F12** Words in s. 50(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(5)(b)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)

51 Sections 48 to 50: interpretation

^{F13}[^{F14}(1).....

[^{F15}(2) For the purposes of sections 48 to 50, a person (B) is sexually exploited if—

- (a) on at least one occasion and whether or not compelled to do so, B offers or provides sexual services to another person in return for payment or a promise of payment to B or a third person, or
- (b) an indecent image of B is recorded [^{F16}or streamed or otherwise transmitted] ; and “sexual exploitation” is to be interpreted accordingly.]

- (3) In subsection (2), “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount.]

Textual Amendments

- F13** S. 51(1) omitted (3.5.2015) by virtue of [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(6)(a)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)
- F14** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), [arts. 1, 78\(c\)](#), **Sch. 3** (with [Sch. 2 para. 1](#)); [S.R. 2008/510](#), **art. 2**
- F15** S. 51(2) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(6)(b)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)
- F16** Words in s. 51(2)(b) inserted (E.W.) (31.1.2017 for specified purposes, 31.3.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 176**, 183(5)(e), (6)(e)

Status:

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