



# Sexual Offences Act 1956

1956 CHAPTER 69 4 and 5 Eliz 2

## PART I

OFFENCES, AND THE PROSECUTION AND PUNISHMENT OF OFFENCES

*Intercourse by force, intimidation, etc.*

### <sup>F1</sup> **Rape of woman or man.**

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#### Textual Amendments

**F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

### <sup>F2</sup> **Procurement of woman by threats.**

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#### Textual Amendments

**F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

### <sup>F3</sup> **Procurement of woman by false pretences.**

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*Changes to legislation: There are currently no known outstanding effects  
for the Sexual Offences Act 1956, Part I. (See end of Document for details)*

#### Textual Amendments

- F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

### **<sup>F1</sup>4 Administering drugs to obtain or facilitate intercourse.**

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#### Textual Amendments

- F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

#### *Intercourse with girls under sixteen*

### **<sup>F1</sup>5 Intercourse with girl under thirteen.**

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#### Textual Amendments

- F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

### **<sup>F1</sup>6 Intercourse with girl between thirteen and sixteen.**

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#### Textual Amendments

- F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

#### *Intercourse with defectives*

### **<sup>F1</sup>7 Intercourse with defective.**

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#### Textual Amendments

- F1** Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)*

**8** ..... **F2**

**Textual Amendments**

**F2** S. 8 repealed by [Mental Health Act 1959 \(c. 72\)](#), **Sch. 8 Pt. I**

**F39** **Procurement of defective.**

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**Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

*Incest*

**F310** **Incest by a man.**

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**Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

**F311** **Incest by a woman.**

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**Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

*Unnatural offences*

**F312** **Buggery.**

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**Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects  
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#### **Modifications etc. (not altering text)**

**C1** s. 12 amended by [Sexual Offences Act 1967 \(c. 60\)](#), **ss. 1, 2, 7**

### **<sup>F3</sup>13 Indecency between men.**

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#### **Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

#### **Modifications etc. (not altering text)**

**C2** S. 13 amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 1 para. 23(b)**

**C3** s. 13 amended by [Sexual Offences Act 1967 \(c. 60\)](#), **ss. 1, 2, 4 (3), 7, 9 (2)**

### *Assaults*

### **<sup>F3</sup>14 Indecent assault on a woman.**

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#### **Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

### **<sup>F3</sup>15 Indecent assault on a man.**

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#### **Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

### **<sup>F3</sup>16 Assault with intent to commit buggery.**

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#### **Textual Amendments**

**F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects  
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## Abduction

### <sup>F3</sup>17 Abduction of woman by force or for the sake of her property.

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#### Textual Amendments

- F3** Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

### 18 ..... <sup>F4</sup>

#### Textual Amendments

- F4** S. 18 repealed by [Family Law Reform Act 1969 \(c. 46\)](#), [s. 11](#)

### <sup>F5</sup>19 Abduction of unmarried girl under eighteen from parent or guardian.

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#### Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

### <sup>F5</sup>20 Abduction of unmarried girl under sixteen from parent or guardian.

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#### Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

### <sup>F5</sup>21 Abduction of defective from parent or guardian.

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#### Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects  
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*Prostitution, procuration etc.*

**F<sup>5</sup>22 Causing prostitution of women.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>23 Procuration of girl under twenty-one.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>24 Detention of woman in brothel or other premises.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>25 Permitting girl under thirteen to use premises for intercourse.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>26 Permitting girl between thirteen and sixteen to use premises for intercourse.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects  
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**F<sup>5</sup>27 Permitting defective to use premises for intercourse.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>28 Causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under sixteen.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>29 Causing or encouraging prostitution of defective.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>30 Man living on earnings of prostitution.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**F<sup>5</sup>31 Woman exercising control over prostitute.**

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**Textual Amendments**

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

*Changes to legislation: There are currently no known outstanding effects  
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### *Solicitation*

#### **<sup>F5</sup>32 Solicitation by men.**

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##### **Textual Amendments**

**F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

### *Suppression of brothels*

#### **33 Keeping a brothel.**

It is an offence for a person to keep a brothel, or to manage, or act or assist in the management of, a brothel.

##### **Modifications etc. (not altering text)**

**C4** s. 33 extended by [Sexual Offences Act 1967 \(c. 60\)](#), s. 6

#### **[<sup>F6</sup>33A Keeping a brothel used for prostitution**

- (1) It is an offence for a person to keep, or to manage, or act or assist in the management of, a brothel to which people resort for practices involving prostitution (whether or not also for other practices).
- (2) In this section “prostitution” has the meaning given by section 51(2) of the Sexual Offences Act 2003.]

##### **Textual Amendments**

**F6** S. 33A inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), **ss. 55(2)**, 141; [S.I. 2004/874](#), art. 2

#### **34 Landlord letting premises for use as brothel.**

It is an offence for the lessor or landlord of any premises or his agent to let the whole or part of the premises with the knowledge that it is to be used, in whole or in part, as a brothel, or, where the whole or part of the premises is used as a brothel, to be wilfully a party to that use continuing.

##### **Modifications etc. (not altering text)**

**C5** s. 34 extended by [Sexual Offences Act 1967 \(c. 60\)](#), s. 6



*Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)*

### 35 Tenant permitting premises to be used as brothel.

- (1) It is an offence for the tenant or occupier, or person in charge, of any premises knowingly to permit the whole or part of the premises to be used as a brothel.
- (2) Where the tenant or occupier of any premises is convicted <sup>F7</sup>... of knowingly permitting the whole or part of the premises to be used as a brothel, the First Schedule to this Act shall apply to enlarge the rights of the lessor or landlord with respect to the assignment or determination of the lease or other contract under which the premises are held by the person convicted.
- (3) Where the tenant or occupier of any premises is so convicted, <sup>F8</sup>... and either—
  - (a) the lessor or landlord, after having the conviction brought to his notice, fails or failed to exercise his statutory rights in relation to the lease or contract under which the premises are or were held by the person convicted; or
  - (b) The lessor or landlord, after exercising his statutory rights so as to determine that lease or contract, grants or granted a new lease or enters or entered into a new contract of tenancy of the premises to, with or for the benefit of the same person, without having all reasonable provisions to prevent the recurrence of the offence inserted in the new lease or contract;

then, if subsequently an offence under this section is committed in respect of the premises during the subsistence of the lease or contract referred to in paragraph (a) of this subsection or (where paragraph (b) applies) during the subsistence of the new lease or contract, the lessor or landlord shall be deemed to be a party to that offence unless he shows that he took all reasonable steps to prevent the recurrence of the offence.

References in this subsection to the statutory rights of a lessor or landlord refer to his rights under the First Schedule to this Act <sup>F8</sup>....

#### Textual Amendments

**F7** Words in s. 35(2) repealed (21.7.2008) by [Statute Law \(Repeals\) Act 2008 \(c. 12\), Sch. 1 Pt. 3](#)

**F8** Words in s. 35(3) repealed (21.7.2008) by [Statute Law \(Repeals\) Act 2008 \(c. 12\), Sch. 1 Pt. 3](#)

#### Modifications etc. (not altering text)

**C6** s. 35 extended by [Sexual Offences Act 1967 \(c. 60\), s. 6](#)

### 36 Tenant permitting premises to be used for prostitution.

It is an offence for the tenant or occupier of any premises knowingly to permit the whole or part of the premises to be used for the purposes of habitual prostitution. [<sup>F9</sup>(whether any prostitute involved is male or female)]

#### Textual Amendments

**F9** Words in s. 36 inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\), s. 141, Sch. 1 para. 1; S.I. 2004/874, art. 2](#)

*Changes to legislation: There are currently no known outstanding effects  
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### *Powers and procedure for dealing with offenders*

## **37 Prosecution and punishment of offences.**

- (1) The Second Schedule to this Act shall have effect, subject to and in accordance with the following provisions of this section, with respect to the prosecution and punishment of the offences listed in the first column of the Schedule, being the offences under this Act and attempts to commit certain of those offences.
- (2) The second column in the Schedule shows, for any offence, if it may be prosecuted on indictment or summarily, or either, . . . <sup>F10</sup> and what special restrictions (if any) there are on the commencement of a prosecution.
- (3) The third column in the Schedule shows, for any offence, the punishments which may be imposed on conviction on indictment or on summary conviction, a reference to a period giving the maximum term of imprisonment and a reference to a sum of money the maximum fine.
- (4) The fourth column in the Schedule contains provisions which are either supplementary to those in the second or third column or enable a person charged on indictment with the offence specified in the first column to be found guilty of another offence if the jury are not satisfied that he is guilty of the offence charged or of an attempt to commit it, but are satisfied that he is guilty of the other offence.
- (5) A provision in the fourth column of the Schedule enabling the jury to find the accused guilty of an offence specified in that provision authorises them, if not satisfied that he is guilty of the offence so specified, to find him guilty of any other offence of which they could find him guilty if he had been indicted for the offence so specified.
- (6) Where in the Schedule there is used a phrase descriptive of an offence or group of offences followed by a reference to a section by its number only, the reference is to a section of this Act, and the phrase shall be taken as referring to any offence under the section mentioned.
- (7) Nothing in this section or in the Second Schedule to this Act shall exclude the application to any of the offences referred to in the first column of the Schedule—
  - (a) [<sup>F11</sup>of [<sup>F12</sup>section 24 of the Magistrates' Courts Act 1980] (which relates] to the summary trial of young offenders for indictable offences); or
  - (b) of [<sup>F13</sup>subsection (5) of section 121 of the Magistrates' Courts Act 1980] (which limits the punishment which may be imposed by a magistrates' court sitting in an occasional courthouse); or
  - (c) of any enactment or rule of law restricting a court's power to imprison; or
  - (d) of any enactment or rule of law authorising an offender to be dealt with in a way not authorised by the enactments specially relating to his offence; or
  - (e) of any enactment or rule of law authorising a jury to find a person guilty of an offence other than that with which he is charged.

#### **Textual Amendments**

**F10** Words repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

**F11** Words substituted by [Children and Young Persons Act 1969 \(c. 54\)](#), **Sch. 5 para. 27**

**F12** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 7 para. 17(a)**

**F13** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 7 para. 17(b)**

*Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)*

<sup>F14</sup>**38** .....

Textual Amendments

**F14** S. 38 repealed (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(4)(7), Sch. 12 para. 15, [Sch.15](#) (with Sch. 14 paras. 1(1) and 27(4)); S.I. 1991/828, [art. 3\(2\)](#)

**39** .....<sup>F15</sup>

Textual Amendments

**F15** Ss. 12(2)(3), 15(4)(5), 16(2)(3), 39, repealed by [Police and Criminal Evidence Act 1984](#) (c. 60, SIF 95), s. 119(2), [Sch. 7 Pt. V](#)

*Powers of arrest and search*

**40** .....<sup>F16</sup>

Textual Amendments

**F16** S. 40 repealed by [Police and Criminal Evidence Act 1984](#) (c. 60, SIF 95), s. 119(2), [Sch. 7 Pt. I](#)

<sup>F17</sup>**41**   **Power of arrest in cases of trading in prostitution, or of soliciting by men.**  
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Textual Amendments

**F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003](#) (c. 42), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

<sup>F17</sup>**42**   **Power of search in case of man living on earnings of prostitution.**  
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Textual Amendments

**F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003](#) (c. 42), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

<sup>F17</sup>**43**   **Power to search for and remove woman detained for immoral purposes.**  
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*Changes to legislation: There are currently no known outstanding effects  
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#### Textual Amendments

- F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874, art. 2](#)

### *Interpretation*

#### <sup>F17</sup> **44 Meaning of “sexual intercourse”.**

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#### Textual Amendments

- F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874, art. 2](#)

#### <sup>F17</sup> **45 Meaning of “defective”.**

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#### Textual Amendments

- F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874, art. 2](#)

#### <sup>F17</sup> **46 Use of words “man”, “boy”, “woman” and “girl”.**

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#### Textual Amendments

- F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874, art. 2](#)

#### Modifications etc. (not altering text)

- C7** s. 46 amended by [Sexual Offences \(Amendment\) Act 1976 \(c. 82\)](#), **s. 7 (2)**

#### <sup>F17</sup> <sup>F18</sup> **46A Meaning of parental responsibility.**

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#### Textual Amendments

- F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874, art. 2](#)
- F18** S. 46A inserted (14.10.1991 by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(4), Sch. 12 para. 17 (with **Sch. 14 para. 1(1)**); [S.I. 1991/828, art. 3\(2\)](#))

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**Changes to legislation:** There are currently no known outstanding effects  
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**F17 47 Proof of exceptions.**

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**Textual Amendments**

**F17** Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I.