

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

SCHEDULES

FIRST SCHEDULE

Section 35.

RIGHTS OF LANDLORD WHERE TENANT CONVICTED OF

PERMITTING USE OF PREMISES AS BROTHEL

- 1 Upon the conviction of the tenant or occupier (in this Schedule referred to as “the tenant”), the lessor or landlord may require the tenant to assign [^{F1}or transfer] the lease or other contract under which the premises are held by him to some person approved by the lessor or landlord.

Textual Amendments

- F1** Words in [Sch. 1 para. 1](#) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **6(2)**

- 2 If the tenant fails to do so within three months, the lessor or landlord may determine the lease or contract (but without prejudice to the rights or remedies of any party thereto accrued before the date of the determination).
- 3 Where the lease or contract is determined under this Schedule, the court by which the tenant was convicted may make a summary order for delivery of possession of the premises to the lessor or landlord.
- 4 The approval of the lessor or landlord for the purposes of paragraph 1 of this Schedule shall not be unreasonably withheld.
- 5 This Schedule shall have effect subject to the Rent and Mortgage Interest Restrictions Acts 1920 to 1939, the ^{M1}Furnished Houses (Rent Control) Act 1946, Part II of the ^{M2}Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951, and Part I of the ^{M3}Landlord and Tenant Act 1954 [^{F2}Part I of the Housing Act 1988 and Schedule 10 to the Local Government and Housing Act 1989].

Textual Amendments

- F2** Words added by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 194, [Sch. 11 para. 5](#)

Marginal Citations

- M1** 1946 c. 34.
M2 1951 c. 65.
M3 1954 c. 56.

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SECOND SCHEDULE

Section 37.

TABLE OF OFFENCES, WITH MODE OF PROSECUTION, PUNISHMENTS, ETC.

PART I

FELONIES AND ATTEMPTS OF FELONIES

Offence	Mode of Prosecution	Punishment	Provisions as to alternative verdicts etc.
1. F3
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2. F3
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3. F3
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5. F3
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6. F3
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Textual Amendments

F3 Sch. 2 paras. 1-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(b), [Sch. 7](#); S.I. 2004/874, art. 2; S.I. 2004/874, art. 2

PART II

OFFENCES OTHER THAN FELONIES AND ATTEMPTS AT FELONIES

Offence	Mode of Prosecution	Punishment	Provisions as to alternative verdicts etc.
7. F3	

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32. F3	...		
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33. Keeping a brothel (section thirty-three)	Summarily F4 ...	For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.	A conviction of an offence punishable under section thirty- four, thirty-five or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act 1885 (the section replaced for England and Wales by sections

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			thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-three of this Act.
[^{F5} 33A. Keeping a brothel used for prostitution (section 33A).	(i) on indictment (ii) summarily	Seven years Six months, or the statutory maximum, or both.]	
34. Letting premises for use as a brothel (section thirty-four)	Summarily ^{F4} ...	For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.	A conviction of an offence punishable under section thirty-three, thirty-five or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-four of this Act.
35. Tenant permitting premises to be used as a brothel (section thirty-five)	Summarily ^{F4} ...	For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.	A conviction of an offence punishable under section thirty-three, thirty-four or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into

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36. Tenant permitting premises to be used as for prostitution (section thirty-five)	Summarily F4 ...	For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.	account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-five of this Act. A conviction of an offence punishable under section thirty-three, thirty-four or thirty-five of this Act, or under section thirteen of the Criminal Law Amendment Act 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-six of this Act.
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Textual Amendments

- F4** Words repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)
F5 Sch. 2 para. 33A inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), [ss. 55\(3\)](#), 141; S.I. 2004/874, [art. 2](#)

THIRD SCHEDULE

Section 48.

CONSEQUENTIAL AMENDMENTS OF ENACTMENTS NOT CONSOLIDATED.

Modifications etc. (not altering text)

- C1** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment and Subject matter

Amendment

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F6

The Children and Young Persons Act, 1933.

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Subsection (2) of section ninety-nine (Presumption as to the truth of allegations about a person's age in a charge or indictment).

First Schedule (Offences to which special provisions of the Act apply).

The Magistrates' Courts Act, 1952.

The Visiting Forces Act, 1952.

Paragraph 1 of the Schedule (Offences not triable by United kingdom courts in the cases provided for by section three of the Act).

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for the words "except an offence under the Criminal Law Amendment Act, 1885" there shall be substituted the words "except as provided in that Schedule".

Immediately before the last entry there shall be inserted the following entry:— "Any offence against a child or young person under any of the following sections of the Sexual Offences Act, 1956, that is to say sections two to seven, ten to sixteen, nineteen, twenty, twenty-two to twenty-six and twenty-eight, and any attempt to commit against a child or young person an offence under section two, five, six, seven, ten, eleven, twelve, twenty-two or twenty-three of that Act: Provided that for the purposes of subsection (2) of section ninety-nine of this Act this entry shall apply so far only as it relates to offences under sections ten, eleven, twelve, fourteen, fifteen, sixteen, twenty and twenty-eight of the Sexual Offences Act, 1956 and attempts to commit offences under sections ten, eleven and twelve of that Act."

For the words "under section one of the Vagrancy Act, 1898" there shall be substituted the words "under section thirty, thirty-one or thirty-two of the Sexual Offences Act, 1956".

At the end of sub-paragraph (b) there shall be added as a new paragraph (viii):— "(viii) sections two to twenty-eight of the Sexual Offences Act 1956."

Textual Amendments

- F6** Sch. 3 entry relating to Extradition Act 1873 repealed by [Extradition Act 1989 \(c. 33, SIF 48\)](#), s. 37, [Sch. 2](#)
- F7** Sch. 3 entry relating to s. 15 of the Children and Young Persons Act 1933 repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. V](#) and expressed to be repealed (5.11.1993) by Statute Law (Repeals) Act 1993 c. 50, s. 1(1), [Sch. 1 Pt. I Gp.1](#)

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F8 Residue of Sch. 3 repealed by Children and Young Persons Act 1963 (c. 37), **Sch. 5**, Criminal Law Act 1967 (c. 58), **Sch. 3 Pt. II** and Firearms Act 1968 (c. 27), **Sch. 7**

F9F9 SCHEDULE 4

Textual Amendments

F9 Sch. 4 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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