Draft Order laid before Parliament under section 138(2) of the Sexual Offences Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND

The Sexual Offences Act 2003 (Amendment of Schedules 3 and 5) Order 2007

Made - - - - 2007

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by section 130 of the Sexual Offences Act 2003(**1**), makes the following Order;

In accordance with section 138(2) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Sexual Offences Act 2003 (Amendment of Schedules 3 and 5) Order 2007 and shall come into force after the expiry of 14 days beginning with the day on which it is made.

(2) In this Order "the Act" means the Sexual Offences Act 2003.

Amendment of Schedule 3 to the Sexual Offences Act 2003

2.—(1) Schedule 3 to the Act is amended as follows.

(2) After paragraph 29 insert—

"**29A.** An offence under section 48 of this Act (causing or inciting child prostitution or pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

(**1**) c. 42.

29B. An offence under section 49 of this Act (controlling a child prostitute or a child involved in pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

29C. An offence under section 50 of this Act (arranging or facilitating child prostitution or pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.".

(3) After paragraph 89 insert –

"**89A.** An offence under section 48 of this Act (causing or inciting child prostitution or pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

89B. An offence under section 49 of this Act (controlling a child prostitute or a child involved in pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

89C. An offence under section 50 of this Act (arranging or facilitating child prostitution or pornography) if the offender—

(a) was 18 or over, or

(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.".

Amendment of Schedule 5 to the Sexual Offences Act 2003

3.—(1) Schedule 5 to the Act is amended as follows.

(2) After paragraph 4 insert—

"**4A.** Outraging public decency.".

(3) After paragraph 31 insert—

"**31A.** An offence under section 1 of the Theft Act 1968 (c.60) (theft).".

(4) In paragraph 32, for "the Theft Act 1968 (c.60)" substitute "that Act".

(5) For paragraph 33 substitute—

"An offence under section 9(1)(a) of that Act (burglary with intent to steal, inflict grievous bodily harm or do unlawful damage).".

(6) After paragraph 43 insert—

"**43A.** An offence under section 1 of the Child Abduction Act 1984 (c. 37) (offence of abduction of child by parent, etc).

43B. An offence under section 2 of that Act (offence of abduction of child by other persons).".