Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.



Number 6 *of* 2007

CRIMINAL LAW (SEXUAL OFFENCES) (AMENDMENT) ACT 2007

REVISED

Updated to 31 August 2024

This Revised Act is an administrative consolidation of the *Criminal Law (Sexual Offences) (Amendment) Act 2007*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (30/2024), enacted 23 July 2024, and all statutory instruments up to and including the *Waste Management (Landfill Levy) (Amendment) Regulations 2024* (S.I. No. 442 of 2024), made 2 September 2024, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 6 *of* 2007

CRIMINAL LAW (SEXUAL OFFENCES) (AMENDMENT) ACT 2007

REVISED

Updated to 31 August 2024

ARRANGEMENT OF SECTIONS

Section

1. Definitions.
2. Soliciting or importuning for purposes of commission of sexual offence.
3. Application of certain enactments.
4. Amendment of certain enactments.
5. Amendment of Act of 2006.
6. Meeting child for purpose of sexual exploitation.
7. Short title.

ACTS REFERRED TO

Bail Act 1997	1997, No. 16
Children Act 2001	2001, No. 24
Child Trafficking and Pornography Act 1998	1998, No. 22
Civil Legal Aid Act 1995	1995, No. 32
Criminal Evidence Act 1992	1992, No. 12
Criminal Law Amendment Act 1935	1935, No. 6
Criminal Law (Rape) Act 1981	1981, No. 10
Criminal Law (Rape) (Amendment) Act 1990	1990, No. 32
Criminal Law (Sexual Offences) Act 1993	1993, No. 20
Criminal Law (Sexual Offences) Act 2006	2006, No. 15
Sex Offenders Act 2001	2001, No. 18
Sexual Offences (Jurisdiction) Act 1996	1996, No. 38

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CRIMINAL LAW (SEXUAL OFFENCES) (AMENDMENT) ACT 2007

REVISED

Updated to 31 August 2024

AN ACT TO AMEND THE CRIMINAL LAW (SEXUAL OFFENCES) ACT 1993, THE CHILD TRAFFICKING AND PORNOGRAPHY ACT 1998 AND THE CRIMINAL LAW (SEXUAL OFFENCES) ACT 2006; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH.

[7*th March*, 2007]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definitions.

1.— In this Act—

" Act of 1981 " means Criminal Law (Rape) Act 1981;

"Act of 1990" means the Criminal Law (Rape) (Amendment) Act 1990;

" Act of 1993 " means the Criminal Law (Sexual Offences) Act 1993;

" Act of 2006 " means the Criminal Law (Sexual Offences) Act 2006.

Soliciting or importuning for purposes of commission of sexual offence.

2.— The Act of 1993 is amended by the substitution of the following section for section 6 (inserted by section 250 of the Children Act 2001):

"6.— (1) A person who solicits or importunes a child (whether or not for the purposes of prostitution) for the purposes of the commission of an act that would constitute an offence—

(*a*) under section 2 or 3 of the Criminal Law (Sexual Offences) Act 2006, or

(*b*) referred to in section 2 of the Act of 1990,

shall be guilty of an offence.

(2) A person who solicits or importunes a person who is mentally impaired (whether or not for the purposes of prostitution) for the purposes of the commission of an act that would constitute an offence—

(*a*) under section 5 of this Act, or

(*b*) referred to in section 2 of the Act of 1990,

shall be guilty of an offence.

(3) A person guilty of an offence under this section shall be liable—

(*a*) on summary conviction to a fine not exceeding €5,000, or imprisonment for a term not exceeding 12 months, or to both, or

(*b*) on conviction on indictment to a fine, or imprisonment for a term not exceeding 5 years, or to both.

(4) In this section—

'Act of 1990' means the Criminal Law (Rape) (Amendment) Act 1990;

' child ' means a person under the age of 17 years;

' mentally impaired ' has the same meaning as it has in section 5 of this Act.".

Application of certain enactments.

3.— (1) Section 4A of the Act of 1981 is amended, in subsection (6), by the insertion after "an offence under the Criminal Law (Sexual Offences) Act 2006" (inserted by section 6(2) of the Act of 2006) of "an offence under section 6 of the Criminal Law (Sexual Offences) Act 1993".

(2) References in section 3 of the Act of 1981 to jury shall, in the case of summary proceedings for an offence under section 6 (inserted by *section 2*), be construed as references to court.

F1**[**(3) Sections 3 and 4 of the Act of 1981 shall apply to an offence under section 6 of the Act of 1993 subject to the modification that references in those sections to "sexual assault offence" shall be construed as including references to an offence under section 6 of the Act of 1993.**]**

F2**[**(4) Sections 6, 7 and 8 of the Act of 1981 shall apply to an offence under section 6 of the Act of 1993 subject to the modification that references in those sections to "applicable offence" shall be construed as including references to an offence under section 6 of the Act of 1993.**]**

(4) Section 26 of the Civil Legal Aid Act 1995 is amended, in subsection (3)(*b*), by the substitution of "an offence under section 6 (inserted by *section 2* of the *Criminal Law (Sexual Offences)(Amendment) Act 2007*) of the Criminal Law (Sexual Offences) Act 1993, or of an offence under the Criminal Law (Sexual Offences) Act 2006" for "unlawful carnal knowledge under section 1 or 2 of the Criminal Law Amendment Act, 1935".

Annotations

Amendments:

F1 Substituted (31.08.2024) by *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* (28/2024), s. 17, S.I. No. 391 opf 2024.

F2 Inserted (31.08.2024) by *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* (28/2024), s. 17, S.I. No. 391 opf 2024.

Amendment of certain enactments.

4.— (1) Section 2 of the Criminal Evidence Act 1992 is amended, in the definition of "sexual offence", by the insertion of the following paragraph:

"(*aa*) section 6 (inserted by *section 2* of the *Criminal Law (Sexual Offences) (Amendment) Act 2007*) of the Criminal Law (Sexual Offences) Act 1993;".

(2) The Schedule to the Sexual Offences (Jurisdiction) Act 1996 is amended by the insertion of the following paragraph:

"2. Section 6 (inserted by *section 2* of the *Criminal Law (Sexual Offences) (Amendment) Act 2007*) of the Criminal Law (Sexual Offences) Act 1993.".

(3) The Schedule to the Bail Act 1997 is amended by the insertion of the following paragraph:

"12B. An offence under section 6 (inserted by *section 2* of the *Criminal Law (Sexual Offences) (Amendment) Act 2007*) of the Criminal Law (Sexual Offences) Act 1993.".

(4) The Schedule to the Sex Offenders Act 2001 is amended by the insertion of the following paragraph:

"21. An offence under section 6 (inserted by *section 2* of the *Criminal Law (Sexual Offences) (Amendment) Act 2007*) of the Criminal Law (Sexual Offences) Act 1993.".

Amendment of Act of 2006.

5.— (1) Section 3 of the Act of 2006 is amended—

(*a*) in paragraph (*a*) of subsection (2), by the substitution of "5 years" for "2 years",

(*b*) in paragraph (*b*) of subsection (2), by the substitution of "10 years" for "4 years",

(*c*) in paragraph (*a*) of subsection (4), by the substitution of "10 years" for "4 years", and

(*d*) in paragraph (*b*) of subsection (4), by the substitution of "15 years" for "7 years".

(2) Section 6 of the Act of 2006 is amended by the insertion of the following subsection:

"(1A) References in section 3 of the Act of 1981 to jury shall, in the case of summary proceedings for an offence under this Act, be construed as references to court.".

Meeting child for purpose of sexual exploitation.

6.— Section 3 of the Child Trafficking and Pornography Act 1998 is amended by—

(*a*) the insertion of the following subsections:

"(2A) Any person who within the State—

(*a*) intentionally meets, or travels with the intention of meeting, a child, having met or communicated with that child on 2 or more previous occasions, and

(*b*) does so for the purpose of doing anything that would constitute sexual exploitation of the child,

shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding 14 years.

(2B) Any person, being a citizen of the State or being ordinarily resident in the State, who outside the State—

(*a*) intentionally meets, or travels with the intention of meeting, a child, having met or communicated with that child on 2 or more previous occasions, and

(*b*) does so for the purpose of doing anything that would constitute sexual exploitation of the child,

shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding 14 years.",

and

(*b*) the substitution of the following subsection for subsection (3):

"(3) In this section ' sexual exploitation ' means, in relation to a child—

(*a*) inviting, inducing or coercing the child to engage in prostitution or the production of child pornography,

(*b*) using the child for prostitution or the production of child pornography,

(*c*) inviting, inducing or coercing the child to participate in any sexual activity which is an offence under any enactment,

(*d*) the commission of any such offence against the child, or

(*e*) inviting, inducing or coercing the child to participate in or observe any activity of a sexual or indecent nature.".

Short title.

7.— This Act may be cited as the Criminal Law (Sexual Offences) (Amendment) Act 2007.

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CRIMINAL LAW (SEXUAL OFFENCES) (AMENDMENT) ACT 2007

REVISED

Updated to 31 August 2024

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

• *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* (28/2024)

All Acts up to and including *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (30/2024), enacted 23 July 2024, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

None

All statutory instruments up to and including *Waste Management (Landfill Levy) (Amendment) Regulations 2024* (S.I. No. 442 of 2024), made 2 September 2024, were considered in the preparation of this revision.