

Status: Point in time view as at 31/03/2023.

Changes to legislation: Sexual Offences Act 2003, SCHEDULE 2 is up to date with all changes known to be in force on or before 05 July 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)

SCHEDULES

SCHEDULE 2

Section 72(7)

SEXUAL OFFENCES TO WHICH [F1SECTION 72(1) TO (3)] APPLIES

Textual Amendments

- F1** Words in Sch. 2 heading substituted (29.6.2021) by [Domestic Abuse Act 2021 \(c. 17\), s. 90\(2\), Sch. 3 para. 2\(3\)\(a\)](#)

England and Wales

- 1 In relation to England and Wales, the following are sexual offences to which [F2subsections (1), (2) and (3) of section 72 apply]—
- [F3(a) an offence under any of sections 5 to 19, 25 and 26 and 47 to 50;
 - (b) an offence under any of sections 1 to 4, 30 to 41 and 61 where the victim of the offence was under 18 at the time of the offence;]
 - (c) an offence under section 62 or 63 where the intended offence was an offence against a person under [F418];
 - (d) an offence under—
 - (i) section 1 of the Protection of Children Act 1978 (c. 37) (indecent photographs of children), or
 - (ii) section 160 of the Criminal Justice Act 1988 (c. 33) (possession of indecent photograph of child).

F5 ...

Textual Amendments

- F2** Words in Sch. 2 para. 1 substituted (29.6.2021) by [Domestic Abuse Act 2021 \(c. 17\), s. 90\(2\), Sch. 3 para. 2\(3\)\(b\)](#)
- F3** Sch. 2 para. 1(a)(b) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 72\(3\)\(a\), 153\(7\); S.I. 2008/1586, art. 2, Sch. 1 para. 34](#) (subject to Sch. 2)
- F4** Word in Sch. 2 para. 1(c) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 72\(3\)\(b\), 153\(7\); S.I. 2008/1586, art. 2, Sch. 1 para. 34](#) (subject to Sch. 2)
- F5** Words in Sch. 2 para. 1(d) repealed (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 72\(3\)\(c\), 153\(7\); S.I. 2008/1586, art. 2, Sch. 1 para. 34](#) (subject to Sch. 2)

- [F61A In relation to England and Wales, subsections (1) and (2) of section 72 also apply to an offence under any of sections 1 to 4 where the victim of the offence was 18 or over at the time of the offence.]

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Textual Amendments

F6 Sch. 2 para. 1A inserted (E.W.) (29.6.2021) by [Domestic Abuse Act 2021 \(c. 17\)](#), s. 90(2), [Sch. 3 para. 2\(3\)\(c\)](#)

Northern Ireland

2 **F7**

Textual Amendments

F7 Sch. 2 para. 2 omitted (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), [12\(a\)](#); S.R. 2008/510, [art. 2](#)

General

3 A reference in paragraph 1 [^{F8} or 1A]^{F9} ... to an offence includes—
(a) a reference to an attempt, conspiracy or incitement to commit that offence;
and
(b) a reference to aiding and abetting, counselling or procuring the commission of that offence.

Textual Amendments

F8 Words in Sch. 2 para. 3 inserted (29.6.2021) by [Domestic Abuse Act 2021 \(c. 17\)](#), s. 90(2), [Sch. 3 para. 2\(3\)\(d\)](#)

F9 Words in Sch. 2 para. 3 omitted (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), [12\(b\)](#); S.R. 2008/510, [art. 2](#)

Modifications etc. (not altering text)

C1 Sch. 2 para. 3(a) modified (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), ss. 63(1), 94, [Sch. 6 para. 47](#) (with [Sch. 13 para. 5](#)); S.I. 2008/2504, [art. 2\(a\)](#)

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