

Status: Point in time view as at 26/10/2023.

Changes to legislation: There are currently no known outstanding effects for the Online Safety Act 2023, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6 **U.K.**

Section 59

CHILD SEXUAL EXPLOITATION AND ABUSE OFFENCES

PART 1 **U.K.**

ENGLAND AND WALES, AND NORTHERN IRELAND

- 1 An offence under section 2 of the Obscene Publications Act 1959 relating to an obscene article tending to deprave and corrupt others by encouraging them to commit an offence specified in paragraph 2, 4, 5, 7 or 8.

Commencement Information

- I1** Sch. 6 para. 1 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 2 An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children).

Commencement Information

- I2** Sch. 6 para. 2 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 3 An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I. 17)) (indecent photographs of children).

Commencement Information

- I3** Sch. 6 para. 3 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 4 An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child).

Commencement Information

- I4** Sch. 6 para. 4 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 5 An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 8 (causing or inciting a child under 13 to engage in sexual activity);
 - (b) section 10 (causing or inciting a child to engage in sexual activity);
 - (c) section 11 (engaging in sexual activity in the presence of a child);
 - (d) section 12 (causing a child to watch a sexual act);

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- (e) section 13 (child sex offences committed by children or young persons);
- (f) section 14 (arranging or facilitating commission of a child sex offence);
- (g) section 15 (meeting a child following sexual grooming etc);
- (h) section 15A (sexual communication with a child);
- (i) section 47 (paying for sexual services of a child);
- (j) section 48 (causing or inciting sexual exploitation of a child);
- (k) section 49 (controlling a child in relation to sexual exploitation);
- (l) section 50 (arranging or facilitating sexual exploitation of a child).

Commencement Information

I5 Sch. 6 para. 5 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 6 An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008 ([S.I. 2008/1769 \(N.I. 2\)](#))—
- (a) Article 15 (causing or inciting a child under 13 to engage in sexual activity);
 - (b) Article 17 (causing or inciting a child to engage in sexual activity);
 - (c) Article 18 (engaging in sexual activity in the presence of a child);
 - (d) Article 19 (causing a child to watch a sexual act);
 - (e) Article 20 (sexual offences against children committed by children or young persons);
 - (f) Article 21 (arranging or facilitating commission of a sex offence against a child);
 - (g) Article 22 (meeting a child following sexual grooming etc);
 - (h) Article 22A (sexual communication with a child);
 - (i) Article 37 (paying for sexual services of a child);
 - (j) Article 38 (causing or inciting child prostitution or pornography);
 - (k) Article 39 (controlling a child prostitute or a child involved in pornography);
 - (l) Article 40 (arranging or facilitating child prostitution or pornography).

Commencement Information

I6 Sch. 6 para. 6 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 7 An offence under section 62 of the Coroners and Justice Act 2009 (possession of prohibited image of a child).

Commencement Information

I7 Sch. 6 para. 7 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 8 An offence under section 69 of the Serious Crime Act 2015 (possession of paedophile manual).

Commencement Information

I8 Sch. 6 para. 8 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

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Inchoate offences

- 9
- (1) An offence of attempting or conspiring to commit an offence specified in this Part.
 - (2) An offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) in relation to an offence specified in this Part.
 - (3) An offence of aiding, abetting, counselling or procuring the commission of an offence specified in this Part.

Commencement Information

I9 Sch. 6 para. 9 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

PART 2 **U.K.**

SCOTLAND

- 10
- An offence under either of the following provisions of the Civic Government (Scotland) Act 1982—
- (a) section 52 (indecent photographs etc of children);
 - (b) section 52A (possession of indecent photographs of children).

Commencement Information

I10 Sch. 6 para. 10 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 11
- An offence under any of the following provisions of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005—
- (a) section 1 (meeting a child following certain preliminary contact);
 - (b) section 9 (paying for sexual services of a child);
 - (c) section 10 (causing or inciting provision by child of sexual services or child pornography);
 - (d) section 11 (controlling a child providing sexual services or involved in pornography);
 - (e) section 12 (arranging or facilitating provision by child of sexual services or child pornography).

Commencement Information

I11 Sch. 6 para. 11 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

- 12
- An offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
- (a) section 21 (causing a young child to participate in a sexual activity);
 - (b) section 23 (causing a young child to look at a sexual image);
 - (c) section 24 (communicating indecently with a young child etc);
 - (d) section 31 (causing an older child to participate in a sexual activity);
 - (e) section 33 (causing an older child to look at a sexual image);
 - (f) section 34 (communicating indecently with an older child etc);

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(g) section 54 (incitement to commit certain sexual acts outside Scotland).

Commencement Information

I12 Sch. 6 para. 12 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

Inchoate offences

- 13 (1) An offence of attempting or conspiring to commit an offence specified in this Part.
- (2) An offence of inciting a person to commit an offence specified in this Part.
- (3) An offence of aiding, abetting, counselling or procuring the commission of an offence specified in this Part, or being involved art and part in the commission of such an offence.

Commencement Information

I13 Sch. 6 para. 13 in force at Royal Assent, see [s. 240\(4\)\(h\)](#)

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