

## SEXUAL OFFENCES (JURISDICTION) ACT 1996

AN ACT TO EXTEND THE CRIMINAL LAW OF THE STATE TO SEXUAL ACTS INVOLVING CHILDREN DONE OUTSIDE THE STATE BY CITIZENS OF THE STATE OR BY PERSONS ORDINARILY RESIDENT IN THE STATE AND TO PROVIDE FOR RELATED MATTERS.

[19th December, 1996]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

### Interpretation.

1. - (1) In this Act "a child" means a person under the age of 17 years.

(2) A reference in this Act to any enactment shall be construed as a reference to that enactment as amended, adapted or extended, whether before or after the passing of this Act, by or under any subsequent enactment.

### Sexual offences committed outside State.

2.- (1) Where a person, being a citizen of the State or being ordinarily resident in the State, does an act, in a place other than the State ("the place"), against or involving a child which—

(a) constitutes an offence under the law of the place, and

(b) if done within the State, would constitute an offence under, or referred to in, an enactment specified in the Schedule to this Act,

he or she shall be guilty of the second-mentioned offence.

(2) Where a person, being a citizen of the State or being ordinarily resident in the State, attempts to commit an offence which is an offence by virtue of subsection (1) of this section ("the principal offence"), he or she shall be guilty of an offence and shall be liable on conviction on indictment to a penalty not greater than the penalty to which he or she would have been liable if he or she had been convicted of the principal offence.

(3) Where a person aids, abets, counsels or procures, in the State, the commission of an offence, which is an offence by virtue of subsection (1) of this section, he or she shall be guilty of that offence.

(4) Where a person, being a citizen of the State or being ordinarily resident in the State, aids, abets, counsels or procures, outside the State, the commission of an offence, which is an offence by virtue of subsection (1) of this section, he or she shall be guilty of that offence.

(5) Where a person conspires with, or incites, inside the State, another person to commit an offence, which is an offence by virtue of subsection (1) of this section ("the principal offence"), he or she shall be guilty of an offence and shall be liable on conviction on indictment to a penalty not exceeding the penalty to which he or she would be liable if he or she were convicted of the principal offence.

(6) Where a person, being a citizen of the State or being ordinarily resident in the State, conspires with, or incites, outside the State, another person to commit an offence, which is an offence by virtue of subsection (1) of this section ("the principal offence"), he or she shall be guilty of an offence and shall be liable on conviction on indictment to a penalty not exceeding the penalty to which he or she would be liable if he or she were convicted of the principal offence.

(7) For the purposes of proceedings for an offence to which this section relates, a person shall be deemed to be ordinarily resident in the State if he or she has had his or her principal residence within the State for the period of 12 months immediately preceding the alleged commission of the said offence.

(...)