

Advertising of Prostitution (Prohibition) Bill [HL]

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TO

Prohibit the advertising of prostitution; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Prohibition of advertising of prostitution

- (1) A person who publishes or causes to be published or distributes or causes to be distributed an advertisement which advertises a brothel or the services of a prostitute or any premises or service in terms, circumstances or manner which give rise to the reasonable inference that the premises is a brothel or that the service is one of prostitution shall be guilty of an offence. 5
- (2) For the purposes of this Act, an advertisement is an advertisement relating to a brothel or prostitution if it—
- (a) is for the services of a prostitute; or
 - (b) indicates that premises are premises at which such services are offered. 10
- (3) In any proceedings for an offence under this Act, any advertisement which a reasonable person would consider to be an advertisement relating to prostitution shall be presumed to be such an advertisement unless it is shown not to be.

2 Penalties 15

A person who is guilty of an offence under section 1 shall be liable on summary conviction, or on conviction on indictment, to a fine at a level to be specified by the Secretary of State in regulations.

3 Defence

In any proceedings for an offence under this Act, it shall be a defence for the accused to show that he or she is a person whose business it is to publish or distribute or to arrange for the publication or distribution of advertisements and that he or she received the advertisement in question for publication or distribution in the ordinary course of business and did not know and had no 20

reason to suspect that the advertisement related to a brothel or the services of a prostitute.

4 Offence by Body Corporate

Where an offence under this Act is committed by a body corporate or by a person purporting to act on behalf of a body corporate or an unincorporated body of persons and is proved to have been committed with the consent or approval of, or to have been attributable to any neglect on the part of, any person who, when the offence was committed, was a director, member of the committee of management or other controlling authority of the body concerned, or the manager, secretary or other officer of the body, or who was purporting to act in any such capacity, that person, as well as the body, shall be guilty of an offence and shall be liable to be proceeded against and punished as if that person were guilty of an offence. 5
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5 Interpretation

In this Act— 15
 “advertisement” includes every form of advertising or promotion, whether in a publication or by the display of notices or posters or by the means of circulars, leaflets, pamphlets or cards or other documents or by way of radio, television, internet, telephone, facsimile transmission, photography or cinematography or other like means of communication; 20
 “distribute” means distribute to the public or a section of the public and cognate expressions shall be construed accordingly;
 “publish” means publish to the public or a section of the public and cognate expressions shall be construed accordingly. 25

6 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) Sections 1 to 5 come into force on such day as the Secretary of State may by statutory instrument appoint.
- (3) This section comes into force on the day this Act is passed. 30
- (4) This Act may be cited as the Advertising of Prostitution (Prohibition) Act 2015.

Advertising of Prostitution (Prohibition) Bill [HL]

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To prohibit the advertising of prostitution; and for connected purposes.

Lord McColl of Dulwich

Ordered to be Printed, 2nd June 2015

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