

ADVERTISING OF PROSTITUTION (PROHIBITION) BILL [HL]

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Advertising of Prostitution (Prohibition) Bill [HL] as introduced in the House of Lords on 2 June 2015 (HL Bill 15).

- These Explanatory Notes have been prepared by Lord McColl of Dulwich in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Bill will mean in practice; provide background information on the development of policy; and provide additional information on how the Bill will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Bill. They are not, and are not intended to be, a comprehensive description of the Bill. So where a provision of the Bill does not seem to require any explanation or comment, the Notes simply say in relation to it that the provision is self-explanatory.

Background

- 1 The objective of this Bill is to make it an offence to advertise prostitution services. By doing so, the Bill aims to reduce the demand for prostitution and reduce the number of people being trafficked for sexual exploitation.

Clause 1: Prohibition of Advertising of Prostitution

- 2 Clause 1 sets out the offence of advertising of prostitution.
- 3 *Subsection (1)* provides that a person who publishes, causes to be published, or distributes an advertisement which advertises a brothel or services of a prostitute is guilty of an offence.
- 4 *Subsection (2)* and subsection (3) define what constitutes an advertisement relating to prostitution.

Clause 2: Penalties

- 5 Clause 2 sets out the penalty for the offence set out in Clause 1. The level of the fine is to be set by the Secretary of State by regulation.

Clause 3: Defence

- 6 Clause 3 provides that it is a defence for an individual whose business it is to publish or distribute advertisements to claim that he or she received an advertisement within the course of his or her business and did not know or suspect that the advertisement was for prostitution.

Clause 4: Offence by Body Corporate

- 7 Clause 4 provides that a business as well as an individual can be prosecuted for the offence provided for by Clause 1.

Clause 5: Interpretation

- 8 Clause 5 sets out the interpretation of terms in the Bill.

Clause 6: Short title, commencement and extent

- 9 Clause 6 provides that the Bill extends to England and Wales and will come into force on the day the Secretary of State appoints by statutory instrument.

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