

# Criminal Justice (Public Order) Act, 1994

[GA]

## PART IV MISCELLANEOUS AND REPEALS

[GA]

Prohibition of advertising of brothels and *prostitution*.

**23.**—(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 in the State or any premises or service in the State in terms, circumstances or manner which gives 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.

[GA]

(2) A person who is guilty of an offence under *subsection (1)* shall be liable—

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( a ) on summary conviction to a fine not exceeding £1,000,

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( b ) on conviction on indictment to a fine not exceeding £10,000.

[GA]

(3) In any proceedings for an offence under *subsection (1)* it shall be a defence for the accused to show that he is a person whose business it is to publish or distribute or to arrange for the publication or distribution of advertisements and that he received the advertisement in question for publication or distribution in the ordinary course of business and did not know and had no reason to suspect that the advertisement related to a brothel or to the services of a prostitute.

[GA]

(4) Where an offence under *subsection (1)* 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 the first-mentioned offence.

[GA]

(5) In this section—

[GA]

"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, computer monitor, telephone, facsimile transmission, photography or cinematography or other like means of communication;

[GA]

"distribute" means distribute to the public or a section of the public and cognate words shall be construed accordingly;

[\[GA\]](#)

"publish" means publish to the public or a section of the public and cognate words shall be construed accordingly.

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