



**An Bille um Gháinneáil ar Leanaí agus Ábhar a bhaineann le Teacht i dTír
Gnéasach ar Leanaí (Leasú), 2022**

**Child Trafficking and Child Sexual Exploitation Material (Amendment) Bill
2022**

Mar a tionscnaíodh

As initiated



**AN BILLE UM GHÁINNEÁIL AR LEANAÍ AGUS ÁBHAR A BHAINNEANN LE
TEACHT I dTÍR GNÉASACH AR LEANAÍ (LEASÚ), 2022
CHILD TRAFFICKING AND CHILD SEXUAL EXPLOITATION MATERIAL
(AMENDMENT) BILL 2022**

Mar a tionscnaíodh

As initiated

CONTENTS

Section

1. Interpretation
2. Amendment of Act of 1998
3. Amendment of Sex Offenders Act 2001
4. Amendment of Act of 2004
5. Amendment of Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
6. Amendment of Children First Act 2015
7. Amendment of Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016
8. Amendment of Criminal Law (Sexual Offences) Act 2017
9. Short title and commencement

ACTS REFERRED TO

Child Trafficking and Pornography (Amendment) Act 2004 (No. 17)

Child Trafficking and Pornography Act 1998 (No. 22)

Children First Act 2015 (No. 36)

Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 (No. 4)

Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 (No. 24)

Criminal Law (Sexual Offences) (Amendment) Act 2019 (No. 4)

Criminal Law (Sexual Offences) Act 2017 (No. 2)

Sex Offenders Act 2001 (No. 18)



**AN BILLE UM GHÁINNEÁIL AR LEANAÍ AGUS ÁBHAR A BHAINNEANN LE
TEACHT I dTÍR GNÉASACH AR LEANAÍ (LEASÚ), 2022
CHILD TRAFFICKING AND CHILD SEXUAL EXPLOITATION MATERIAL
(AMENDMENT) BILL 2022**

Bill

5

entitled

An Act to amend the title of the Child Trafficking and Pornography Act 1998
whereafter, following commencement of this Act, the Act of 1998 shall be titled the
“Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 1998”; to
amend the title of the Child Trafficking and Pornography (Amendment) Act 2004
whereafter, following commencement of this Act, the Act of 2004 shall be titled the
“Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 2004”; to
substitute the term “Child Pornography” with “Child Sexual Exploitation Material”
within those Acts and other Acts.

10

Be it enacted by the Oireachtas as follows:

15

Interpretation

1. In this Act—

“Act of 1998” means the Child Trafficking and Pornography Act 1998;

“Act of 2004” means the Child Trafficking and Pornography (Amendment) Act 2004.

Amendment of Act of 1998

20

2. The Act of 1998 is amended—

(a) by the substitution of “Child Trafficking and Child Sexual Exploitation Material
Act 1998” for the title of the Act,

(b) in the long title, by the substitution of the word “pornography” with “Child
Sexual Exploitation Material”,

25

(c) in section 1(1), by the substitution of “Child Trafficking and Pornography Act
1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”,

(d) in section 2—

(i) in subsection (1), by the substitution of “child pornography” with “child
sexual exploitation material”, and

30

(ii) in subsection (2), by the substitution of “child pornography” with “child

sexual exploitation material”,

(e) in section 3—

(i) in subsection(3)(a), by the substitution of “child pornography” with “child sexual exploitation material”,

(ii) in subsection (3)(b), by the substitution of “child pornography” with “child sexual exploitation material”, and 5

(iii) in subsection (5), in paragraphs (a) and (b) of the definition of “sexual exploitation”, by the substitution of “child pornography” with “child sexual exploitation material”,

(f) in section 4—

10

(i) in the title of the section, by the substitution of “child pornography” with “child sexual exploitation material”, and

(ii) in subsection (1), by the substitution of “child pornography” with “child sexual exploitation material”,

(g) in section 5—

15

(i) in the section title, by the substitution of “child pornography” with “child sexual exploitation material”,

(ii) subsection (1)(a), by the substitution of “child pornography” with “child sexual exploitation material”,

(iii) in subsection (1)(b), by the substitution of “child pornography” with “child sexual exploitation material”. 20

(iv) in subsection (1)(c), by the substitution of “child pornography” with “child sexual exploitation material”,

(v) in subsection (1)(e), by the substitution of “child pornography” with “child sexual exploitation material”, and 25

(vi) in subsection (2), by the substitution of “child pornography” with “child sexual exploitation material”,

and

(h) in section 6—

(i) in the section title by the substitution of “child pornography” with “child sexual exploitation material”, 30

(ii) in subsection (1), by the substitution of “child pornography” with “child sexual exploitation material”,

(iii) in subsection (2), by the substitution of “child pornography” with “child sexual exploitation material”, and 35

(iv) in subsection (3), by the substitution of “child pornography” with “child sexual exploitation material”.

Amendment of Sex Offenders Act 2001

3. The Sex Offenders Act 2001 is amended—

- (a) in paragraph 16 of the Schedule, by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”, and
- (b) in subclauses (b) to (d) of paragraph 16, by the substitution of “child pornography” with “child sexual exploitation material”.

5

Amendment of Act of 2004

4. The Act of 2004 is amended—

- (a) by the substitution of “Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 2004” for the title of the Act, and
- (b) in section 2—
 - (i) in subsection (1), by the substitution of “Child Trafficking and Pornography (Amendment) Act 2004” with “Child Trafficking and Child Sexual Exploitation Material Act 2004”, and
 - (ii) in subsection (2), by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”.

10

15

Amendment of Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

20

5. The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 is amended in Schedule 1—

- (a) in paragraph 13, by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act, 1998”,
- (b) in paragraph 13(b), by the substitution of “child pornography” with “child sexual exploitation material”, and
- (c) in paragraph 15(c), by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”.

25

Amendment of Children First Act 2015

30

6. The Children First Act 2015 is amended—

- (a) in section 10(b), by the substitution of “child pornography” with “child sexual exploitation material”, and
- (b) in paragraph 10 of Schedule 3, by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”.

35

Amendment of Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016

7. The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 is amended—

(a) in section 17, by the substitution of “child pornography” with “child sexual exploitation material” in paragraphs (b) to (d), and 5

(b) in paragraph 17 of Schedule 1, by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”.

Amendment of Criminal Law (Sexual Offences) Act 2017

8. The Criminal Law (Sexual Offences) Act 2017 is amended— 10

(a) in the long title, by the substitution of “child pornography” with “child sexual exploitation material”,

(b) in section 2, by the substitution of “child pornography” with “child sexual exploitation material” in paragraphs (a) and (b), and

(c) in paragraph 6 of the Schedule (as inserted by the Criminal Law (Sexual Offences) (Amendment) Act 2019)— 15

(i) by the substitution of “Child Trafficking and Pornography Act 1998” with “Child Trafficking and Child Sexual Exploitation Material Act 1998”, and

(ii) in subclauses (b) to (f), by the substitution of “child pornography” with “child sexual exploitation material”. 20

Short title and commencement

9. (1) This Act may be cited as the Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 2022.

(2) This Act comes into operation on the date of its passing.

An Bille um Gháinneáil ar Leanaí agus
Ábhar a bhaineann le Teacht i dTír Gnéasach
ar Leanaí (Leasú), 2022

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú theideal an Achta um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí, 1998 chun gurb é teideal Acht 1998, tar éis thosach feidhme an Achta seo, “An tAcht um Gháinneáil ar Leanaí agus Ábhar a bhaineann le Teacht i dTír Gnéasach ar Leanaí (Leasú), 1998”; do leasú theideal an Achta um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí (Leasú), 2004 chun gurb é teideal Acht 2004, tar éis thosach feidhme an Achta seo, “An tAcht um Gháinneáil ar Leanaí agus Ábhar a bhaineann le Teacht i dTír Gnéasach ar Leanaí (Leasú), 2004”; do chur an téarma “Ábhar a bhaineann le Teacht i dTír Gnéasach ar Leanaí” in ionad an téarma “Pornagrafaíocht Leanaí” sna hAchtanna sin agus in Achtanna eile.

*Na Seanadóirí Eileen Flynn, Alice-Mary Higgins,
Lynn Ruane agus Frances Black a thug isteach,*

1 Feabhra, 2022

Child Trafficking and Child Sexual
Exploitation Material (Amendment) Bill
2022

BILL

(as initiated)

entitled

An Act to amend the title of the Child Trafficking and Pornography Act 1998 whereafter, following commencement of this Act, the Act of 1998 shall be titled the “Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 1998”; to amend the title of the Child Trafficking and Pornography (Amendment) Act 2004 whereafter, following commencement of this Act, the Act of 2004 shall be titled the “Child Trafficking and Child Sexual Exploitation Material (Amendment) Act 2004”; to substitute the term “Child Pornography” with “Child Sexual Exploitation Material” within those Acts and other Acts.

*Introduced by Senators Eileen Flynn Alice-Mary
Higgins, Lynn Ruane and Frances Black,*

1st February, 2022

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ó

FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8, D08 XAO6.

Teil: 046 942 3100

r-phost: publications@opw.ie

nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE

To be purchased from

GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD, KILMAINHAM,
DUBLIN, D08 XAO6.

Tel: 046 942 3100

Email: publications@opw.ie

or through any bookseller.

€1.27

