

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:

(...)

Proceedings to which subsections (1), (2) and (6) of section 2 relate.

7. - Proceedings for an offence which is an offence by virtue of subsection (1) of section 2 of this Act, or which is an offence under subsection (2) or (6) of section 2 of this Act, may be taken in any place in the State and the offence may for all incidental purposes be treated as having been committed in that place.

Evidence as to a person's age.

8. - In proceedings for an offence, which is an offence under or by virtue of section 2 or 3 of this Act, the court may have regard to a person's physical appearance or attributes for the purpose of determining whether that person is under the age of 17 years or was, at the time of the alleged commission of the offence to which the proceedings relate, under the age of 17 years.

Double jeopardy.

9. - Where a person has been acquitted or convicted, in a place other than the State, of an offence, that person shall not be proceeded against for an offence under this Act or an offence which is an offence by virtue of this Act, in respect of the act constituting the first-mentioned offence.

Power of search.

10.- (1) Where, on the application of a member of the Garda Síochána, a judge of the District Court is satisfied that there are reasonable grounds for believing that evidence of or relating to an offence under this Act is to be found on premises specified in the application, the judge may issue a warrant for the search of those premises.

(2) A warrant issued under this section shall authorise a named member of the Garda Síochána, alone or accompanied by any other member of the Garda Síochána, to enter, within one week from the date of the warrant, and if necessary by the use of force, the premises named in the warrant, and to search it and seize anything found thereon appearing to be evidence relating to an offence under this Act.

(3) A member of the Garda Síochána acting in accordance with a warrant issued under this section may require any person found on premises to which the warrant relates to furnish the said member with his or her name and address.

(4) Any person who obstructs or attempts to obstruct any member of the Garda Síochána acting in accordance with a warrant issued under this section or who fails or refuses to comply with a requirement under this section shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding £1,500 or to imprisonment for a term not exceeding 12 months or to both.

(5) A member of the Garda Síochána may arrest without warrant any person whom he or she suspects of committing or having committed an offence under this section.

(...)