

Appendix 1

Definitions (S.27 Policing and Crime Act 2009)

MEANING OF “SEXUAL ENCOUNTERS VENUE”

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- (1) In this Schedule “sexual encounter Venue” means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.
- (2) In this paragraph “relevant entertainment” means -
 - (a) any live performance; or
 - (b) any live display of nudity;Which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
- (3) The following are not sexual encounter venues for the purposes of this Schedule -
 - (a) sex cinemas and sex shops;
 - (b) premises at which the provision of relevant entertainment as mention in sub-paragraph (1) is such that, at the time in question and including any relevant entertainment which is being so provided at that time –
 - (i) there have not been more than eleven occasions on which relevant entertainment has been so provided which fall (wholly or partly) within the period of 12 months ending with that time;
 - (ii) no such occasion has lasted for more than 24 hours; and
 - (iii) no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided (whether or not that previous occasion falls within the 12 month period mentioned in sub-paragraph (i));

NOTES

‘audience’ includes an audience of one

‘display of nudity’ means –

- (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
- (b) in the case of a man, exposure of his pubic area, genitals or anus;

‘the organiser’ in relation to the provision of relevant entertainment at premises, means any person who is responsible for the organisation or management of –

- (a) the relevant entertainment; or
- (b) the premises;

‘premises’ includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted.