
Changes to legislation: There are currently no known outstanding effects for the Rights of Children and Young Persons (Wales) Measure 2011, Cross Heading: Article 3. (See end of Document for details)

SCHEDULE

THE CONVENTION, PROTOCOLS, DECLARATIONS AND RESERVATIONS

PART 2

PROTOCOLS

OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

Article 3

- 1 Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether these offences are committed domestically or transnationally or on an individual or organized basis:
- (a) in the context of sale of children as defined in article 2:
 - (i) the offering, delivering or accepting, by whatever means, a child for the purpose of:
 - (a) sexual exploitation of the child;
 - (b) transfer of organs of the child for profit;
 - (c) engagement of the child in forced labour;
 - (ii) improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;
 - (b) offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;
 - (c) producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography as defined in article 2.
- 2 Subject to the provisions of a State Party's national law, the same shall apply to an attempt to commit any of these acts and to complicity or participation in any of these acts.
- 3 Each State Party shall make these offences punishable by appropriate penalties that take into account their grave nature.
- 4 Subject to the provisions of its national law, each State Party shall take measures, where appropriate, to establish the liability of legal persons for offences established in paragraph 1 of the present article. Subject to the legal principles of the State Party, this liability of legal persons may be criminal, civil or administrative.
- 5 States Parties shall take all appropriate legal and administrative measures to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal instruments.

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