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STATUTORY INSTRUMENTS

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**2008 No. 1769**

The Sexual Offences (Northern Ireland) Order 2008

**PART 3**

SEXUAL OFFENCES AGAINST CHILDREN

*Offences against children under 18: abuse of position of trust*

**Articles 23 to 26: exception for spouses and civil partners**

**30.**—(1) Conduct by a person (A) which would otherwise be an offence under any of Articles 23 to 26 against another person (B) is not an offence under that Article if at the time—

- (a) B is 16 or over, and
- (b) A and B are lawfully married or civil partners of each other.

(2) In proceedings for such an offence it is for the defendant to prove that A and B were at the time lawfully married or civil partners of each other.

**Changes to legislation:**

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 30.