

Botswana

National Child Protection Legislation

National Legislation

- Age of Consent – **16 years old**
[Penal Code](#)
Sec. 147 – Defilement of person under 16 years
(1) Any person who unlawfully and carnally knows any person under the age of 16 years is guilty of an offence and on conviction shall be sentenced to a minimum term of 10 years, imprisonment or to a maximum term of life imprisonment.

- Age of Marriage – **21 years old without consent of parent/guardian, but can marry younger with parent/guardian consent**
[Marriage Act](#)
Sec. 15 – Consent to marriage by minors
No minor or person below the age of 21 years not being a widower or widow may marry without the consent in writing of his or her parents or guardians.

- Age of Criminal Responsibility – **over 8 years old; over 14 years old** if it can be proved that he had capacity to know not to do the act
[Penal Code](#)
Sec. 13 – Immature Age
(1) A person under the age of eight years is not criminally responsible for any act or omission.
(2) A person under the age of 14 years is not criminally responsible for an act or omission unless it is proved that at the time of doing the act or making the omission he had capacity to know that he ought not to do the act or make the omission.
(3) A male person under the age of 12 years is presumed to be incapable of having carnal knowledge.

[Children’s Act of 2009](#)
Sec. 82 – Age of criminal responsibility
(1) A child under the age of 14 years shall not be presumed to have the capacity to commit a criminal offence unless it can be proved that at the time of committing the offence the child had capacity to know that he or she ought not to do so.
(2) The relevant date for determining the age of a child who is alleged to have committed an offence shall be the date of the alleged offence.

- **Extraterritoriality**

- [Penal Code](#)

- Section 4 – Extent of jurisdiction of courts**

- The jurisdiction of the courts of Botswana for the purposes of this Code extends to every place within Botswana.

Section 5 – Offence committed partly within and partly beyond the jurisdiction

When an act which, if wholly done within the jurisdiction of the court, would be an offence against this Code, is done partly within and partly beyond the jurisdiction, every person who within the jurisdiction does or makes any part of such act may be tried and punished under this Code in the same manner as if such act had been done wholly within the jurisdiction.

South African Protocol on Extradition

Botswana is a party to the SA Protocol on Extradition along with 13 other countries.

Art. 3(4) – An offence is extraditable whether or not the conduct on which the Requesting State bases its request occurred in the territory over which it has jurisdiction. However, where the law of the Requested State does not provide for jurisdiction over an offence in similar circumstances, the Requested State may, in its discretion, refuse extradition on this basis.

- **Dual Criminality**

No information found.

- **Mandatory reporting requirements**

Children’s Act of 2009

Sec. 25. – Right to protection against sexual abuse and exploitation

- (1) Every child has a right to be protected from sexual abuse and exploitation, including prostitution and pornography.
- (2) Any parent, guardian, teacher or other person who, without reasonable excuse, fails to report a case of child abuse or exploitation of which he or she is aware shall be guilty of an offence and liable to a fine of not less than P10 000 but not more than P30 000, or to imprisonment for a term of not less than two years but not more than three years, or both.
- (3) Any person, including a parent, who connives with another person who sexually abuses or exploits a child shall be guilty of an offence and liable to a fine of not less than P30 000 but not more than P50 000, or to imprisonment for a term of not less than five years but not more than fifteen years, or both.
- (4) The Minister shall devise or cause to be devised programmes to prevent the sexual exploitation of children.

Sec. 43. Reporting case of child in need of protection

- (1) Where any person has reasonable cause to believe that a child is in need of protection, that person shall immediately make a report to a social worker or a police officer in the district in which the child is resident.
- (2) A social worker or police officer to whom a report has been made under subsection (1) shall immediately investigate the allegation.
- (3) For purposes of the investigation under subsection (2), the social worker or police officer shall interview the person making the report as well as the child concerned.
- (4) The social worker or police officer shall first seek the permission of the child’s parent, other relative or guardian before interviewing the child.
- (5) If the social worker or police officer believes, on reasonable grounds, that the investigation would be jeopardised or the child may be exposed to harm should the child’s parents or guardian know about the investigation, the social worker or police

officer shall interview the child without informing the child's parent, other relative or guardian.

- (6) If the social worker is satisfied, following an investigation under this section, that a child is a child in need of protection, the social worker shall compile a report and submit it to the children's court.
- (7) The social worker's report shall contain his or her recommendations regarding the manner in which the child should be dealt with.
- (8) Where the social worker has reasonable cause to believe that a criminal offence has been perpetrated against the child, the social worker shall immediately report the case to the police.
- (9) If, on receipt of a report made under subsection (2), a police officer is satisfied that prima facie an offence has been committed, the police officer shall investigate the alleged offence and forward the docket to the Director of Public Prosecution who shall take such steps as are appropriate in respect of the matter.
- (10) A person who makes a report under this section may do so anonymously.
- (11) No action shall lie against any person who makes a report in good faith but whose report does not reveal the commission of any offence under this Part in respect of a child.
- (12) The police shall accord effective protection to any person who, having reported a case under this section or any other section of this Act, is threatened or harassed by a person so reported.
- (13) Any person who, without reasonable cause, fails to report a case of a child in need of protection shall be guilty of an offence and shall be sentenced to a fine of not less than P5 000 but not more than P10 000.

- **Obligations of Educational Institutions**

No information found.

- **Prohibition to hold certain positions**

[Penal Code](#)

Sec. 25 - Different kinds of punishments

The following punishments may be inflicted by a court:

- (g) any other punishment provided by this Code or by any other law (court can prohibit an offender from obtaining and holding specific positions)

[Children's Act of 2009](#)

Sec. 32. - Support from Service Providers

- (1) Every service provider, including Government, shall discharge its duties to children and to the communities they live in with diligence, fairness, respect for people's dignity and worth, and without discrimination or being swayed by personal interest.

...

- (7) A service provider who abuses a child in any manner whatsoever shall be guilty of an offence and shall be sentenced to a fine of not less than P5 000 but not more than P10 000, or to imprisonment for a term of not less than six months but not more than twelve months, or both.
- (8) A service provider convicted under this section shall be barred from working directly with children for a period of ten years.

▪ **Employment Law**

[Botswana Employment Act](#)

Sec. 17 – Termination of contracts of employment generally.

- (1) A contract of employment for a specified piece of work, without reference to time, or for a specified period of time shall, unless otherwise lawfully terminated, terminate when the work specified in the contract is completed or the period of time for which the contract was made expires.
- (2) A contract of employment for an unspecified period of time (other than a contract of employment for a specified piece of work, without reference to time) shall be deemed to run until lawfully terminated.

Sec. 18 – Termination of contracts of employment for unspecified periods of time.

- (1) A contract of employment for an unspecified period of time (other than a contract of employment for a specified piece of work, without reference to time) may be terminated by either party -
 - (a) where the wages are payable in respect of any period not exceeding a day, at the close of any day's work without notice having been given to the other party of the intention to do so unless the contract of employment provides for the giving of such notice in these circumstances, in which last case the termination of the contract shall be subject to such notice having been given in accordance therewith; or
 - (b) where the wages are payable in respect of any period exceeding a day, at any time, notwithstanding anything to the contrary contained in the contract of employment, subject to notice having been given to the other party of the intention to do so.
- (2) Notwithstanding anything to the contrary contained in the contract of employment, the minimum length of any notice such as is referred in subsection (1) (b) shall -
 - (a) where the wages are payable in respect of any period exceeding a day but less than a week, be one day; or
 - (b) where the wages are payable in respect of any period not less than a week, be equal in length to that period:
Provided that -
 - (i) where an employee whose wages are payable in respect of any period not less than a week but less than 2 weeks has been in continuous employment for 2 or more but less than 5 years, the minimum length of notice shall be 2 weeks;
 - (ii) where an employee whose wages are payable in respect of any period not less than a week but less than a month has been in continuous employment for 5 or more but less than 10 years, the minimum length of notice shall be one month; or
 - (iii) where an employee whose wages are payable in respect of any period exceeding a day has been in continuous employment for 10 or more years, the minimum length of notice shall be 6 weeks.
- (3) Notwithstanding subsection (2), where the contract of employment provides for a minimum length of any notice such as is referred to in subsection (1) (b) which is longer than the appropriate minimum length prescribed by subsection (2), the minimum length of any such notice shall be that for which the contract of employment provides.
- (4) Nothing in this section shall prohibit either party to a contract of employment from waiving his entitlement to notice in any particular case.

- (5) Notwithstanding anything to the contrary contained in a contract of employment, notice of intention to terminate the contract shall be in writing and shall be given on a working day at any time and, except where the wages are payable in respect of any period not exceeding a week, that day shall be included in the period of notice:

Provided that, notwithstanding anything to the contrary contained in the contract of employment, notice of intention to terminate the contract may be given orally by either party if he is illiterate.

Sec. 19 – Termination of contracts of employment for unspecified periods of time, normally subject to notice, without notice.

Notwithstanding section 18, either party to a contract of employment for an unspecified period of time (other than a contract of employment for a specified piece of work, without reference to time), which contract may be terminated by either party subject to notice having been given to the other party of the intention to do so, may -

- (a) terminate the contract without giving such notice by paying to the other party a sum equal to the amount of basic pay which would otherwise have accrued to the employee during the minimum lawful period of such notice; and
- (b) where such notice has already been given, whether the period thereof is the appropriate minimum lawful period or a longer period, terminate the contract, without waiting for the expiry of the period of notice, by paying to the other party a sum equal to the amount of basic pay which would otherwise have accrued to the employee during the balance of the period of notice.

Sec. 20 – Termination of contracts of employment for unspecified periods of time during probationary period.

- (1) In the case of a contract of employment for an unspecified period of time (other than a contract of employment for a specified piece of work, without reference to time), such period not exceeding three months in the case of unskilled employees, and twelve months in the case of skilled employees, as the contract may specify immediately after the commencement of employment under the contract may be a probationary period (hereinafter referred to as a "probationary period") if the contract so provides.
- (2) Where a contract of employment is terminated during a probationary period by either the employer or employee under section 18 or 19 by not less than 14 day's notice, the contract shall be deemed, for the purposes of this Part, to have been terminated with just cause and neither the employer nor the employee shall be required to give any reasons therefor.
- (3) Before entering into a contract of employment which is to provide for a probationary period, the prospective employer shall inform the prospective employee in writing of the length of the probationary period.
- (4) Any person who contravenes this section shall be guilty of an offence and liable to the penalties prescribed by section 172 (b).

▪ **Criminal Law - Defamation**

[Penal Code](#)

Sec. 192 – Definition of criminal defamation

Any person who, by print, writing, painting, effigy, or by any means otherwise than solely by gestures, spoken words, or other sounds, unlawfully publishes any defamatory matter concerning another person, with intent to defame that other person, is guilty of the offence termed criminal defamation.

Sec. 193 – Definition of defamatory matter

Defamatory matter is matter likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or likely to damage any person in his profession or trade by an injury to his reputation.

Sec. 194 – Definition of publication

- (1) A person publishes defamatory matter if he causes the print, writing, painting, effigy or other means by which the defamatory matter is conveyed to be so dealt with, either by exhibition, reading, recitation, description, delivery, or otherwise, that the defamatory meaning thereof becomes known or is likely to become known to either the person defamed or any other person.
- (2) It is not necessary for criminal defamation that a defamatory meaning should be directly or completely expressed; and it suffices if such meaning and its application to the person alleged to be defamed can be collected either from the alleged defamation itself or from any extrinsic circumstances, or partly by the one and partly by the other means.

Sec. 195 – Definition of unlawful publication

Any publication of defamatory matter concerning a person is unlawful within the meaning of this Division, unless:

- (a) the matter is true and it was for the public benefit that it should be published; or
- (b) it is privileged on one of the grounds hereafter mentioned in this Division.

Sec. 196 – Cases in which publication of defamatory matter is absolutely privileged

- (1) The publication of defamatory matter is absolutely privileged, and no person shall under any circumstances be liable to punishment under this Code in respect thereof, in any of the following cases, namely
 - (a) if the matter is published under the authority of the President in any official document or proceeding;
 - (b) if the matter is published in the National Assembly or the Ntlo ya Dikgosi by any member thereof;
 - (c) if the matter is published by order of the National Assembly;
 - (d) if the matter is published concerning a person subject to naval, military or air force discipline for the time being, and relates to his conduct as a person subject to such discipline, and is published by some person having authority over him in respect of such conduct, and to some person having authority over him in respect of such conduct;
 - (e) if the matter is published in the course of any judicial proceedings by a person taking part therein as a judge or magistrate or legal practitioner or assessor or witness or party thereto;
 - (f) if the matter published is in fact a fair report of anything said, done, or published in the National Assembly or the Ntlo ya Dikgosi; or
 - (g) if the person publishing the matter is legally bound to publish it.
- (2) Where a publication is absolutely privileged, it is immaterial for the purposes of this Division whether the matter be true or false, and whether it be or be not known or believed to be false, and whether it be or be not published in good faith: Provided that nothing in this section shall exempt a person from any liability to punishment under any other Division of this Code or under any other written law in force within Botswana.

Sec. 197 – Cases in which publication of defamatory matter is conditionally privileged

A publication of defamatory matter is privileged, on condition that it was published in good faith, if the relation between the parties by and to whom the publication is made is such that the person publishing the matter is under some legal, moral or social duty to publish it to the person to whom the publication is made or has legitimate personal interest in so publishing it and the person to whom it is published has a similar duty or interest to receive it, provided that the publication does not exceed either in extent or matter what is reasonably sufficient for the occasion, and in any of the following cases, namely

- (a) if the matter published is in fact a fair and substantially accurate report of anything said, done, or shown in a civil or criminal inquiry or proceeding before any court: Provided that if, acting under the provisions of any written law, the court prohibits the publication of anything said, done or shown before it, the publication thereof shall not be privileged;
- (b) if the matter published is a copy or reproduction, or in fact a fair abstract, of any matter which has been previously published, and the previous publication of which was or would have been privileged under section 196;
- (c) if the matter is an expression of opinion in good faith as to the conduct of a person in a judicial, official, or other public capacity or as to his personal character so far as it appears in such content;
- (d) if the matter is an expression of opinion in good faith as to the conduct of a person in relation to any public question or matter, or as to his personal character so far as it appears in such conduct;
- (e) if the matter is an expression of opinion in good faith as to the conduct of any person as disclosed by evidence given in a public legal proceeding, whether civil or criminal, or as to the conduct of any person as a party, witness, or otherwise in any such proceeding, or as to the character of any person so far as it appears in any such conduct as mentioned in this paragraph;
- (f) if the matter is an expression of opinion in good faith as to the merits of any book, writing, painting, speech, or other work, performance, or act published, or publicly done or made, or submitted by a person to the judgment of the public, or as to the character of the person so far as it appears therein;
- (g) if the matter is a censure passed by a person in good faith on the conduct of another person in any matter in respect of which he has authority, by contract or otherwise, over the other person, or on the character of the other person, so far as it appears in such conduct;
- (h) if the matter is a complaint or accusation made by a person in good faith against another person in respect of his conduct in any matter, or in respect of his character so far as it appears in such conduct, to any person having authority, by contract or otherwise, over that other person in respect of such conduct or matter, or having authority by law to inquire into or receive complaints respecting such conduct or matter; or
- (i) if the matter is published in good faith for the protection of the rights or interests of the person who publishes it, or of the person to whom it is published, or of some person in whom the person to whom it is published is interested.

Sec. 198 – Explanation as to good faith

A publication of defamatory matter shall not be deemed to have been made in good faith by a person, within the meaning of section 197 if it is made to appear either

- (a) that in publishing the matter, he acted with intent to injure the person defamed in a substantially greater degree or substantially otherwise than was reasonably

- necessary for the interest of the public or for the protection of the private right or interest in respect of which he claims to be privileged; or
- (b) unless the duty under which he claims to have acted required him to publish the matter to the person to whom it was published whether it was true or false, that the matter was untrue and he did not believe it to be true.

Sec. 199 – Presumption as to good faith

If it is proved, on behalf of the accused person, that the defamatory matter was published under such circumstances that the publication would have been justified if made in good faith, the publication shall be presumed to have been made in good faith until the contrary is made to appear, either from the defamation itself, or from the evidence given on the part of the prosecution.

Sexual Offenses Against Children

Penal Code No. 2

Sec. 2 – Interpretation

“sexual abuse” means but is not limited to any sexual conduct that abuses, humiliates, degrades or otherwise violates the sexual integrity of the applicant

Sec. 141 – Definition of rape

Any person who has unlawful carnal knowledge of another person, or who causes the penetration of a sexual organ or instrument, of whatever nature, into the person of another for the purposes of sexual gratification, or who causes the penetration of another person's sexual organ into his or her person, without the consent of such other person, or with such person's consent if the consent is obtained by force or means of threats or intimidation of any kind, by fear of bodily harm, or by means of false pretences as to the nature of the act, or, in the case of a married person, by personating that person's spouse, is guilty of the offence termed rape.

Sec. 142 – Punishment for rape

- (1) Any person who is charged with the offence of rape shall (i) not be entitled to be granted bail; and (ii) subject to subsections (2) and (4), upon conviction be sentenced to a minimum term of 10 years' imprisonment or to a maximum term of life imprisonment.
- (2) Where an act of rape is attended by violence resulting in injury to the victim, the person convicted of the act of rape shall be sentenced to a minimum term of 15 years' imprisonment or to a maximum term of life imprisonment with or without corporal punishment.
- (3) Any person convicted of the offence of rape shall be required to undergo a Human Immune-system Virus test before he or she is sentenced by the court.
- (4) Any person who is convicted under subsection (1) or subsection (2) and whose test for the Human Immune-system Virus under subsection (3) is positive shall be sentenced (a) to a minimum term of 15 years' imprisonment or to a maximum term of life imprisonment with corporal punishment, where it is proved that such person was unaware of being Human Immune-system Virus positive; or (b) to a minimum term of 20 years' imprisonment or to a maximum term of life imprisonment with corporal punishment, where it is proved that on a balance of probabilities such person was aware of being Human Immune-system Virus positive.
- (5) Any person convicted and sentenced for the offence of rape shall not have the sentence imposed run con-currently with any other sentence whether the other sentence be for the offence of rape or any other offence.

Sec. 143 – Attempted rape

- (1) Any person who attempts to commit rape is guilty of an offence and on conviction shall be sentenced to a minimum term of five years, imprisonment or to a maximum term of life imprisonment with or without corporal punishment.
- (2) Any person who is convicted and sentenced for the offence of attempted rape shall not have the sentence imposed run concurrently with any other sentence, whether the other sentence be for the offence of rape or any other offence.

Sec. 144 – Abduction of a person for immoral purposes

Any person who, with intent to marry or carnally know another person or to cause such person to be married or carnally known by any other person, takes that person away, or detains that person against that person's will, is guilty of an offence and is liable to imprisonment for a term not exceeding seven years.

Sec. 145 – Abduction of person under 16 years

Any person who unlawfully takes an unmarried person under the age of 16 years out of the custody or protection of that person's father or mother or other person having the lawful care or charge of that person, and against the will of such father or mother or other person, is guilty of an offence.

Sec. 146 – Indecent assaults

- (1) Any person who unlawfully and indecently assaults any person is guilty of an offence and is liable to imprisonment for a term not exceeding seven years, with or without corporal punishment.
- (2) It shall be no defence to a charge for an indecent assault on a person under the age of 16 years to prove that the person so assaulted consented to the act of indecency unless it appears to the court before whom the charge is brought that the person so charged had reasonable cause to believe and did in fact believe that the person assaulted was of or above the age of 16 years or was such charged person's spouse.
- (3) Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture or exhibits any object intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman or intrudes upon the privacy of such woman, is guilty of an offence and is liable to imprisonment for a term not exceeding one year.

Sec. 147 – Defilement of person under 16 years

- (1) Any person who unlawfully and carnally knows any person under the age of 16 years is guilty of an offence and on conviction shall be sentenced to a minimum term of 10 years, imprisonment or to a maximum term of life imprisonment.
- (2) Any person convicted under subsection (1) shall be required to undergo a Human Immune-system Virus test before he or she is sentenced by the court.
- (3) Any person who is convicted under subsection (1) and whose test for the Human Immune-system Virus under subsection (2) is positive shall on conviction be sentenced to a
 - (a) minimum term of 15 years' imprisonment and a maximum term of life imprisonment with or without corporal punishment, where it is proved that such person was unaware of being Human Immune-system Virus positive; or
 - (b) minimum term of 20 years' imprisonment and a maximum term of life imprisonment with or without corporal punishment, where it is proved that on a balance of probabilities such person was aware of being Human Immune-system Virus positive.
- (4) Any person who attempts to have unlawful carnal knowledge of any person under the age of 16 years is guilty of an offence and is liable to imprisonment for a term not exceeding 14 years, with or without corporal punishment.

- (5) It shall be a sufficient defence to any charge under this section if it appears to the court before whom the charge is brought that the person so charged had reasonable cause to believe and did in fact believe that the person was of or above the age of 16 years or was such charged person's spouse.

Sec. 148 – Defilement of idiots or imbeciles

Any person who, knowing another person to be an idiot or imbecile, has or attempts to have unlawful carnal knowledge of that person under circumstances not amounting to rape, but which prove that the offender knew at the time of the commission of the offence that the person against whom the offence was committed was an idiot or imbecile, is guilty of an offence and is liable to imprisonment for a term not exceeding 14 years, with or without corporal punishment.

Sec. 149 – Procuration

Any person who

- (a) procures or attempts to procure any person to have unlawful carnal connection, either in Botswana or elsewhere, with any other person or persons;
- (b) procures or attempts to procure any person to become, either in Botswana or elsewhere, a common prostitute;
- (c) procures or attempts to procure any person to leave Botswana, with intent that the procured person may become an inmate of or frequent a brothel elsewhere; or
- (d) procures or attempts to procure any person to leave that person's usual place of abode in Botswana with intent that the person may, for the purposes of prostitution, become an inmate of or frequent a brothel either in Botswana or elsewhere; is guilty of an offence and, may, at the discretion of the court, and in addition to any term of imprisonment awarded in respect of the said offence, be sentenced to corporal punishment:

Provided that no person shall be convicted of an offence under this section upon the evidence of one witness only, unless such witness be corroborated in some material particular by evidence implicating the accused.

Sec. 163 – Knowledge of age of person immaterial

Except as otherwise expressly stated, it is immaterial in the case of any of the offences committed with respect to a person under a specified age, that the accused person did not know that the person was under that age, or believed that such person was not under that age.

Sec. 164 – Unnatural offences

Any person who

- (a) has carnal knowledge of any person against the order of nature;
 - (b) has carnal knowledge of an animal; or
 - (c) permits any other person to have carnal knowledge of him or her against the order of nature,
- is guilty of an offence and is liable to imprisonment for a term not exceeding seven years.

Sec. 166 – Indecent assault of boys under 14

Any person who unlawfully and indecently assaults a boy under the age of 14 years is guilty of an offence and is liable to imprisonment for a term not exceeding seven years.

Sec. 168 – Incest

- (1) Any person who knowingly has carnal knowledge of another person knowing that person to be his or her grandchild, child, brother, sister or parent, is guilty of an offence and is liable to imprisonment for a term not exceeding five years: Provided that if it is alleged in the indictment or

summons and proved that the person of whom carnal knowledge was had is under the age of 16 years, the offender shall be liable to imprisonment for life.

- (2) It is immaterial that the carnal knowledge was had with the consent of the person of whom carnal knowledge was had.
- (3) If any person attempts to commit any such offence as aforesaid that person is guilty of an offence.
- (4) On the conviction before any court of any person of an offence under this section, or of an attempt to commit the same, against any person under the age of 21 years, it shall be in the power of the court to divest the offender of all authority over such person, and, if the offender is the guardian of such person, to remove the offender from such guardianship, and in any such case to appoint any person or persons to be the guardian or guardians of such person during that person's minority or any less period:

Provided that the High Court may at any time vary or rescind the order by the appointment of any other person as such guardian, or in any other respect.

Sec. 169 – Incest by females

Any female person of or above the age of 16 years who with her consent permits her grandfather, father, brother, or son to have carnal knowledge of her (knowing him to be her grandfather, father, brother, or son, as the case may be) is guilty of an offence and is liable to imprisonment for a term not exceeding five years.

[Children's Act of 2009](#)

Sec. 57 – Corruption of Children

- (1) A parent, other relative or other person having custody of a child who –
 - (a) induces, coerces or encourages any child to seduce any person or to engage in prostitution;
 - (b) induces, coerces or encourages any person to seduce, prostitute or cause the seduction, or prostitution of any child;
 - (c) induces, coerces or encourages a child to commit any other sexually immoral act;
 - (d) abducts a child or induces, coerces or encourages any person to abduct a child for purposes of corrupting the child in any manner referred to in this subsection;
 - (e) induces, coerces or encourages any person to cause a child or any other person to do any act referred to in this subsection shall be guilty of an offence and shall be sentenced to a fine of not less than P20 000 but not more than P50 000, or to imprisonment for a term of not less than two years but not more than five years, or both.
- (2) For the purposes of this section, a person shall be deemed to have caused the seduction, abduction or prostitution of a child if that person knowingly allows the child to consort with or enter or continue in the employment of a prostitute or person of known immoral character.
- (3) Any person who is not a parent, other relative or other person having custody of a child, but does any act referred to in subsection (1) commits an offence and shall be liable to the penalties set out in that subsection.

Sec. 58 – Exposing children to pornography

- (1) No person shall expose a child to pornographic material, make such material available to a child, or involve a child in the making of such material.
- (2) No person shall, in any form or manner, store, keep or distribute any indecent images of a child depicting any form of illegal sexual activity against a child.

Sec. 59 – Cohabitation with children prohibited

No person shall encourage, force or allow a child to cohabit with any person in a relationship of a sexual nature. 60. No person shall expose a child to the use or influence of narcotic or intoxicating drugs or alcohol, neither shall any person use a child in the production or trafficking of such

substances. 61. (1) No person shall subject a child to torture or other cruel, inhuman or degrading treatment or punishment

Sec. 114 – Abduction and trafficking in children

Any person, including a parent, other relative or guardian of a child, who abducts or sells any child, traffics in children or uses any child to beg, shall be guilty of an offence and shall be sentenced to a fine of not less than P30 000 but not more than P50 000, or to imprisonment for a term of not less than five years but not more than 15 years.