

equally this overview

PIVOT

**Advertising of sexual services is now illegal in most cases. ■ Advertising is only legal if a person is advertising their own services.** It is illegal to advertise someone else's services. ■ A newspaper, website, or web host can be charged for carrying advertisements for sexual services, particularly if they relate to a "commercial enterprise."

ADVERTISING

**NOTE:** This card provides an overview of Canada's laws in force since December 2014 solely in relation to adult sex work. It does not constitute legal advice. Terms in quotation marks (" ") are taken directly from the law. In most cases, they are not defined in the law and have not yet been interpreted by the courts.

# CANADA'S SEX WORK LAWS

Selling your own "sexual services" is legal,  
but most of the activities that would allow you  
to do it safely are not.

## COMMUNICATING

For sex workers, **communicating for the purpose of selling sexual services is illegal in a “public place”** (or a place open to public view) that is or is **“next to” a school, playground, or daycare.** ■ In this part of the law, **a car is considered a public place.** ■ This law does not specify how far you have to be from a school, playground, or daycare in order to communicate legally. ■ For clients, **communicating for the purpose of buying sexual services is illegal** at any time and in any place, including over the Internet.

## WORKING TOGETHER WITH OTHERS

**It is illegal for anyone to “procure” another person** – that is, to encourage or make arrangements for another person to offer sexual services for sale. ■ **It is illegal for a third party (for example, an employer or co-worker) to receive a “material benefit”** (money or anything else of value) from the sale of someone else’s sexual services. ■ The law presumes that **if a person lives with a sex worker, they are receiving a material benefit.** ■ There are situations under the law where **a person will not be**

## PURCHASE OF SEXUAL SERVICES

**Selling your own “sexual services” is legal.** The law does not define what “sexual services” are. ■ It is legal for an individual to sell their own sexual services from a fixed indoor location. However, it is very difficult to legally operate a fixed indoor location for sex work, because of the restrictions on clients, third parties, and advertising. ■ **Buying “sexual services” is illegal,** at any time and in any place.

**prosecuted for “materially benefitting,”** for example, **if a person is a family member or is in a “legitimate living arrangement” with a sex worker,** but “legitimate living arrangement” is not defined. ■ **Regardless of exceptions, it is always illegal for a third party to profit from sexual services offered in a “commercial enterprise”** or in circumstances of exploitation.