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. ■ 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.

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.

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 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.