

Notification Requirements under the [Sexual Offences Act 2003](#)

S.80 Persons becoming subject to notification requirements

- (1) A person is subject to the notification requirements of this Part for the period set out in section 82 (“the notification period”) if—
- (a) he is convicted of an offence listed in Schedule 3;
 - (b) he is found not guilty of such an offence by reason of insanity;
 - (c) he is found to be under a disability and to have done the act charged against him in respect of such an offence; or
 - (d) in England and Wales or Northern Ireland, he is cautioned in respect of such an offence.
- (2) A person for the time being subject to the notification requirements of this Part is referred to in this Part as a “relevant offender”.

S.82 The notification period

- (1) The notification period for a person within section 80(1) or 81(1) is the period in the second column of the following Table opposite the description that applies to him.

TABLE

<i>Description of relevant offender</i>	<i>Notification period</i>
A person who, in respect of the offence, is or has been sentenced to imprisonment for life, to imprisonment for public protection under section 225 of the Criminal Justice Act 2003 to an indeterminate custodial sentence under Article 13(4)(a) of the Criminal Justice (Northern Ireland) Order 2008 or to imprisonment for a term of 30 months or more	An indefinite period beginning with the relevant date
A person who, in respect of the offence, has been made the subject of an order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995 (order for lifelong restriction)	An indefinite period beginning with that date
A person who, in respect of the offence or finding, is or has been admitted to a hospital subject to a restriction order	An indefinite period beginning with that date
A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of more than 6 months but less than 30 months	10 years beginning with that date
A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of 6 months or less	7 years beginning with that date
A person who, in respect of the offence or finding, is or has been admitted to a hospital without being subject to a restriction order	7 years beginning with that date
A person within section 80(1)(d)	2 years beginning with that date
A person in whose case an order for conditional discharge or, in Scotland, a community payback order imposing an offender supervision requirement, is made in respect of the offence	The period of conditional discharge or, in Scotland, the specified period for the offender supervision requirement
A person of any other description	5 years beginning with the relevant date

- (2) Where a person is under 18 on the relevant date, subsection (1) has effect as if for any reference to a period of 10 years, 7 years, 5 years or 2 years there were substituted a reference to one-half of that period.
- (3) Subsection (4) applies where a relevant offender within section 80(1)(a) or 81(1)(a) is or has been sentenced, in respect of two or more offences listed in Schedule 3—
 - (a) to consecutive terms of imprisonment; or
 - (b) to terms of imprisonment which are partly concurrent.
- (4) Where this subsection applies, subsection (1) has effect as if the relevant offender were or had been sentenced, in respect of each of the offences, to a term of imprisonment which —
 - (a) in the case of consecutive terms, is equal to the aggregate of those terms;
 - (b) in the case of partly concurrent terms (X and Y, which overlap for a period Z), is equal to X plus Y minus Z.
- (5) Where a relevant offender the subject of a finding within section 80(1)(c) or 81(1)(c) is subsequently tried for the offence, the notification period relating to the finding ends at the conclusion of the trial.
- (6) In this Part, “relevant date” means—
 - (a) in the case of a person within section 80(1)(a) or 81(1)(a), the date of the conviction;
 - (b) in the case of a person within section 80(1)(b) or (c) or 81(1)(b) or (c), the date of the finding;
 - (c) in the case of a person within section 80(1)(d) or 81(1)(d), the date of the caution;

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S.83 Notification requirements: initial notification.

- (1) A relevant offender must, within the period of 3 days beginning with the relevant date (or, if later, the commencement of this Part), notify to the police the information set out in subsection (5).
- (2) Subsection (1) does not apply to a relevant offender in respect of a conviction, finding or caution within section 80(1) if—
 - (a) immediately before the conviction, finding or caution, he was subject to the notification requirements of this Part as a result of another conviction, finding or caution or an order of a court (“the earlier event”),
 - (b) at that time, he had made a notification under subsection (1) in respect of the earlier event, and

- (c) throughout the period referred to in subsection (1), he remains subject to the notification requirements as a result of the earlier event.
- (3) Subsection (1) does not apply to a relevant offender in respect of a conviction, finding or caution within section 81(1) or an order within section 81(7) if the offender complied with section 2(1) of the Sex Offenders Act 1997 in respect of the conviction, finding, caution or order.
- (4) Where a notification order is made in respect of a conviction, finding or caution, subsection (1) does not apply to the relevant offender in respect of the conviction, finding or caution if—
 - (a) immediately before the order was made, he was subject to the notification requirements of this Part as a result of another conviction, finding or caution or an order of a court (“the earlier event”),
 - (b) at that time, he had made a notification under subsection (1) in respect of the earlier event, and
 - (c) throughout the period referred to in subsection (1), he remains subject to the notification requirements as a result of the earlier event.
- (5) The information is—
 - (a) the relevant offender’s date of birth;
 - (b) his national insurance number;
 - (c) his name on the relevant date and, where he used one or more other names on that date, each of those names;
 - (d) his home address on the relevant date;
 - (e) his name on the date on which notification is given and, where he uses one or more other names on that date, each of those names;
 - (f) his home address on the date on which notification is given;
 - (g) the address of any other premises in the United Kingdom at which, at the time the notification is given, he regularly resides or stays;
 - (h) any prescribed information.
- (5A) In subsection (5)(h) “prescribed” means prescribed by regulations made by the Secretary of State.
- (6) When determining the period for the purpose of subsection (1), there is to be disregarded any time when the relevant offender is—
 - (a) remanded in or committed to custody by an order of a court or kept in service custody;
 - (b) serving a sentence of imprisonment or a term of service detention;
 - (c) detained in a hospital; or
 - (d) outside the United Kingdom.
- (7) In this Part, “home address” means, in relation to any person—

- (a) the address of his sole or main residence in the United Kingdom, or
- (b) where he has no such residence, the address or location of a place in the United Kingdom where he can regularly be found and, if there is more than one such place, such one of those places as the person may select.

S.84 Notification requirements: changes.

- (1) A relevant offender must, within the period of 3 days beginning with—
 - (a) his using a name which has not been notified to the police under section 83(1), this subsection, or section 2 of the Sex Offenders Act 1997 (c. 51),
 - (b) any change of his home address,
 - (c) his having resided or stayed, for a qualifying period, at any premises in the United Kingdom the address of which has not been notified to the police under section 83(1), this subsection, or section 2 of the Sex Offenders Act 1997,
 - (ca) any prescribed change of circumstances, or
 - (d) his release from custody pursuant to an order of a court or from imprisonment, service detention or detention in a hospital,
 notify to the police that name, the new home address, the address of those premises, the prescribed details or (as the case may be) the fact that he has been released, and (in addition) the information set out in section 83(5).
- (2) A notification under subsection (1) may be given before the name is used, the change of home address or the prescribed change of circumstances occurs or the qualifying period ends, but in that case the relevant offender must also specify the date when the event is expected to occur.
- (3) If a notification is given in accordance with subsection (2) and the event to which it relates occurs more than 2 days before the date specified, the notification does not affect the duty imposed by subsection (1).
- (4) If a notification is given in accordance with subsection (2) and the event to which it relates has not occurred by the end of the period of 3 days beginning with the date specified—
 - (a) the notification does not affect the duty imposed by subsection (1), and
 - (b) the relevant offender must, within the period of 6 days beginning with the date specified, notify to the police the fact that the event did not occur within the period of 3 days beginning with the date specified.
- (5) Section 83(6) applies to the determination of the period of 3 days mentioned in subsection (1) and the period of 6 days mentioned in subsection (4)(b), as it applies to the determination of the period mentioned in section 83(1).
- (5A) In this section—
 - (a) “prescribed change of circumstances” means any change—

- (i) occurring in relation to any matter in respect of which information is required to be notified by virtue of section 83(5)(h), and
 - (ii) of a description prescribed by regulations made by the Secretary of State;
 - (b) “the prescribed details”, in relation to a prescribed change of circumstances, means such details of the change as may be so prescribed.
- (6) In this section, “qualifying period” means—
- (a) a period of 7 days, or
 - (b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

S.85 Notification requirements: periodic notification

- (1) A relevant offender must, within the applicable period after each event within subsection (2), notify to the police the information set out in section 83(5), unless within that period he has given a notification under section 84(1).
- (2) The events are—
- (a) the commencement of this Part (but only in the case of a person who is a relevant offender from that commencement);
 - (b) any notification given by the relevant offender under section 83(1) or 84(1); and
 - (c) any notification given by him under subsection (1).
- (3) Where the applicable period would (apart from this subsection) end whilst subsection (4) applies to the relevant offender, that period is to be treated as continuing until the end of the period of 3 days beginning when subsection (4) first ceases to apply to him.
- (4) This subsection applies to the relevant offender if he is—
- (a) remanded in or committed to custody by an order of a court or kept in service custody,
 - (b) serving a sentence of imprisonment or a term of service detention,
 - (c) detained in a hospital, or
 - (d) outside the United Kingdom.
- (5) In this section, “the applicable period” means—
- (a) in any case where subsection (6) applies to the relevant offender, such period as may be prescribed by regulations made by the Secretary of State, and
 - (b) in any other case, the period of one year.
- (6) This subsection applies to the relevant offender if the last home address notified by him under section 83(1) or 84(1) or subsection (1) was the address or location of such a place as is mentioned in section 83(7)(b).

S.85A Notification requirements: absence from notified residence.

- (1) This section applies to a relevant offender at any time if the last home address notified by him under section 83(1), 84(1) or 85(1) was an address in Northern Ireland such as is mentioned in section 83(7)(a) (sole or main residence).
- (2) If the relevant offender intends to be absent from that home address for a period of more than 3 days ("the relevant period"), the relevant offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in subsection (3).
- (3) The information is—
 - (a) the date on which the relevant offender will leave that home address;
 - (b) such details as the relevant offender holds about—
 - (i) his travel arrangements during the relevant period;
 - (ii) his accommodation arrangements during that period;
 - (iii) his date of return to that home address.
- (4) In this section—

"travel arrangements" include, in particular, details of the means of transport to be used and the dates of travel,

"accommodation arrangements" include, in particular, the address of any accommodation at which the relevant offender will spend the night during the relevant period and the nature of that accommodation.
- (5) Where—
 - (a) a relevant offender has given a notification under subsection (2), and
 - (b) at any time before that mentioned in that subsection, the information notified becomes inaccurate or incomplete,the relevant offender must give a further notification under subsection (2).
- (6) Where a relevant offender—
 - (a) has notified a date of return to his home address, but
 - (b) returns to his home address on a date other than that notified,the relevant offender must notify the date of his actual return to the police within 3 days of his actual return.
- (7) Nothing in this section requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under section 86.
- (8) In calculating the relevant period for the purposes of this section there is to be disregarded—

- (a) any period or periods which the relevant offender intends to spend at, or travelling directly to or from, an address of the kind mentioned in section 83(5)(g) notified to the police under section 83 or 85;
 - (b) any period or periods which the relevant offender intends to spend at, or travelling directly to or from, any premises, if his stay at those premises would give rise to a requirement to notify the address of those premises under section 84(1)(c).
- (9) This section applies in relation to any relevant period which begins on or after the day after the coming into operation of section 2 of the Criminal Justice Act (Northern Ireland) 2013.

S.86 Notification requirements: travel outside the United Kingdom.

- (1) The Secretary of State may by regulations make provision requiring relevant offenders who leave the United Kingdom, or any description of such offenders—
- (a) to give in accordance with the regulations, before they leave, a notification under subsection (2);
 - (b) if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under subsection (3).
- (2) A notification under this subsection must disclose—
- (a) the date on which the offender will leave the United Kingdom;
 - (b) the country (or, if there is more than one, the first country) to which he will travel and his point of arrival (determined in accordance with the regulations) in that country;
 - (c) any other information prescribed by the regulations which the offender holds about his departure from or return to the United Kingdom or his movements while outside the United Kingdom.
- (3) A notification under this subsection must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

S.87 Method of notification and related matters.

- (1) A person gives a notification under section 83(1), 84(1), 85(1) or 85A(2) or (6) by—
- (a) attending at such police station in his local police area as the Secretary of State may by regulations prescribe or, if there is more than one, at any of them, and
 - (b) giving an oral notification to any police officer, or to any person authorised for the purpose by the officer in charge of the station.

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