



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 2

#### NOTIFICATION AND ORDERS

##### *Notification requirements*

#### 83 Notification requirements: initial notification **E+W+N.I.**

- (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”),

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- (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;
- [<sup>F1</sup>(h) any prescribed information.]

[<sup>F2</sup>(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 [<sup>F3</sup>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.

#### Extent Information

- E1** This version of this provision extends to England and Wales and Northern Ireland only; a separate version has been created for Scotland only

#### Textual Amendments

- F1** S. 83(5)(h) inserted "at the end of subsection (5)" (E.W.N.I.) (14.7.2008) by virtue of [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 73, [142\(1\)\(a\)](#), 153(7); S.I. 2008/1586, [art. 2](#), Sch. 1 para. 45 (subject to [Sch. 2](#))
- F2** S. 83(5A) inserted "after [subsection (5)]" (E.W.N.I.) (14.7.2008) by virtue of [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 73, [142\(1\)\(b\)](#), 153(7); S.I. 2008/1586, [art. 2](#), Sch. 1 para. 45 (subject to [Sch. 2](#))
- F3** Words in s. 83(6)(a) inserted (E.W.N.I.) (31.10.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 148(1), 153(7), [Sch. 26 para. 54](#); S.I. 2009/2606, [art. 3\(i\)](#)

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### 83 Notification requirements: initial notification **S**

- (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;
    - [<sup>F4</sup>(h) whether he has any passports and, in relation to each passport he has, the details set out in subsection (5A);
    - (i) such other information, about him or his personal affairs, as the Scottish Ministers may prescribe in regulations.
- (5A) The details are—
- (a) the issuing authority;
  - (b) the number;
  - (c) the dates of issue and expiry;

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- (d) the name and date of birth given as being those of the passport holder.]
- (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;
  - (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.
- [<sup>F5</sup>(8) In this section, “passport” means—
- (a) a United Kingdom passport within the meaning of the Immigration Act 1971 (c. 77);
  - (b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;
  - (c) a document that can be used (in some or all circumstances) instead of a passport.]

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#### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only
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#### Textual Amendments

- F4** S. 83(5)(h)(i)(5A) inserted (S.) (1.9.2006) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), [ss. 78\(2\)](#), 104; S.S.I. 2006/432, [art. 2\(d\)](#)
- F5** S. 83(8) inserted (S.) (1.9.2006) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), [ss. 78\(3\)](#), 104; S.S.I. 2006/432, [art. 2\(d\)](#)

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