

Status: Point in time view as at 27/11/2015.

Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, PART 2 is up to date with all changes known to be in force on or before 07 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 2

NOTIFICATION REQUIREMENTS

Offender subject to notification requirements

9.—(1) References in the following provisions of this Schedule to an offender subject to notification requirements are references to an offender who is for the time being subject to a slavery and trafficking prevention order or an interim slavery and trafficking prevention order which is in effect under this Schedule.

(2) Sub-paragraph (1) has effect subject to paragraph 12(7) (which excludes from paragraph 12 an offender subject to an interim slavery and trafficking prevention order).

Commencement Information

II Sch. 3 para. 9 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

Initial notification

10.—(1) An offender subject to notification requirements must notify the required information to the police within the period of 3 days beginning with the date on which the slavery and trafficking prevention order or the interim slavery and trafficking prevention order comes into force in relation to the offender (“the relevant date”).

(2) The “required information” is the following information about the offender—

- (a) date of birth;
- (b) national insurance number;
- (c) name on the relevant date or, if the offender used two or more names on that date, each of those names;
- (d) home address on the relevant date;

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- (e) name on the date on which the notification is given or, if the offender used two or more names on that date, each of those names;
 - (f) home address on the date on which the notification is given;
 - (g) the address of any other premises in the United Kingdom at which on that date the offender regularly resides or stays;
 - (h) any information prescribed by regulations made by the Department.
- (3) When determining the period of 3 days mentioned in sub-paragraph (1), there is to be disregarded any time when the offender is—
- (a) remanded in or committed to custody by an order of a court;
 - (b) serving a custodial sentence;
 - (c) detained in a hospital; or
 - (d) outside the United Kingdom.
- (4) In this Part “home address” means in relation to the offender—
- (a) the address of the offender's sole or main residence in the United Kingdom, or
 - (b) if the offender has no such residence, the address or location of a place in the United Kingdom where the offender can regularly be found or, if there is more than one such place, such one of them as the offender selects.

Commencement Information

I2 [Sch. 3 para. 10](#) in operation at 27.11.2015 for specified purposes by [S.R. 2015/376](#), [art. 2](#)

Notification of changes

- 11.**—(1) An offender subject to notification requirements must, within the period of 3 days beginning with the date on which any notifiable event occurs, notify to the police—
- (a) the required new information, and
 - (b) the information mentioned in paragraph 10(2).
- (2) A “notifiable event” means—
- (a) the use by the offender of a name which has not been notified to the police under paragraph 10 or this paragraph;
 - (b) any change of the offender's home address;
 - (c) the expiry of any qualifying period during which the offender has resided or stayed at any premises in the United Kingdom the address of which has not been notified to the police under paragraph 10 or this paragraph;
 - (d) any prescribed change of circumstances; or

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(e) the release of the offender from custody pursuant to an order of a court or from a custodial sentence or detention in a hospital.

(3) The “required new information” is—

- (a) the name referred to in sub-paragraph (2)(a),
- (b) the new home address (see sub-paragraph (2)(b)),
- (c) the address of the premises referred to in sub-paragraph (2)(c),
- (d) the prescribed details, or
- (e) the fact that the offender has been released as mentioned in sub-paragraph (2)(e),

as the case may be.

(4) A notification under sub-paragraph (1) may be given before the notifiable event occurs, but in that case the offender must also specify the date when the event is expected to occur.

(5) If a notification is given in accordance with sub-paragraph (4) 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 sub-paragraph (1).

(6) If a notification is given in accordance with sub-paragraph (4) 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 sub-paragraph (1), and
- (b) the 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.

(7) Paragraph 10(3) applies to the determination of—

- (a) any period of 3 days for the purposes of sub-paragraph (1), or
- (b) any period of 6 days for the purposes of sub-paragraph (6),

as it applies to the determination of the period of 3 days mentioned in paragraph 10(1).

(8) In this paragraph—

- (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 paragraph 10(2)(h), and
 - (ii) of a description prescribed by regulations made by the Department;
- (b) “the prescribed details”, in relation to a prescribed change of circumstances, means such details of the change as may be so prescribed.

(9) In this paragraph “qualifying period” means—

- (a) a period of 7 days, or

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- (b) two or more periods, in any period of 12 months, which taken together amount to 7 days.

Commencement Information

I3 Sch. 3 para. 11 in operation at 27.11.2015 for specified purposes by [S.R. 2015/376](#), [art. 2](#)

Periodic notification

12.—(1) An offender subject to notification requirements must, within the applicable period after each notification date, notify to the police the information mentioned in paragraph 10(2), unless the offender has already given a notification under paragraph 11(1) within that period.

(2) A “notification date” means, in relation to the offender, the date of any notification given by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1).

(3) Where the applicable period would (apart from this paragraph) end while sub-paragraph (4) applies, that period is to be treated as continuing until the end of the period of 3 days beginning with the date on which sub-paragraph (4) first ceases to apply.

(4) This sub-paragraph applies if the offender is—

- (a) remanded in or committed to custody by an order of a court,
- (b) serving a custodial sentence,
- (c) detained in a hospital, or
- (d) outside the United Kingdom.

(5) In this paragraph “the applicable period” means—

- (a) in any case where sub-paragraph (6) applies, such period as may be prescribed by regulations made by the Department, and
- (b) in any other case, the period of one year.

(6) This sub-paragraph applies if the last home address notified by the offender under paragraph 10(1) or 11(1) or sub-paragraph (1) was the address or location of such a place as is mentioned in paragraph 10(4)(b).

(7) Nothing in this paragraph applies to an offender who is subject to an interim slavery and trafficking prevention order.

Commencement Information

I4 Sch. 3 para. 12 in operation at 27.11.2015 for specified purposes by [S.R. 2015/376](#), [art. 2](#)

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Absence from notified residence

13.—(1) This paragraph applies to an offender subject to notification requirements at any time if the last home address notified by the offender under paragraph 10(1), 11(1) or 12(1) was an address in Northern Ireland such as is mentioned in paragraph 10(4)(a) (sole or main residence).

(2) If the offender intends to be absent from that home address for a period of more than 3 days (“the relevant period”), the offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in sub-paragraph (3).

(3) The information is—

(a) the date on which the offender will leave that home address;

(b) such details as the offender holds about—

(i) the offender's travel arrangements during the relevant period;

(ii) the offender's accommodation arrangements during that period;

(iii) the offender's date of return to that address.

(4) In this paragraph—

“travel arrangements” include, in particular, 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) an offender has given a notification under sub-paragraph (2), and

(b) at any time before that mentioned in that sub-paragraph, the information notified becomes inaccurate or incomplete,

the offender must give a further notification under sub-paragraph (2).

(6) Where an offender—

(a) has notified a date of return to the offender's home address, but

(b) returns to that home address on a date other than that notified,

the offender must notify the date of the offender's actual return to the police within 3 days of the actual return.

(7) Nothing in this paragraph requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under paragraph 14.

(8) In calculating the relevant period for the purposes of this paragraph there is to be disregarded—

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- (a) any period or periods which the offender intends to spend at, or travelling directly to or from, an address of the kind mentioned in paragraph 10(2) (g) notified to the police under paragraph 10(1), 11(1) or 12(1);
- (b) any period or periods which the 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 paragraph 11(2)(c).

Commencement Information

I5 Sch. 3 para. 13 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

Travel outside the United Kingdom

14.—(1) The Department may by regulations make provision with respect to offenders subject to notification requirements, or any description of such offenders—

- (a) requiring such persons, before they leave the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (2);
 - (b) requiring such persons, if they subsequently return to the United Kingdom, to give in accordance with the regulations a notification under sub-paragraph (3).
- (2) A notification under this paragraph must disclose—
- (a) the date on which the offender proposes to leave the United Kingdom;
 - (b) the country (or, if there is more than one, the first country) to which the offender proposes to travel and the proposed 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 the offender's departure from or return to the United Kingdom, or about the offender's movements while outside the United Kingdom.
- (3) A notification under this sub-paragraph must disclose any information prescribed by the regulations about the offender's return to the United Kingdom.

Commencement Information

I6 Sch. 3 para. 14 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

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Method of notification and related matters

15.—(1) An offender gives a notification to the police under paragraph 10(1), 11(1), 12(1) or 13(2) or (6) by—

- (a) attending at any police station in Northern Ireland prescribed by regulations under section 87(1)(a) of the Sexual Offences Act 2003, 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.

(2) Any notification given in accordance with this paragraph must be acknowledged; and the acknowledgement must be—

- (a) in writing, and
- (b) in such form as the Department may direct.

(3) Where a notification is given under paragraph 10(1), 11(1), 12(1) or 13(2) or (6), the offender must, if requested to do so by the police officer or other person mentioned in sub-paragraph (1)(b), allow that officer or person to—

- (a) take the offender's fingerprints,
- (b) photograph any part of the offender, or
- (c) do both of those things,

in order to verify the offender's identity.

(4) Fingerprints taken from a person under this paragraph (and any copies of those fingerprints) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(5) Photographs taken of any part of the offender under this paragraph (and any copies of such photographs) must be destroyed no later than the date on which the offender ceases to be subject to notification requirements.

(6) In this paragraph “photograph” includes any process by means of which an image may be produced.

Commencement Information

I7 [Sch. 3 para. 15](#) in operation at 27.11.2015 for specified purposes by [S.R. 2015/376](#), [art. 2](#)

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