



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 2

#### NOTIFICATION AND ORDERS

*[<sup>F1</sup>Foreign travel orders [<sup>F1</sup>(Scotland and Northern Ireland)]]*

#### **[<sup>F1</sup>122 Offence: breach of foreign travel order [<sup>F2</sup>etc]**

- (1) A person commits an offence if, without reasonable [<sup>F3</sup>excuse—
- (a) he] does anything which he is prohibited from doing by a foreign travel order<sup>[<sup>F4</sup></sup>, or
  - (b) he contravenes a prohibition on foreign travel imposed by a sexual harm prevention order.]

<sup>[<sup>F5</sup></sup>(1A) A person commits an offence if, without reasonable excuse, the person fails to comply with a requirement under section 117A(2).]

<sup>[<sup>F6</sup></sup>(1B) A person commits an offence if, without reasonable excuse, the person fails to comply with—

- (a) a requirement under section 117A(2) (surrender of passports: <sup>F7</sup>... Northern Ireland), or
- (b) a requirement under section 117B(2) (surrender of passports: Scotland).

(1C) A person may be prosecuted, tried and punished for any offence under subsection (1B)

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- (a) in any sheriff court district in which the person is apprehended or is in custody, or
- (b) in such sheriff court district as the Lord Advocate may determine, as if the offence had been committed in that district (and the offence is, for all purposes incidental to or consequential on the trial or punishment, to be deemed to have been committed in that district).]

(2) A person guilty of an offence under this section is liable—

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*Changes to legislation: Sexual Offences Act 2003, Section 122 is up to date with all changes known to be in force on or before 09 August 2019. 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) View outstanding changes*

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- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.
- (3) Where a person is convicted of an offence under this section, it is not open to the court by or before which he is convicted to make, in respect of the offence, an order for conditional discharge (or, in Scotland, a [<sup>F8</sup>community payback order]).]

#### Textual Amendments

- F1** Ss. 104-122 repealed (E.W.) (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 5 para. 3** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(e)
- F2** Word in s. 122 heading inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 11 para. 68(2)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(g)(i)
- F3** Words in s. 122(1) substituted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 11 para. 68(3)(a)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(g)(i)
- F4** S. 122(1)(b) and preceding word inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 11 para. 68(3)(b)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(g)(i)
- F5** S. 122(1A) inserted (E.W.N.I.) (1.4.2010) by [Policing and Crime Act 2009](#) (c. 26), **ss. 25(3)**, 116(1); S.I. 2010/507, **art. 5(1)** (subject to art. 6)
- F6** S. 122(1B)(1C) inserted (S.) (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010](#) (asp 13), **ss. 101(6)**, 206(1); S.S.I. 2010/413, art. 2, **Sch.**
- F7** Words in s. 122(1B)(a) omitted (8.3.2015) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), **Sch. 11 para. 68(4)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(g)(i)
- F8** Words in s. 122(3) substituted (S.) (1.2.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential and Supplementary Provisions\) Order 2011](#) (S.S.I. 2011/25), arts. 1, 2, **Sch. para. 2(5)** (with art. 3)

#### Modifications etc. (not altering text)

- C1** S. 122(1B)(b) extended (E.W.N.I.) (16.9.2011) by [The Criminal Justice and Licensing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2011](#) (S.I. 2011/2298), art. 1, **Sch. para. 3(1)** (with art. 4(4))

**Changes to legislation:**

Sexual Offences Act 2003, Section 122 is up to date with all changes known to be in force on or before 09 August 2019. 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.

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**Changes and effects yet to be applied to :**

- s. 122 repealed by [2016 asp 22 s. 39\(1\)\(e\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#)
- s. 89(1A) inserted by [2016 asp 22 Sch. 2 para. 3\(3\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- Sch. 5 para. 171C-171G inserted by [2018 c. 5 Sch. 12 para. 23](#)