Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

[F1 Sexual risk orders (England and Wales)

[F1 122B Section 122A: interpretation

(1) In section 122A—

"child" means a person under 18;

"harm" from the defendant means physical or psychological harm caused by the defendant doing an act of a sexual nature;

"the public" means the public in the United Kingdom;

"vulnerable adult" means a person aged 18 or over whose ability to protect himself or herself from physical or psychological harm is significantly impaired through physical or mental disability or illness, through old age or otherwise.

(2) Where the defendant is a child, a reference in that section to a magistrates' court is to be taken as referring to a youth court (subject to any rules of court made under section 122K(1)).

(3) In that section "relevant police area" means—

(a) where the applicant is a chief officer of police, the officer's police area;

(b) where the applicant is the **[**F2 applicant**]** of the National Crime Agency **[**F3, the chief constable of the British Transport Police Force or the chief constable for the Ministry of Defence Police**]**—

(i) the police area where the person in question resides, or

(ii) a police area which the Director General believes the person is in or is intending to come to.**]**

Changes to legislation: *Sexual Offences Act 2003, Section 122B is up to date with all changes known to be in force on or before 26 May 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) View outstanding changes*

Textual Amendments

F1 Ss. 122A-122K and cross-heading inserted (8.3.2015) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 5 para. 4** (with ss. 21, 33, 42, 58, 75, 93, 114(1)(3)-(6)); S.I. 2015/373, art. 2(e)

F2 Word in s. 122B(3)(b)(ii) substituted (29.11.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 171(12)(b)**, 208(1); S.I. 2022/1227, reg. 3(d)

F3 Words in s. 122B(3)(b) inserted (29.11.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 171(12)(a)**, 208(1); S.I. 2022/1227, reg. 3(d)

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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 (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by 2015 c. 2 (N.I.), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of 2015 c. 30, Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by 2022 c. 32 s. 178(7)(b)
- s. 103E(5C)(5D) inserted by 2022 c. 32 s. 178(8)
- s. 103F(3B) inserted by 2022 c. 32 s. 178(9)(a)
- s. 103FA103FB inserted by 2022 c. 32 s. 178(10)
- s. 108(9) inserted by 2011 c. 18 s. 17(2)
- s. 122A(8A) inserted by 2022 c. 32 s. 178(11)(a)
- s. 122A(9B) inserted by 2022 c. 32 s. 178(11)(b)
- s. 122D(4C)(4D) inserted by 2022 c. 32 s. 178(12)
- s. 122E(3B) inserted by 2022 c. 32 s. 178(13)(a)
- s. 122EA122EB inserted by 2022 c. 32 s. 178(14)
- s. 136ZA(3) inserted by 2022 c. 32 s. 178(15)