



Sexual Offences Act 2003

2003 CHAPTER 42

[^{F1}PART 2A

CLOSURE ORDERS

Closure notices

[^{F1} Power to authorise issue of closure notice: child sex offences in England and ^{F2}136BAWales

- (1) A member of a police force not below the rank of superintendent (“the authorising officer”) may authorise the issue of a closure notice in respect of any premises in England and Wales if three conditions are met.
- (2) The first condition is that the officer has reasonable grounds for believing that—
 - (a) during the relevant period, the premises were used for activities related to one or more specified child sex offences, or
 - (b) the premises are likely to be used (unless a closure order is made) for activities related to one or more specified child sex offences.
- (3) In subsection (2)(a), “the relevant period” means the period of 3 months ending with the day on which the officer is considering whether to authorise the issue of the notice.
- (4) The second condition is that the officer has reasonable grounds for believing that the making of a closure order under section 136D is necessary to prevent the premises being used for activities related to one or more specified child sex offences.
- (5) For the purposes of the second condition, it does not matter whether the officer believes that the offence or offences in question have been committed or that they will be committed (or will be committed unless a closure order is made).
- (6) The third condition is that the officer is satisfied that reasonable efforts have been made—
 - (a) to consult the local authority for the area in which the premises are situated, and

Changes to legislation: Sexual Offences Act 2003, Section 136BA is up to date with all changes known to be in force on or before 17 April 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

- (b) to establish the identity of any person who resides on the premises or who has control of or responsibility for or an interest in the premises.
- (7) If the local authority has not been consulted when the notice is issued, it must be consulted as soon as possible afterwards.
- (8) An authorisation under subsection (1) may be given orally or in writing, but if it is given orally the authorising officer must confirm it in writing as soon as it is practicable.
- (9) The issue of a closure notice may be authorised whether or not a person has been convicted of any specified child sex offence that the authorising officer believes has been committed.
- (10) The Secretary of State may by regulations specify premises or descriptions of premises to which this section does not apply.]]

Textual Amendments

- F1** Pt. 2A inserted (E.W.N.I.) (1.4.2010 for E.W. and otherwise prosp.) by [Policing and Crime Act 2009](#) (c. 26), ss. 21(1), 116(1), [Sch. 2 para. 1](#) (with s. 21(2)); S.I. 2010/507, [art. 5\(t\)](#) (subject to art. 6)
- F2** S. 136BA inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), [Sch. 6 para. 4](#) (with ss. 21, 33, 42, 58, 75, 93, 115(2)); S.I. 2015/373, art. 2(f)

Changes to legislation:

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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\(15\)](#)