



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

Notification requirements

82 The notification period

- (1) The notification period for a person within section 80(1) or 81(1) is the period in the second column of the following Table opposite the description that applies to him.

TABLE

| <i>Description of relevant offender</i> | <i>Notification period</i> |
|---|---|
| A person who, in respect of the offence, is or has been sentenced to imprisonment for life ^[F1] , to imprisonment for public protection under section 225 of the Criminal Justice Act 2003 ^[F2] , to an indeterminate custodial sentence under Article 13(4) (a) of the Criminal Justice (Northern Ireland) Order 2008] or to imprisonment for] a term of 30 months or more | An indefinite period beginning with the relevant date |
| A person who, in respect of the offence, has been made the subject of an order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995 (order for lifelong restriction) | An indefinite period beginning with that date |

Changes to legislation: Sexual Offences Act 2003, Section 82 is up to date with all changes known to be in force on or before 17 January 2018. 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)

| | |
|---|---|
| A person who, in respect of the offence or finding, is or has been admitted to a hospital subject to a restriction order | An indefinite period beginning with that date |
| A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of more than 6 months but less than 30 months | 10 years beginning with that date |
| A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of 6 months or less | 7 years beginning with that date |
| A person who, in respect of the offence or finding, is or has been admitted to a hospital without being subject to a restriction order | 7 years beginning with that date |
| A person within section 80(1)(d) | 2 years beginning with that date |
| A person in whose case an order for conditional discharge or, in Scotland, [F ³ a community payback order imposing an offender supervision requirement], is made in respect of the offence | The period of conditional discharge or, in Scotland, [F ⁴ the specified period for the offender supervision requirement] |
| A person of any other description | 5 years beginning with the relevant date |

- (2) Where a person is under 18 on the relevant date, subsection (1) has effect as if for any reference to a period of 10 years, 7 years, 5 years or 2 years there were substituted a reference to one-half of that period.
- (3) Subsection (4) applies where a relevant offender within section 80(1)(a) or 81(1)(a) is or has been sentenced, in respect of two or more offences listed in Schedule 3—
- to consecutive terms of imprisonment; or
 - to terms of imprisonment which are partly concurrent.
- (4) Where this subsection applies, subsection (1) has effect as if the relevant offender were or had been sentenced, in respect of each of the offences, to a term of imprisonment which—
- in the case of consecutive terms, is equal to the aggregate of those terms;
 - in the case of partly concurrent terms (X and Y, which overlap for a period Z), is equal to X plus Y minus Z.
- (5) Where a relevant offender the subject of a finding within section 80(1)(c) or 81(1)(c) is subsequently tried for the offence, the notification period relating to the finding ends at the conclusion of the trial.
- (6) In this Part, “relevant date” means—
- in the case of a person within section 80(1)(a) or 81(1)(a), the date of the conviction;
 - in the case of a person within section 80(1)(b) or (c) or 81(1)(b) or (c), the date of the finding;
 - in the case of a person within section 80(1)(d) or 81(1)(d), the date of the caution;

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- (d) in the case of a person within section 81(7), the date which, for the purposes of Part 1 of the Sex Offenders Act 1997 (c. 51), was the relevant date in relation to that person.

[^{F5}(7) Schedule 3A (which provides for the review and discharge of indefinite notification requirements) has effect.]

Annotations:

Amendments (Textual)

- F1** Words in table in s. 82(1) substituted (S.) (8.12.2005) by [Management of Offenders etc. \(Scotland\) Act 2005 \(asp 14\), ss. 17, 24\(1\)](#); and those same words substituted (E.W.N.I.) (12.2.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), ss. 57, 66\(2\)](#); S.I. 2007/74, [art. 2](#)
- F2** S. 82(1) table: words inserted (N.I.) (15.5.2008) by [The Criminal Justice \(Northern Ireland\) Order 2008 \(S.I. 2008/1216 \(N.I. 1\)\), art. 1, Sch. 5 para. 10\(1\)](#); S.R. 2008/217, [art. 2](#), Sch. para. 18(e) (subject to art. 3)
- F3** Words in table in s. 82(1) 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\(2\)\(a\)](#) (with art. 3)
- F4** Words in table in s. 82(1) 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\(2\)\(b\)](#) (with art. 3)
- F5** S. 82(7) inserted (N.I.) (1.3.2014) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\), ss. 1\(2\), 15\(2\)\(a\)](#); S.R. 2014/53, art. 2(a)

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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
- 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. 3 para. 92HA inserted by 2015 c. 9 (N.I.) s. 90(4)