

SEXUAL OFFENCES ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Notification and Orders

Section 84: Notification requirements: changes

165. **Section 84** sets out the requirements on a relevant offender to notify the police of changes to notified details. Under *subsection (1)(c)* an offender must notify the police within 3 days, of the address of any premises he has stayed at within the UK, besides his home address, for a 'qualifying period'. This place might be a friend or relative's house or a hotel where he has stayed. A qualifying period is defined at *subsection (6)* and is a period of 7 days, or two or more periods, in any twelve months, which taken together amount to 7 days.
166. *Subsection (2)* allows an offender to notify the police of any change to his notified details (his name, address or having stayed away from home for 7 or more days) in advance of such change. The advance notification must give a date when the change is expected to occur.
167. *Subsections (3) and (4)* deal with the scenario in which the change does not take place as notified in advance. As long as the change takes place no earlier than 2 days before the date notified or no later than 3 days after the date notified, the offender need not update the police as to the actual date on which the change took place. However, where the change takes place outside this period, the person must notify the change in accordance with *subsection (1)*, that is, within 3 days of the actual change. And, where the change takes place 3 days or more after the date specified, the person must also notify the police (within 6 days of the date specified) that the information he notified in advance is no longer correct.
168. The effect of *subsection (5)* is that time when an offender is in custody, detained or abroad (as provided at *subsection (6)* of section 83), will be disregarded for the purpose of determining the 3 day period specified in *subsection (1)* and the 6 day period specified in *subsection (4)(b)*.