

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 7: Violent offender orders

Section 110: Notification requirements: periodic notification

631. This section provides (*subsection (1)*) that an offender must re-notify the police of the details set out in section 108(2) within a defined period of each notification date, unless during this period he re-notifies, because of a change of circumstances, under section 109.
632. This means that where a person becomes subject to the notification requirements and there is no “notifiable event” under section 109, he will have to re-notify within a year of his initial notification and annually thereafter. The only exception to this is if the last home address notified by the offender was such as mentioned in section 108(5)(b) i.e. when an individual does not have a sole or main residence in the United Kingdom. In this instance, the individual may be subject to a different frequency of notification requirements as prescribed by regulations made by the Secretary of State (subject to the affirmative resolution procedure). Where a person does notify his having stayed away from home for 7 days, for example, he will have to re-notify the police of the information set out in section 108(2) within a year of giving the notification of having stayed away from home. If within that year he notifies another period spent away from home, or a change of name or address, the need to re-notify the details set out in section 108(2) will be put back to a year after that latter notification.
633. *Subsection (7)* provides that nothing in this section applies to an offender who is subject to an interim VOO.