



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 3

OTHER PROVISIONS

Control of sex offenders

78 Sex offender notification requirements

- (1) Section 83 of the 2003 Act (which requires certain offenders to make an initial notification of certain information) is amended in accordance with subsections (2) and (3).
- (2) In subsection (5), after paragraph (g) there is inserted—
 - “(h) whether he has any passports and, in relation to each passport he has, the details set out in subsection (5A);
 - (i) such other information, about him or his personal affairs, as the Scottish Ministers may prescribe in regulations.
- (5A) The details are—
 - (a) the issuing authority;
 - (b) the number;
 - (c) the dates of issue and expiry;
 - (d) the name and date of birth given as being those of the passport holder.”.
- (3) After subsection (7), there is inserted—
 - “(8) In this section, “passport” means—

Status: Point in time view as at 01/09/2006.

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 78 is up to date with all changes known to be in force on or before 04 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)*

- (a) a United Kingdom passport within the meaning of the Immigration Act 1971 (c. 77);
 - (b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;
 - (c) a document that can be used (in some or all circumstances) instead of a passport.”.
- (4) Section 84 of the 2003 Act (which requires certain changes to notified information to be notified within 3 days) is amended in accordance with subsections (5) and (6).
- (5) In subsection (1)—
- (a) the word “or” immediately after paragraph (c) is repealed;
 - (b) after paragraph (d) there is inserted—
 - “(e) his losing or ceasing to have a passport notified to the police under section 83(1) or this subsection,
 - (f) his receiving a passport which has not been notified to the police under section 83(1) or this subsection, or
 - (g) the occurrence, in relation to information required to be notified by virtue of regulations made under section 83(5) (i), of an event prescribed by the Scottish Ministers in regulations,”; and
 - (c) for “(as the case may be) the fact that he has been released” there is substituted “ the fact that he has been released, the fact that he has lost or ceased to have the passport, the details set out in section 83(5A) in relation to the passport or (as the case may be) such information as the Scottish Ministers prescribe in regulations ”.
- (6) After subsection (1), there is inserted—
- “(1A) In subsection (1), “passport” has the same meaning as in section 83.”.
- (7) In section 87 of the 2003 Act (method of notification and related matters), after subsection (5A) (as inserted by section 77) there is inserted—
- “(5B) Where a notification is given in Scotland under section 83(1), 84(1) or 85(1), the relevant offender must, if requested to do so by the police officer or person referred to in subsection (1)(b), produce each passport he has to that officer or person, for inspection by that officer or person.
- (5C) In subsection (5B), “passport” has the same meaning as in section 83.”.
- (8) In section 91(1)(a) of the 2003 Act (offences of failing to comply with certain provisions), after “(5A)” (as inserted by section 77) there is inserted “ or (5B) ”.
- (9) In section 138 of the 2003 Act (orders and regulations), in subsection (2), after “21,” there is inserted “ 83, 84, ”.

Status:

Point in time view as at 01/09/2006.

Changes to legislation:

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