



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

Information for verification

94 Part 2: supply of information to Secretary of State etc. for verification

- (1) This section applies to information notified to the police under—
 - (a) section 83, 84 or 85, or
 - (b) section 2(1) to (3) of the Sex Offenders Act 1997 (c. 51).
- (2) A person within subsection (3) may, for the purposes of the prevention, detection, investigation or prosecution of offences under this Part, supply information to which this section applies to—
 - (a) the Secretary of State,
 - ^{F1}(aa)
 - (b) a Northern Ireland Department, or
 - (c) a person providing services to the Secretary of State ^{F2}... or a Northern Ireland Department in connection with a relevant function,for use for the purpose of verifying the information.
- (3) The persons are—
 - (a) a chief officer of police (in Scotland, a chief constable),
 - ^{F3}(b) the National Policing Improvement Agency,]
 - ^{F4}(c) the Serious Organised Crime Agency.]
- (4) In relation to information supplied under subsection (2) to any person, the reference to verifying the information is a reference to—
 - (a) checking its accuracy by comparing it with information held—

Status: Point in time view as at 01/08/2012.

Changes to legislation: Sexual Offences Act 2003, Cross Heading: Information for verification is up to date with all changes known to be in force on or before 10 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)

- (i) where the person is the Secretary of State^{F5}... or a Northern Ireland Department, by him or it in connection with the exercise of a relevant function, or
 - (ii) where the person is within subsection (2)(c), by that person in connection with the provision of services referred to there, and
 - (b) compiling a report of that comparison.
- (5) Subject to subsection (6), the supply of information under this section is to be taken not to breach any restriction on the disclosure of information (however arising or imposed).
- (6) This section does not authorise the doing of anything that contravenes the Data Protection Act 1998 (c. 29).
- (7) This section does not affect any power existing apart from this section to supply information.
- (8) In this section—
- “Northern Ireland Department” means the Department for Employment and Learning, the Department of the Environment or the Department for Social Development;
- “relevant function” means—
- (a) a function relating to social security, child support, employment or training,
 - (aa)^{F6}
 - (b) a function relating to passports,
 - (c) a function under Part 3 of the Road Traffic Act 1988 (c. 52) or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)).

Textual Amendments

- F1** S. 94(2)(aa) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 68(a)**
- F2** Words in s. 94(2)(c) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 68(b)**
- F3** S. 94(3)(b) substituted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 1(3), 53, **Sch. 1 para. 90**; [S.I. 2007/709](#), **art. 3(a)** (subject to arts. 6, 7)
- F4** S. 94(3)(c) substituted for s. 94(3)(c)(d) (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, **Sch. 4 para. 194**; [S.I. 2006/378](#), **art. 4(1)**, Sch. para. 10 (subject to art. 4(2)-(7))
- F5** Words in s. 94(4)(a)(i) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 68(c)**
- F6** S. 94(8) definition of “relevant function” para. (aa) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 68(d)**

95 Part 2: supply of information by Secretary of State etc.

- (1) A report compiled under section 94 may be supplied by—

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- (a) the Secretary of State,
^{F7}(aa)
 - (b) a Northern Ireland Department, or
 - (c) a person within section 94(2)(c),
to a person within subsection (2).
- (2) The persons are—
- (a) a chief officer of police (in Scotland, a chief constable),
 - [^{F8}(b) the Serious Organised Crime Agency.]
- (3) Such a report may contain any information held—
- (a) by the Secretary of State ^{F9}... or a Northern Ireland Department in connection with the exercise of a relevant function, or
 - (b) by a person within section 94(2)(c) in connection with the provision of services referred to there.
- (4) Where such a report contains information within subsection (3), the person within subsection (2) to whom it is supplied—
- (a) may retain the information, whether or not used for the purposes of the prevention, detection, investigation or prosecution of an offence under this Part, and
 - (b) may use the information for any purpose related to the prevention, detection, investigation or prosecution of offences (whether or not under this Part), but for no other purpose.
- (5) Subsections (5) to (8) of section 94 apply in relation to this section as they apply in relation to section 94.

Textual Amendments

- F7** S. 95(1)(aa) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 69(a)**
- F8** S. 95(2)(b) substituted for s. 95(b)(c) (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, **Sch. 4 para. 195**; S.I. 2006/378, **art. 4(1)**, Sch. para. 10 (subject to art. 4(2)-(7))
- F9** Words in s. 95(3)(a) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 69(b)**

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