
Changes to legislation: Sexual Offences Act 2003, Cross Heading: Initial review: applications is up to date with all changes known to be in force on or before 03 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) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 3A

REVIEW OF INDEFINITE NOTIFICATION REQUIREMENTS

Textual Amendments

- F1** Sch. 3A inserted (N.I.) (1.3.2014) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\)](#), ss. 1(3), 15(2)(a), [Sch. 1](#); [S.R. 2014/53](#), art. 2

Initial review: applications

- 2 (1) Except as provided by sub-paragraph (2), an offender may, at any time after the end of the initial review period, apply to the Chief Constable to discharge the offender from the notification requirements.
- (2) Sub-paragraph (1) does not apply at any time when—
- (a) the offender is also subject to a sexual offences prevention order or an interim sexual offences prevention order; or
 - (b) the offender is also subject to the notification requirements for a fixed period which has not expired.
- (3) Subject to sub-paragraph (4), the initial review period is—
- (a) in the case of an offender under the age of 18 at the date of the relevant event, 8 years beginning with the date of initial notification;
 - (b) in the case of any other offender, 15 years beginning with the date of initial notification.
- (4) In calculating the initial review period—
- (a) in a case where an offender is subject to the notification requirements for an indefinite period as a result of two or more relevant events, the calculation is to be made by reference to the later or latest of those events;
 - (b) in any case, there is to be disregarded any period during which the offender is, in connection with a relevant event—
 - (i) remanded in, or committed to, custody by an order of a court;
 - (ii) in custody serving a sentence of imprisonment or detention; or
 - (iii) detained in a hospital.
- (5) The date of initial notification is—
- (a) in the case of an offender who is subject to the notification requirements for an indefinite period by virtue of section 81, the date by which the offender was required to give notification under section 2(1) of the Sex Offenders Act 1997;

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- (b) in the case of any other offender, the date by which the offender is required to give notification under section 83(1) (or would be so required but for the fact that the offender falls within an exception in section 83(2) or (4)).
- (6) An application under this paragraph must be in writing and must include—
 - (a) the name, address and date of birth of the offender;
 - (b) the name and address of the offender at the date of each relevant event (if different);
 - (c) the date of each relevant event, and (where a relevant event is a conviction or finding) the court by or before which the conviction or finding occurred;
 - (d) any information which the offender wishes to be taken into account by the Chief Constable in determining the application.
- (7) The Chief Constable must, within 14 days of the receipt of an application under this paragraph, give an acknowledgement of the receipt of the application to the offender.
- (8) The Chief Constable may, before determining any application, request information from any body or person which the Chief Constable considers appropriate.]

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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](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)