



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

[^{F1}Sexual offences prevention orders [^{F1}(Scotland and Northern Ireland)]

[^{F1}[^{F2}10]SOPOs: effect

- (1) A sexual offences prevention order—
 - (a) prohibits the defendant from doing anything described in the order [^{F3}or requires the defendant to do anything described in the order (or both)], and
 - (b) has effect for a fixed period (not less than 5 years) specified in the order or until further order.
- (2) The only prohibitions [^{F4}or requirements] that may be included in the order are those necessary for the purpose of protecting the public or any particular members of the public from serious sexual harm from the defendant.
- (3) Where—
 - (a) an order is made in respect of a defendant who was a relevant offender immediately before the making of the order, and
 - (b) the defendant would (apart from this subsection [^{F5}and sections 88F and 88G]) cease to be subject to the notification requirements of this Part while the order (as renewed from time to time) has effect,the defendant remains subject to the notification requirements.

[^{F6}(3A) Where—

- (a) a sexual offences prevention order is in effect in relation to a relevant sex offender (within the meaning of section 88A); and
 - (b) by virtue of section 88F or 88G the relevant sex offender ceases to be subject to the notification requirements of this Part,
- the sexual offences prevention order ceases to have effect.

Changes to legislation: Sexual Offences Act 2003, Section 107 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) View outstanding changes

- (3B) Subsection (3A) applies to the orders mentioned in section 108(8)(b) and (c) as it applies to sexual offences prevention orders.]
- (4) Where an order is made in respect of a defendant who was not a relevant offender immediately before the making of the order—
- (a) the order causes the defendant to become subject to the notification requirements of this Part from the making of the order until the order (as renewed from time to time) ceases to have effect, and
 - (b) this Part applies to the defendant, subject to the modification set out in subsection (5).
- (5) The “relevant date” is the date of service of the order.
- (6) Where a court makes a sexual offences prevention order in relation to a person already subject to such an order (whether made by that court or another), the earlier order ceases to have effect.
- (7) Section 106(3) applies for the purposes of this section and section 108.]]

Textual Amendments

- F1** Ss. 104-122 repealed (E.W.) (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), [Sch. 5 para. 3](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(e)
- F2** Ss. 104-109 repealed (S.) (31.3.2023) by [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) (asp 22), [ss. 39\(1\)\(a\)](#), 45(2)(3) (with ss. 40(2)-(4), 44); S.S.I. 2023/51, [reg. 2](#) (with reg. 3)
- F3** Words in s. 107(1)(a) inserted (N.I.) (24.6.2014) by [Criminal Justice Act \(Northern Ireland\) 2013](#) (c. 7), [ss. 5\(2\)\(a\)](#), 15(2)(c); S.R. 2014/179, art. 2(c)
- F4** Words in s. 107(2) inserted (N.I.) (24.6.2014) by [Criminal Justice Act \(Northern Ireland\) 2013](#) (c. 7), [ss. 5\(2\)\(b\)](#), 15(2)(c); S.R. 2014/179, art. 2(c)
- F5** Words in s. 107(3)(b) inserted (S.) (28.1.2011) by [The Sexual Offences Act 2003 \(Remedial\) \(Scotland\) Order 2011](#) (S.S.I. 2011/45), arts. 1(1), [4\(1\)\(a\)](#)
- F6** S. 107(3A) inserted (S.) (28.1.2011) by [The Sexual Offences Act 2003 \(Remedial\) \(Scotland\) Order 2011](#) (S.S.I. 2011/45), arts. 1(1), [4\(1\)\(b\)](#)

Modifications etc. (not altering text)

- C1** Pt. 2 applied (with modifications) (S.) (31.3.2023) by [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) (asp 22), [ss. 18\(3\)](#), 45(2)(3) (with s. 44); S.S.I. 2023/51, [reg. 2](#) (with reg. 3)
- C2** Pt. 2 applied (with modifications) (S.) (31.3.2023) by [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) (asp 22), [ss. 35\(3\)\(4\)](#), 45(2)(3) (with s. 44); S.S.I. 2023/51, [reg. 2](#) (with reg. 3)
- C3** Pt. 2 applied (with modifications) (S.) (31.3.2023) by [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) (asp 22), [s. 38\(4\)-\(6\)](#), 45(2)(3) (with s. 44); S.S.I. 2023/51, [reg. 2](#) (with reg. 3)

Changes to legislation:

Sexual Offences Act 2003, Section 107 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.

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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\(15\)](#)