



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### [<sup>F1</sup>PART 2A

#### CLOSURE ORDERS

##### *Extension and discharge of closure orders*

#### [<sup>F1</sup>136J Discharge of closure order

- (1) Any of the following persons may make a complaint to an appropriate judicial officer for an order that a closure order be discharged—
  - (a) a constable;
  - (b) the local authority;
  - (c) a person on whom the closure notice relating to the closed premises was served under section 136C(3)(d) or (4);
  - (d) any other person who has an interest in the closed premises but on whom the closure notice was not served.
- (2) If a complaint is made under subsection (1) by a person other than a constable the judicial officer may issue a summons directed to such constable as the judicial officer thinks appropriate requiring the constable to appear before the magistrates' court to answer to the complaint.
- (3) The court may not make an order discharging a closure order unless it is satisfied that the order is no longer necessary to prevent the premises being used for activities related to any of the specified [<sup>F2</sup>prostitution, pornography or child sex offences] in respect of which section 136D(9) applied.
- (4) If a complaint is made under subsection (1), a notice stating the date and time when, and the place at which, the complaint will be heard must be served on—
  - (a) the persons mentioned in subsection (1)(c) and (d) (other than the complainant),
  - (b) a constable (unless a constable is the complainant), and

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**Changes to legislation:** Sexual Offences Act 2003, Section 136J is up to date with all changes known to be in force on or before 26 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

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(c) the local authority (unless it is the complainant).

(5) In this section “appropriate judicial authority” has the same meaning as in section 136H.]

**Textual Amendments**

- F1** Pt. 2A inserted (E.W.N.I.) (1.4.2010 for E.W. and otherwise prosp.) by [Policing and Crime Act 2009](#) (c. 26), ss. 21(1), 116(1), [Sch. 2 para. 1](#) (with s. 21(2)); S.I. 2010/507, [art. 5\(t\)](#) (subject to art. 6)
- F2** Words in s. 136J(3) substituted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), [Sch. 6 para. 9](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(f)

**Changes to legislation:**

Sexual Offences Act 2003, Section 136J is up to date with all changes known to be in force on or before 26 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 :**

- s. 136J(5) words substituted by [2011 c. 24 \(N.I.\) s. 55\(2\)](#)

**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\(15\)](#)