



# Counter-Terrorism Act 2008

## 2008 CHAPTER 28

### PART 4

#### NOTIFICATION REQUIREMENTS

##### *Notification requirements*

#### **47 Initial notification**

- (1) A person to whom the notification requirements apply must notify the following information to the police within the period of three days beginning with the day on which the person is dealt with in respect of the offence in question.
- (2) The information required is—
  - (a) date of birth;
  - (b) national insurance number;
  - (c) name on the date on which the person was dealt with in respect of the offence (where the person used one or more other names on that date, each of those names);
  - (d) home address on that date;
  - (e) name on the date on which notification is made (where the person uses one or more other names on that date, each of those names);
  - (f) home address on the date on which notification is made;
  - (g) address of any other premises in the United Kingdom at which, at the time the notification is made, the person regularly resides or stays;
  - (h) any prescribed information.
- (3) In subsection (2) “prescribed” means prescribed by regulations made by the Secretary of State.

Such regulations are subject to affirmative resolution procedure.

- (4) In determining the period within which notification is to be made under this section, there shall be disregarded any time when the person is—

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- (a) remanded in or committed to custody by an order of a court,
  - (b) serving a sentence of imprisonment or detention,
  - (c) detained in a hospital, or
  - (d) detained under the Immigration Acts.
- (5) This section does not apply to a person who—
- (a) is subject to the notification requirements in respect of another offence (and does not cease to be so subject before the end of the period within which notification is to be made), and
  - (b) has complied with this section in respect of that offence.
- (6) In the application of this section to a person dealt with for an offence before the commencement of this Part who, immediately before commencement—
- (a) would be imprisoned or detained in respect of the offence but for being unlawfully at large, absent without leave, on temporary leave or leave of absence, or on bail pending an appeal, or
  - (b) is on licence, having served the custodial part of a sentence of imprisonment in respect of the offence,
- the reference in subsection (1) to the day on which the person is dealt with in respect of the offence shall be read as a reference to the commencement of this Part.

#### **48 Notification of changes**

- (1) A person to whom the notification requirements apply who uses a name that has not previously been notified to the police must notify the police of that name.
- (2) If there is a change of the home address of a person to whom the notification requirements apply, the person must notify the police of the new home address.
- (3) A person to whom the notification requirements apply who resides or stays at premises in the United Kingdom the address of which has previously not been notified to the police—
- (a) for a period of 7 days, or
  - (b) for two or more periods, in any period of 12 months, that taken together amount to 7 days,
- must notify the police of the address of those premises.
- (4) A person to whom the notification requirements apply who is released—
- (a) from custody pursuant to an order of a court,
  - (b) from imprisonment or detention pursuant to a sentence of a court,
  - (c) from detention in a hospital, or
  - (d) from detention under the Immigration Acts,
- must notify the police of that fact.

This does not apply if the person is at the same time required to notify the police under section 47 (initial notification).

- (5) A person who is required to notify information within section 47(2)(h) (prescribed information) must notify the police of the prescribed details of any prescribed changes in that information.

- (6) In subsection (5) “prescribed” means prescribed by regulations made by the Secretary of State.

Such regulations are subject to affirmative resolution procedure.

- (7) Notification under this section must be made before the end of the period of three days beginning with the day on which the event in question occurs.

Where subsection (3) applies that is the day with which the period referred to in paragraph (a) or (b) (as the case may be) ends.

- (8) In determining the period within which notification is to be made under this section, there shall be disregarded any time when the person is—

- (a) remanded in or committed to custody by an order of a court,
- (b) serving a sentence of imprisonment or detention,
- (c) detained in a hospital, or
- (d) detained under the Immigration Acts.

- (9) References in this section to previous notification are to previous notification by the person under section 47 (initial notification), this section, section 49 (periodic re-notification) or section 56 (notification on return after absence from UK).

- (10) Notification under this section must be accompanied by re-notification of the other information mentioned in section 47(2).

#### **49 Periodic re-notification**

- (1) A person to whom the notification requirements apply must, within the period of one year after last notifying the police in accordance with—

- (a) section 47 (initial notification),
- (b) section 48 (notification of change),
- (c) this section, or
- (d) section 56 (notification on return after absence from UK),

re-notify to the police the information mentioned in section 47(2).

- (2) Subsection (1) does not apply if the period referred to in that subsection ends at a time when the person is—

- (a) remanded in or committed to custody by an order of a court,
- (b) serving a sentence of imprisonment or detention,
- (c) detained in a hospital, or
- (d) detained under the Immigration Acts.

- (3) In that case section 48(4) and (10) (duty to notify of release and to re-notify other information) apply when the person is released.

#### **50 Method of notification and related matters**

- (1) This section applies to notification under—

- (a) section 47 (initial notification),
- (b) section 48 (notification of change),
- (c) section 49 (periodic re-notification), or
- (d) section 56 (notification on return after absence from UK).

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- (2) Notification must be made by the person—
  - (a) attending at a police station in the person’s local police area, and
  - (b) making an oral notification to a police officer or to a person authorised for the purpose by the officer in charge of the station.
- (3) A person making a notification under section 48 (notification of change) in relation to premises referred to in subsection (3) of that section may make the notification at a police station that would fall within subsection (2)(a) above if the address of those premises were the person’s home address.
- (4) The notification must be acknowledged.
- (5) The acknowledgement must be in writing, and in such form as the Secretary of State may direct.
- (6) The person making the notification must, if requested to do so by the police officer or person to whom the notification is made, allow the officer or person to—
  - (a) take the person’s fingerprints,
  - (b) photograph any part of the person, or
  - (c) do both these things,for the purpose of verifying the person’s identity.
- (7) In the application of this section to Scotland, references to a police officer are to be read as references to a constable.

## **51 Meaning of “local police area”**

- (1) For the purposes of section 50(2) (method of notification) a person’s “local police area” means—
  - (a) the police area in which the person’s home address is situated;
  - (b) in the absence of a home address, the police area in which the home address last notified is situated;
  - (c) in the absence of a home address and of any such notification, the police area in which the court of trial was situated.
- (2) In subsection (1)(c) “the court of trial” means—
  - (a) the court by or before which the conviction or finding was made by virtue of which the notification requirements apply to the person, or
  - (b) if that conviction or finding was one substituted on an appeal or reference, the court by or before which the proceedings were taken from which the appeal or reference was brought.
- (3) This section and section 50(2) apply in relation to Northern Ireland as if Northern Ireland were a police area.

## **52 Travel outside the United Kingdom**

- (1) The Secretary of State may by regulations make provision requiring a person to whom the notification requirements apply who leaves the United Kingdom—
  - (a) to notify the police of their departure before they leave, and
  - (b) to notify the police of their return if they subsequently return to the United Kingdom.

- (2) Notification of departure must disclose—
  - (a) the date on which the person intends to leave the United Kingdom;
  - (b) the country (or, if there is more than one, the first country) to which the person will travel;
  - (c) the person’s point of arrival (determined in accordance with the regulations) in that country;
  - (d) any other information required by the regulations.
- (3) Notification of return must disclose such information as is required by the regulations about the person’s return to the United Kingdom.
- (4) Notification under this section must be given in accordance with the regulations.
- (5) Regulations under this section are subject to affirmative resolution procedure.