



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 4

NOTIFICATION REQUIREMENTS

Period for which notification requirements apply

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- (1) The period for which the notification requirements apply is—
- (a) 30 years in the case of a person who—
 - (i) is aged 18 or over at the time of conviction for the offence, and
 - (ii) receives in respect of the offence a sentence within subsection (2);
 - (b) 15 years in the case of a person who—
 - (i) is aged 18 or over at the time of conviction for the offence, and
 - (ii) receives in respect of the offence a sentence within subsection (3);
 - (c) 10 years in any other case.
- (2) The sentences in respect of which a 30 year period applies are—
- (a) in England and Wales—
 - (i) imprisonment or custody for life,
 - (ii) imprisonment or detention in a young offender institution for a term of 10 years or more,
 - (iii) imprisonment or detention in a young offender institution for public protection under section 225 of the Criminal Justice Act 2003 (c. 44),
 - (iv) detention during Her Majesty's pleasure;
 - (b) in Scotland—
 - (i) imprisonment or detention in a young offenders institution for life,
 - (ii) imprisonment or detention in a young offenders institution for a term of 10 years or more,

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Period for which notification requirements apply. (See end of Document for details)

- (iii) an order for lifelong restriction under section 210F of the Criminal Procedure (Scotland) Act 1995 (c. 46);
- (c) in Northern Ireland—
 - (i) imprisonment for life,
 - (ii) imprisonment for a term of 10 years or more,
 - (iii) an indeterminate custodial sentence under Article 13 of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)),
 - (iv) an extended custodial sentence for a term of 10 years or more under Article 14(5) of that Order (offenders under 21 convicted of certain offences),
 - (v) detention during the pleasure of the [F¹Minister in charge of the Department of Justice] under Article 45(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9)).
- (3) The sentences in respect of which a 15 year period applies are—
 - (a) in England and Wales, imprisonment or detention in a young offender institution for a term of 5 years or more but less than 10 years;
 - (b) in Scotland, imprisonment or detention in a young offenders institution for a term of 5 years or more but less than 10 years;
 - (c) in Northern Ireland—
 - (i) imprisonment for a term of 5 years or more but less than 10 years,
 - (ii) an extended custodial sentence for a term of 5 years or more but less than 10 years under Article 14(5) of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)) (offenders under 21 convicted of certain offences).
- (4) The period begins with the day on which the person is dealt with for the offence.
- (5) If a person who is the subject of a finding within section 45(1)(b)(iii), (2)(b)(iii) or (3)(b)(iii) (finding of disability, etc) is subsequently tried for the offence, the period resulting from that finding ends—
 - (a) if the person is acquitted, at the conclusion of the trial;
 - (b) if the person is convicted, when the person is again dealt with in respect of the offence.
- (6) For the purposes of determining the length of the period—
 - (a) a person who has been sentenced in respect of two or more offences to which this Part applies to consecutive terms of imprisonment is treated as if sentenced, in respect of each of the offences, to a term of imprisonment equal to the aggregate of the terms; and
 - (b) a person who has been sentenced in respect of two or more such offences to concurrent terms of imprisonment (X and Y) that overlap for a period (Z) is treated as if sentenced, in respect of each of the offences, to a term of imprisonment equal to X plus Y minus Z.
- (7) In determining whether the period has expired, there shall be disregarded any period when the person was—
 - (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.

Changes to legislation: *There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Period for which notification requirements apply. (See end of Document for details)*

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Textual Amendments

- F1** Words in s. 53(2)(c)(v) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 14 para. 91(3)** (with arts. 28-31)
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Commencement Information

- I1** S. 53 in force at 1.10.2009 by [S.I. 2009/1493](#), **art. 2(a)**

Changes to legislation:

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