



Stalking Protection Act 2019

2019 CHAPTER 9

Notification requirements

9 Notification requirements

- (1) A person subject to—
 - (a) a stalking protection order (other than one which replaces an interim stalking protection order), or
 - (b) an interim stalking protection order,must, within the period of 3 days beginning with the date of service of the order, notify to the police the information set out in subsection (2).
- (2) The information is—
 - (a) the person's name and, where the person uses one or more other names, each of those names;
 - (b) the person's home address.
- (3) A person who—
 - (a) is subject to a stalking protection order or an interim stalking protection order, and
 - (b) uses a name which has not been notified under this section,must, before the end of the period of 3 days beginning with the date on which that happens, notify to the police that name.
- (4) A person who—
 - (a) is subject to a stalking protection order or an interim stalking protection order, and
 - (b) changes home address,must, before the end of the period of 3 days beginning with the date on which that happens, notify to the police the new home address.
- (5) The requirements imposed by this section do not apply to a person who is subject to notification requirements under Part 2 of the Sexual Offences Act 2003.

- (6) Subsection (7) applies where—
- (a) a person is subject to a stalking protection order or an interim stalking protection order,
 - (b) at the time the order is made, the requirements imposed by this section do not apply to the person as a result of subsection (5),
 - (c) the person ceases on a subsequent day (“the final day”) to be subject to the notification requirements mentioned in that subsection, and
 - (d) the order remains in effect on the final day.
- (7) The requirements imposed by this section apply to the person as from the final day, but as if the reference in subsection (1) to the date of service of the order were a reference to the final day.

10 Method of notification and related matters

- (1) A person whose home address is in England or Wales gives a notification under section 9(1), (3) or (4) by—
- (a) attending at a police station in the person’s local police area, and
 - (b) giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.
- (2) A person who does not have a home address in England or Wales gives a notification under section 9(1), (3) or (4) by—
- (a) attending at a police station in the local police area in which the magistrates’ court which last made a stalking protection order or an interim stalking protection order in respect of the person is situated, and
 - (b) giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.
- (3) In relation to a person giving a notification under section 9(4), the references in subsections (1) and (2) to the person’s home address are references to—
- (a) the person’s new home address if the person gives the notification after changing home address, or
 - (b) the person’s old home address if the person gives the notification before changing home address.
- (4) A notification given in accordance with this section must be acknowledged—
- (a) in writing, and
 - (b) in such form as the Secretary of State may direct.
- (5) When a person gives notification under section 9(1), (3) or (4), the person must, if requested to do so by the police officer or person mentioned in subsection (1)(b), allow that officer or person to—
- (a) take the person’s fingerprints,
 - (b) photograph any part of the person, or
 - (c) do both of these things.
- (6) The power in subsection (5) is exercisable for the purpose of verifying the identity of the person.

11 Offences relating to notification

- (1) A person commits an offence if the person—
 - (a) fails, without reasonable excuse, to comply with section 9(1), (3) or (4), or with section 10(5), or
 - (b) notifies to the police, in purported compliance with section 9(1), (3) or (4), any information which the person knows to be false.
- (2) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine or both, or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine or both.
- (3) A person commits an offence under subsection (1)(a) on the day on which the person first fails, without reasonable excuse, to comply with section 9(1), (3) or (4).
- (4) The person continues to commit the offence throughout any period during which the failure continues.
- (5) But the person may not be prosecuted more than once in respect of the same failure.
- (6) Proceedings for an offence under this section may be commenced in any court having jurisdiction in any place where the person charged with the offence resides or is found.
- (7) In relation to an offence committed before section 154(1) of the Criminal Justice Act 2003 comes into force, the reference in subsection (2)(a) to 12 months is to be read as a reference to 6 months.