



# Police Reform Act 2002

## 2002 CHAPTER 30

### PART 4

#### POLICE POWERS ETC.

### CHAPTER 2

#### PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

#### *Sex offenders*

#### **67 Sex offenders: England and Wales**

- (1) Section 2 of the Crime and Disorder Act 1998 (c. 37) (sex offender orders) shall be amended as follows.
- (2) In subsection (1) (application for a sex offender order)—
  - (a) for “in his police area” there shall be substituted “ who he believes is in, or is intending to come to, his police area ”;
  - (b) for “the public” there shall be substituted “ the public in the United Kingdom, or any particular members of that public, ”.
- (3) In subsection (2) (which identifies the court to which an application must be made)—
  - (a) for “the magistrates’ court” there shall be substituted “—
    - (a) any magistrates’ court”;
    - (b) at the end there shall be inserted “; or
      - (b) any magistrates’ court whose commission area includes any part of the applicant’s police area.”
- (4) In subsection (4) (the prohibitions which may be imposed), for “the public” there shall be substituted “ the public in the United Kingdom, or any particular members of that public, ”.

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*Status: Point in time view as at 02/12/2002. This version of this provision has been superseded.*

*Changes to legislation: Police Reform Act 2002, Section 67 is up to date with all changes known to be in force on or before 25 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)*

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- (5) In subsection (6) (variation or discharge of the order)—
- (a) after “the applicant” there shall be inserted “, any other relevant chief officer of police ”;
  - (b) for “the court which made a sex offender order for it” there shall be substituted “ the appropriate court for the sex offender order ”.
- (6) After that subsection there shall be inserted—
- “(6A) In subsection (6) above—
- “the appropriate court” means—
- (a) the court which made the sex offender order; or
  - (b) any magistrates’ court whose commission area includes any part of the police area of the applicant or of any other relevant chief officer of police;
- “relevant chief officer of police” means a chief officer of police who believes that the defendant is in, or is intending to come to, his police area.”
- (7) In subsection (7) (discharge of orders), after “parties” there shall be inserted “ and subject to subsection (7A) below ”.
- (8) After that subsection there shall be inserted—
- “(7A) Where any magistrates’ court makes a sex offender order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order is discharged by the making of the subsequent one.”
- (9) In subsection (8) (offence for breach of order), for “shall be” there shall be substituted “ is guilty of an offence and ”.
- (10) Subsections (4) to (6) apply in relation to applications and orders under section 2 of the Crime and Disorder Act 1998 (c. 37), whether made before or after the coming into force of this section.

**Status:**

Point in time view as at 02/12/2002. This version of this provision has been superseded.

**Changes to legislation:**

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