

*These notes refer to the Sexual Offences Act 2003 (c.42)
which received Royal Assent on 20 November 2003*

SEXUAL OFFENCES ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Notification and Orders

Section 118: Foreign travel orders: variations, renewals and discharges

247. **Section 118** sets out provisions permitting the variation, renewal or discharge of a foreign travel order. A defendant may wish to apply for a variation of an order if for example the order prohibits him from travelling to Romania but during the course of the order he has to attend an urgent business meeting in Romania. The police may wish to apply for a renewal of an order if, on the expiry of the previous order, they still have cause to believe that the defendant poses a risk of serious sexual harm to children abroad. *Subsection (5)* provides that an application for variation, renewal or discharge may be made to the court which made the original order; or to a magistrates' court in the area where the subject of the order resides (this will probably generally be the case where the subject of the order is making the application); or to any magistrates' court in the police area of the chief officer making the application. *Subsection (3)* provides that the court that hears the application must hear any person mentioned in *subsection (2)* who wishes to be heard. Having done so, it may make any order it considers appropriate in the light of the restrictions in *subsection (4)*. *Subsection (4)* provides that any additional prohibitions imposed on the subject must be necessary for the purpose of protecting children generally or any child from serious sexual harm from the defendant.