



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

Notification requirements

85 Notification requirements: periodic notification

- ^{F1}(1) A relevant offender must, within [^{F2}the applicable period] after each event within subsection (2), notify to the police the information set out in section 83(5), unless within that period he has given a notification under section 84(1).
- (2) The events are—
- (a) the commencement of this Part (but only in the case of a person who is a relevant offender from that commencement);
 - (b) any notification given by the relevant offender under section 83(1) or 84(1); and
 - (c) any notification given by him under subsection (1).
- ^{F3}(3) Where [^{F4}the applicable period] would (apart from this subsection) end whilst subsection (4) applies to the relevant offender, that period is to be treated as continuing until the end of the period of 3 days beginning when subsection (4) first ceases to apply to him.
- (4) This subsection applies to the relevant offender if he is—
- (a) remanded in or committed to custody by an order of a court [^{F5}or kept in service custody],
 - (b) serving a sentence of imprisonment or a term of service detention,
 - (c) detained in a hospital, or
 - (d) outside the United Kingdom.

^{F6}(5) In this section, the “applicable period” means—

Changes to legislation: Sexual Offences Act 2003, Section 85 is up to date with all changes known to be in force on or before 03 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) View outstanding changes

- (a) in any case where subsection (6) applies to the relevant offender, such period not exceeding one year as the Scottish Ministers may prescribe in regulations, and
 - (b) in any other case, the period of one year.
- (6) This subsection applies to the relevant offender if the last home address notified by the offender under section 83(1) or 84(1) or subsection (1) was the address or location of such a place as is mentioned in section 83(7)(b).]
- [^{F7}(5) In this section, “the applicable period” means—
- (a) in any case where subsection (6) applies to the relevant offender, such period as may be prescribed by regulations made by the Secretary of State, and
 - (b) in any other case, the period of one year.
- (6) This subsection applies to the relevant offender if the last home address notified by him under section 83(1) or 84(1) or subsection (1) was the address or location of such a place as is mentioned in section 83(7)(b).]

Textual Amendments

- F1** Words in s. 85(1) substituted (28.3.2011 for specified purposes, 8.7.2013 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 102(2)(a)**, 206(1); S.S.I. 2011/178, art. 2, sch.; S.S.I. 2013/214, art. 2 (with art. 3)
- F2** Words in s. 85(1) substituted (E.W.N.I.) (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 73, **142(7)**, 153(7); S.I. 2008/1586, **art. 2**, Sch. 1 para. 45 (subject to Sch. 2) and said words substituted (S.) (28.3.2011 for certain purposes, 8.7.2013 in so far as not already in force) by virtue of [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 102(2)(a)**, 206(1); S.S.I. 2011/178, art. 2, **Sch.**; S.S.I. 2013/214, art. 2 (with art. 3)
- F3** Words in s. 85(3) substituted (28.3.2011 for specified purposes, 8.7.2013 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 102(2)(b)**, 206(1); S.S.I. 2011/178, art. 2, sch.; S.S.I. 2013/214, art. 2 (with art. 3)
- F4** Words in s. 85(3) substituted (E.W.N.I.) (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 73, **142(8)**, 153(7); S.I. 2008/1586, **art. 2**, Sch. 1 para. 45 (subject to Sch. 2) and said words substituted (S.) (28.3.2011 for certain purposes, 8.7.2013 in so far as not already in force) by virtue of [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 102(2)(b)**, 206(1); S.S.I. 2011/178, art. 2, **Sch.**; S.S.I. 2013/214, art. 2 (with art. 3)
- F5** Words in s. 85(4)(a) inserted (E.W.N.I.) (31.10.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 148(1), 153(7), **Sch. 26 para. 55**; S.I. 2009/2606, **art. 3(i)**
- F6** S. 85(5)(6) inserted (S.) (28.3.2011 for specified purposes, 8.7.2013 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 102(2)(c)**, 206(1); S.S.I. 2011/178, art. 2, sch.; S.S.I. 2013/214, art. 2 (with art. 3)
- F7** S. 85(5)(6) inserted (E.W.N.I.) (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 73, **142(9)**, 153(7); S.I. 2008/1586, **art. 2**, Sch. 1 para. 45 (subject to Sch. 2)

Changes to legislation:

Sexual Offences Act 2003, Section 85 is up to date with all changes known to be in force on or before 03 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)