



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 2

#### NOTIFICATION AND ORDERS

##### *Notification requirements*

#### 91 Offences relating to notification **E+W+N.I.**

- (1) A person commits an offence if he—
  - (a) fails, without reasonable excuse, to comply with section 83(1), 84(1), 84(4)(b), 85(1)<sup>[F1]</sup>, 85A(2) or (6), 87(4) <sup>[F2]</sup> or 89(2)(b) <sup>[F2]</sup>, 89(2)(b) or 96ZB(3)(b) or any requirement imposed by regulations made under section 86(1); or
  - (b) notifies to the police, in purported compliance with section 83(1), 84(1) <sup>[F3]</sup> or 85(1) <sup>[F3]</sup>, 85(1) or 85A(2) or (6) or any requirement imposed by regulations made under section 86(1), any information which he 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 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.
- (3) A person commits an offence under paragraph (a) of subsection (1) on the day on which he first fails, without reasonable excuse, to comply with section 83(1), 84(1) <sup>[F4]</sup> or 85(1) <sup>[F4]</sup>, 85(1) or 85A(2) or (6) or a requirement imposed by regulations made under section 86(1), and continues to commit it throughout any period during which the failure continues; but a person must not be prosecuted under subsection (1) more than once in respect of the same failure.
- (4) 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.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+N.I. - England, Wales and Northern Ireland extent S - Scotland extent*

*Changes to legislation: Sexual Offences Act 2003, Section 91 is up to date with all changes known to be in force on or before 05 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*

### Extent Information

- E1** This version of this provision extends to England, Wales and Northern Ireland only; a separate version has been created for Scotland only

### Textual Amendments

- F1** Words in s. 91(1)(a) inserted (N.I.) (24.6.2014) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\), ss. 2\(4\)\(a\), 15\(2\)\(b\); S.R. 2014/179, art. 2\(a\)](#)
- F2** Words in s. 91(1)(a) substituted (E.W.) (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\), ss. 169\(3\), 208\(1\); S.I. 2022/1227, reg. 3\(b\)](#)
- F3** Words in s. 91(1)(b) substituted (N.I.) (24.6.2014) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\), ss. 2\(4\)\(b\), 15\(2\)\(b\); S.R. 2014/179, art. 2\(a\)](#)
- F4** Words in s. 91(3) substituted (N.I.) (24.6.2014) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\), ss. 2\(4\)\(c\), 15\(2\)\(b\); S.R. 2014/179, art. 2\(a\)](#)

## 91 Offences relating to notification **S**

- (1) A person commits an offence if he—
- (a) fails, without reasonable excuse, to comply with section 83(1), 84(1), 84(4)(b), 85(1), [<sup>F5</sup>87(5A)] [<sup>F6</sup>or (5B)] or 89(2)(b) or any requirement imposed by regulations made under section 86(1); or
  - (b) notifies to the police, in purported compliance with section 83(1), 84(1) or 85(1) or any requirement imposed by regulations made under section 86(1), any information which he 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 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.
- (3) A person commits an offence under paragraph (a) of subsection (1) on the day on which he first fails, without reasonable excuse, to comply with section 83(1), 84(1) or 85(1) or a requirement imposed by regulations made under section 86(1), and continues to commit it throughout any period during which the failure continues; but a person must not be prosecuted under subsection (1) more than once in respect of the same failure.
- [<sup>F7</sup>(4) Proceedings for an offence under this section may be commenced in any court—
- (a) having jurisdiction in any place where the accused—
    - (i) resides;
    - (ii) is last known to have resided; or
    - (iii) is found;
  - (b) which has convicted the accused of an offence if the accused is subject to the notification requirements of this Part by virtue of that conviction; or
  - (c) which has made an order under section 104(1)(b) in respect of the accused if the accused is subject to those requirements by virtue of that order.]

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**Status:** There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+N.I. - England, Wales and Northern Ireland extent S - Scotland extent

**Changes to legislation:** Sexual Offences Act 2003, Section 91 is up to date with all changes known to be in force on or before 05 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](#)

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### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England, Wales and Northern Ireland only
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### Textual Amendments

- F5** Words in s. 91(1)(a) substituted (S.) (1.9.2006) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), [ss. 77\(9\)](#), 104; S.S.I. 2006/432, [art. 2\(d\)](#)
- F6** Words in s. 91(1)(a) inserted (S.) (1.9.2006) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), [ss. 78\(8\)](#), 104; S.S.I. 2006/432, [art. 2\(d\)](#)
- F7** S. 91(4) substituted (S.) (8.2.2006) by [Management of Offenders etc. \(Scotland\) Act 2005 \(asp 14\)](#), [ss. 18](#), 24(2); S.S.I. 2006/48, [art. 3\(1\)](#), Sch. Pt. 1 (subject to [art. 3\(3\)](#))

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+N.I. - England, Wales and Northern Ireland extent
- S - Scotland extent

**Changes to legislation:**

Sexual Offences Act 2003, Section 91 is up to date with all changes known to be in force on or before 05 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\(15\)](#)