



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 2

#### NOTIFICATION AND ORDERS

##### *[<sup>F1</sup>Offences outside the United Kingdom: notification requirements*

##### **[<sup>F1</sup>96ZD Appeal against the issue of a notice under section 96ZA or 96ZB**

- (1) A person (“P”) may appeal to a magistrates’ court against the decision to give them a notice under section 96ZA.
- (2) The grounds for bringing an appeal under subsection (1) include—
  - (a) that one or more of the conditions for the giving of the notice were not met in respect of P at the time the notice was given;
  - (b) that the conviction, finding or caution by reason of which P was given the notice falls within subsection (3).
- (3) A conviction, finding or caution falls within this subsection if—
  - (a) any investigations or proceedings leading to it were conducted in a way which contravened any of the Convention rights (within the meaning of section 1 of the Human Rights Act 1998) which P would have had if those investigations or proceedings had taken place in the United Kingdom, and
  - (b) that contravention was such that the conviction, finding or caution cannot be safely relied on for the purposes of meeting the condition in section 96ZA(6).
- (4) A person (“the parent”) may appeal to a magistrates’ court against the decision to give them a parental notice under section 96ZB.
- (5) The grounds for bringing an appeal under subsection (4) include—
  - (a) that one or more of the conditions for the giving of a notice under section 96ZA to the person (“P”) for whom the parent has parental responsibility were not met in respect of P at the time the notice under section 96ZA was given;

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**Changes to legislation:** Sexual Offences Act 2003, Section 96ZD is up to date with all changes known to be in force on or before 08 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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- (b) that the conviction, finding or caution by reason of which P was given a notice under section 96ZA falls within subsection (3);
  - (c) that one or more of the requirements for giving the parent a parental notice under section 96ZB were not met at the time the parental notice was given.
- (6) On an appeal under subsection (1) or (4) a magistrates' court may cancel or confirm the notice which is the subject of the appeal.]

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#### **Textual Amendments**

**F1** Ss. 96ZA-96ZD and cross-heading inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022](#) (c. 32), [ss. 169\(2\)](#), 208(1); S.I. 2022/1227, reg. 3(b)

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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\(15\)](#)