



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 4

NOTIFICATION REQUIREMENTS

Offences in relation to notification

54 Offences relating to notification

- (1) A person commits an offence who—
- (a) fails without reasonable excuse to comply with—
 - section 47 (initial notification),
 - section 48 (notification of changes [^{F1}: general]),
 - [^{F2}section 48A (notification of changes: financial information and information about identification documents),]
 - section 49 (periodic re-notification),
 - section 50(6) (taking of fingerprints or photographs),
 - any regulations made under section 52(1) (travel outside United Kingdom), or
 - section 56 (notification on return after absence from UK); or
 - (b) notifies to the police in purported compliance with—
 - section 47 (initial notification),
 - section 48 (notification of changes [^{F3}: general]),
 - [^{F4}section 48A (notification of changes: financial information and information about identification documents),]
 - section 49 (periodic re-notification),
 - any regulations made under section 52(1) (travel outside United Kingdom), or
 - section 56 (notification on return after absence from UK),any information that the person knows to be false.

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- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 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 or a fine or both.

[^{F5}(2A) In the application of this section in England and Wales, the reference in subsection (2) (a) to 12 months is to be read as a reference to the general limit in a magistrates’ court (or to 6 months in relation to an offence committed before 2 May 2022).]

- (3) In the application of subsection (2)(a)—
- ^{F6}(a)
 - (b) in Northern Ireland,
- for “12 months” substitute “ 6 months ”.

- (4) A person—
- (a) commits an offence under subsection (1)(a) above on the day on which the person first fails without reasonable excuse to comply with—
 - section 47 (initial notification),
 - section 48 (notification of changes [^{F7}: general]),
 - [^{F8}section 48A (notification of changes: financial information and information about identification documents),]
 - section 49 (periodic re-notification),
 - any regulations made under section 52(1) (travel outside United Kingdom), or
 - section 56 (notification on return after absence from UK), and
 - (b) 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.

- (5) 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.

Textual Amendments

- F1** Word in s. 54(1)(a) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(2)(a)(i)**
- F2** Words in s. 54(1)(a) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(2)(a)(ii)**
- F3** Word in s. 54(1)(b) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(2)(b)(i)**
- F4** Words in s. 54(1)(b) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(2)(b)(ii)**
- F5** S. 54(2A) inserted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **17(2)**
- F6** S. 54(3)(a) omitted (7.2.2023 at 12.00 p.m.) by virtue of The Judicial Review and Courts Act 2022 (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **17(3)**
- F7** Word in s. 54(4)(a) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(3)(a)**

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F8 Words in s. 54(4)(a) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 48(3)(b)**

Modifications etc. (not altering text)

C1 S. 54(1) modified (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), **ss. 24(6), 27(3)**

Commencement Information

I1 S. 54 in force at 1.10.2009 by **S.I. 2009/1493, art. 2(a)**

55 Effect of absence abroad

- (1) If a person to whom the notification requirements apply is absent from the United Kingdom for any period the following provisions apply.
- (2) During the period of absence the period for which the notification requirements apply continues to run.
- (3) The period of absence does not affect the obligation under section 47 (initial notification).

This is subject to subsection (4).

- (4) Section 47 does not apply if—
 - (a) the period of absence begins before the end of the period within which notification must be made under that section, and
 - (b) the person's absence results from the person's removal from the United Kingdom.
- (5) ^{F9}Sections 48 and 48A] (notification of changes)—
 - (a) ^{F10}apply] in relation to an event that occurs before the period of absence, but
 - (b) ^{F11}do] not apply in relation to an event that occurs during the period of absence.

Paragraph (a) is subject to subsection (6).

- (6) ^{F12}Sections 48 and 48A do] not apply in relation to an event that occurs before the period of absence if—
 - (a) the period of absence begins before the end of the period within which notification must be made under that section, and
 - (b) the person's absence results from the person's removal from the United Kingdom.
- (7) Section 49 (periodic re-notification) does not apply if ^{F13}the applicable period] referred to in subsection (1) of that section ends during the period of absence.
- (8) Section 53(7) (disregard of period of custody etc) applies in relation to the period of absence as if it referred to any period when the person was—
 - (a) remanded in or committed to custody by an order of a court outside the United Kingdom,
 - (b) serving a sentence of imprisonment or detention imposed by such a court,
 - (c) detained in a hospital pursuant to an order of such a court that is equivalent to a hospital order, or

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- (d) subject to a form of detention outside the United Kingdom that is equivalent to detention under the Immigration Acts.
- (9) References in this section and section 56 to a person's removal from the United Kingdom include—
- (a) the person's removal from the United Kingdom in accordance with the Immigration Acts,
 - (b) the person's extradition from the United Kingdom, or
 - (c) the person's transfer from the United Kingdom to another country pursuant to a warrant under section 1 of the Repatriation of Prisoners Act 1984 (c. 47).

Textual Amendments

- F9** Words in s. 55(5) substituted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 49(2)(a)**
- F10** Word in s. 55(5)(a) substituted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 49(2)(b)**
- F11** Word in s. 55(5)(b) substituted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 49(2)(c)**
- F12** Words in s. 55(6) substituted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 49(3)**
- F13** Words in s. 55(7) substituted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 49(4)**

Commencement Information

- I2** S. 55 in force at 1.10.2009 by S.I. 2009/1493, art. 2(a)

56 Notification on return after absence from UK

- (1) This section applies if, before the end of the period for which the notification requirements apply, a person to whom the requirements apply returns to the United Kingdom after a period of absence and—
- (a) the person was not required to make a notification under section 47 (initial notification),
 - (b) there has been a change to any of the information last notified to the police in accordance with—
 - (i) section 47,
 - (ii) section 48 (notification of changes [^{F14}: general]),
 - [^{F15}(ia) section 48A (notification of changes: financial information and information about identification documents),]
 - (iii) section 49 (periodic re-notification), or
 - (iv) this section, or
 - (c) the period referred to in section 49(1) (period after which re-notification required) ended during the period of absence.
- (2) The person must notify or (as the case may be) re-notify to the police the information mentioned in section 47(2) within the period of three days beginning with the day of return.
- (3) In determining the period within which notification is to be made under this section, there shall be disregarded any time when the person is—

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- (a) remanded in or committed to custody by an order of a court,
 - (b) serving a sentence of imprisonment or detention,
 - (c) detained in a hospital, or
 - (d) detained under the Immigration Acts.
- (4) This section does not apply if—
- (a) the person subsequently leaves the United Kingdom,
 - (b) the period of absence begins before the end of the period within which notification must be made under this section, and
 - (c) the person's absence results from the person's removal from the United Kingdom.
- (5) The obligation under this section does not affect any obligation to notify information under section 52(3) (regulations requiring notification of return etc).

Textual Amendments

F14 Word in s. 56(1)(b)(ii) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 50(a)**

F15 S. 56(1)(b)(iia) inserted (12.4.2019) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(3), **Sch. 4 para. 50(b)**

Commencement Information

I3 S. 56 in force at 1.10.2009 by S.I. 2009/1493, **art. 2(a)**

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