

## SCHEDULES

### SCHEDULE 4

#### NOTIFICATION ORDERS

##### *Conditions for making a notification order*

- 3 (1) The conditions for making a notification order in respect of a person are as follows.
- (2) The first condition is that under the law in force in a country outside the United Kingdom—
- (a) the person has been convicted of a corresponding foreign offence and has received in respect of the offence a sentence equivalent to a sentence mentioned in section 45(1)(a), (2)(a) or (3)(a), or
  - (b) a court exercising jurisdiction under that law has, in respect of a corresponding foreign offence—
    - (i) convicted the person or made a finding in relation to the person equivalent to a finding mentioned in section 45(1)(b)(ii) or (iii), (2)(b)(ii) or (iii) or (3)(b)(ii) or (iii) (finding of insanity or disability), and
    - (ii) made the person subject to an order equivalent to a hospital order.
- (3) This condition is not met if there was a flagrant denial of the person's right to a fair trial.
- (4) The second condition is that—
- (a) the sentence was imposed or order made after the commencement of this Part, or
  - (b) the sentence was imposed or order made before the commencement of this Part and immediately before that time the person—
    - (i) was imprisoned or detained in pursuance of the sentence or order,
    - (ii) would have been so imprisoned or detained but for being unlawfully at large or otherwise unlawfully absent, lawfully absent on a temporary basis or on bail pending an appeal, or
    - (iii) had been released on licence, or was subject to an equivalent form of supervision, having served the whole or part of a sentence of imprisonment for the offence.
- (5) The third condition is that the period for which the notification requirements would apply in respect of the offence (in accordance with section 53 as modified by paragraph 8(e)) has not expired.
- (6) If on an application for a notification order it is proved that the conditions in subparagraphs (2), (4) and (5) are met, the court must make the order.

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**Changes to legislation:** *There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Conditions for making a notification order. (See end of Document for details)*

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**Commencement Information**

**II** Sch. 4 para. 3 in force at 1.10.2009 by [S.I. 2009/1493](#), **art. 2(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross  
Heading: Conditions for making a notification order.