



Policing and Crime Act 2009

2009 CHAPTER 26

PART 2

SEXUAL OFFENCES AND SEX ESTABLISHMENTS

Orders imposed on sex offenders

22 Time limits

- (1) The [Sexual Offences Act 2003 \(c. 42\)](#) is amended as follows.
- (2) After section 132 insert—

“132A Disapplication of time limit for complaints

Section 127 of the Magistrates’ Courts Act 1980 (time limits) does not apply to a complaint under any provision of this Part.”

- (3) In section 136 (modifications for Northern Ireland) after subsection (4) insert—

“(4A) In section 132A the reference to section 127 of the Magistrates’ Courts Act 1980 is to be read as a reference to Article 78 of the Magistrates’ Courts (Northern Ireland) Order 1981.”
- (4) The amendments made by this section apply to a complaint made after the commencement of this section even if the matter of complaint arose more than 6 months before the making of the complaint.

23 Foreign travel orders: grounds

- (1) In the following provisions of the [Sexual Offences Act 2003](#) for “under 16”, wherever occurring, substitute “under 18”—
 - (a) section 115(2) (definition of “protecting children generally or any child from serious sexual harm from the defendant outside the United Kingdom”), and

(b) section 116(2)(b), (c)(ii) and (iii) and (d) (“qualifying offenders”: offences).

(2) The amendments made by this section apply for the purposes of the making, variation, renewal or discharge of orders after the commencement of this section.

24 Foreign travel orders: duration

(1) In section 117(1) of the [Sexual Offences Act 2003](#) (foreign travel orders: effect) for “6 months” substitute “5 years”.

(2) The amendment made by this section applies in relation to orders made, varied or renewed after the commencement of this section.

25 Foreign travel orders: surrender of passports

(1) The [Sexual Offences Act 2003](#) is amended as follows.

(2) After section 117 insert—

“117A Foreign travel orders: surrender of passports

(1) This section applies in relation to a foreign travel order which contains a prohibition within section 117(2)(c).

(2) The order must require the defendant to surrender all of the defendant’s passports, at a police station specified in the order—

- (a) on or before the date when the prohibition takes effect, or
- (b) within a period specified in the order.

(3) Any passports surrendered must be returned as soon as reasonably practicable after the person ceases to be subject to a foreign travel order containing a prohibition within section 117(2)(c).

(4) Subsection (3) does not apply in relation to—

- (a) a passport issued by or on behalf of the authorities of a country outside the United Kingdom if the passport has been returned to those authorities;
- (b) a passport issued by or on behalf of an international organisation if the passport has been returned to that organisation.

(5) In this section “passport” means—

- (a) a United Kingdom passport within the meaning of the Immigration Act 1971;
- (b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;
- (c) a document that can be used (in some or all circumstances) instead of a passport.”

(3) In section 122 (breach of foreign travel order) after subsection (1) insert—

“(1A) A person commits an offence if, without reasonable excuse, the person fails to comply with a requirement under section 117A(2).”

Status: This is the original version (as it was originally enacted).

- (4) The amendment made by subsection (2) applies in relation to orders made, varied or renewed after the commencement of this section.