Draft Regulations laid before Parliament under section 147(5)(f) of the Criminal Justice and Immigration Act 2008, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice and Immigration Act 2008 (Violent Offender Orders) (Notification Requirements) Regulations 2009

Made - - - -	*2009*
Coming into force - -	*2009*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 110(5)(a), 111 and 147(2) of the Criminal Justice and Immigration Act 2008(**1**).

In accordance with section 147(5)(f) of that Act, a draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Criminal Justice and Immigration Act 2008 (Violent Offender Orders) (Notification Requirements) Regulations 2009.

(2) These Regulations shall come into force on the fourteenth day after the day on which they are made.

Interpretation

2. In these Regulations—

(a) a reference to a section is a reference to a section of the Criminal Justice and Immigration Act 2008; and

(b) "relevant offender" means an offender subject to notification requirements.

Determination of proposed point of arrival

3.—(1) For the purposes of section 111(2)(b) and these Regulations, the proposed point of arrival in a country is to be determined in accordance with this regulation.

(**1**) 2008 c.4.

(2) In a case in which a relevant offender proposes to arrive in a country by rail, sea or air, the proposed point of arrival is the first station, port or airport at which the offender proposes to disembark.

(3) In any other case, the proposed point of arrival is the first place at which the offender proposes to enter the country.

Notification to be given before leaving the United Kingdom

4. A relevant offender is required to give a notification under section 111(2) if the relevant offender intends to leave the United Kingdom for a period of three days or longer.

Additional information to be disclosed under section 111(2)

5.—(1) In addition to the information required by section 111(2)(a) and (b), a notification under section 111(2) must also disclose the information mentioned in paragraph (2), where this is held by the relevant offender.

(2) That information is—

(a) where the offender proposes to travel to more than one country outside the United Kingdom, the offender's proposed point of arrival in each such additional country;

(b) the identity of any carrier or carriers the offender proposes to use for the purposes of the offender's departure from and return to the United Kingdom, and of travelling to any other point of arrival in a country;

(c) details of the offender's accommodation arrangements for the offender's first night outside the United Kingdom;

(d) where the offender proposes to return to the United Kingdom on a particular date, that date; and

(e) where the offender proposes to return to the United Kingdom at a particular point of arrival, that point of arrival.

Timing of a notification under section 111(2)

6.—(1) This regulation applies where a relevant offender is required to give a notification under section 111(2).

(2) Where a relevant offender knows the information required to be disclosed by section 111(2)(a) and (b) more than seven days before the proposed departure date, the offender must give a notification which sets out that information and as much of the information required by regulation 5 as the offender holds—

(a) not less than seven days before that date (the "seven day notification requirement"); or

(b) if the relevant offender has a reasonable excuse for not complying with the seven day notification requirement, as soon as reasonably practicable but in any event not less than 24 hours before that date.

(3) Where the relevant offender does not know the information required to be disclosed by section 111(2)(a) and (b) more than seven days before the proposed departure date, the offender must, as soon as reasonably practicable but in any event before the offender's proposed departure from the United Kingdom, give a notification which sets out that information and as much of the information required by regulation 5 as the offender holds.

(4) Paragraph (5) applies where a person—

(a) becomes a relevant offender not more than 24 hours before the time of his intended departure from the United Kingdom, and