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**SEX OFFENDERS ACT, 2001**  
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AN ACT TO REQUIRE, IN THE INTERESTS OF THE COMMON GOOD, THE NOTIFICATION OF INFORMATION TO THE GARDA SI 'OCHA ' NA BY PERSONS WHO HAVE COMMITTED CERTAIN SEXUAL OFFENCES; IN THOSE INTERESTS TO IMPOSE, OR ENABLE THE IMPOSITION OF, CERTAIN OTHER REQUIREMENTS ON SUCH PERSONS (INCLUDING REQUIREMENTS THE PURPOSE OF WHICH IS TO ASSIST IN THEIR REHABILITATION); TO ENABLE CERTAIN COMPLAINANTS TO BE HEARD AND LEGALLY REPRESENTED IN RELATION TO APPLICATIONS UNDER SECTION 3 OR 4 OF THE CRIMINAL LAW (RAPE) ACT, 1981, TO AMEND SECTION 2 OF THE CRIMINAL LAW (RAPE) (AMENDMENT) ACT, 1990, AND TO PROVIDE FOR RELATED MATTERS. [30th June, 2001]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

(...)

**PART 2**

**Obligations of Sex Offenders to Notify Certain Information**

*Persons subject to the requirements of this Part.*

**7.—**(1) Without prejudice to subsection (2) and sections 13 and 16(7), a person is subject to the requirements of this Part if he or she is convicted of a sexual offence after the commencement of this Part.

(2) A person is also subject to the requirements of this Part if he or she has been convicted of a sexual offence before the commencement of this Part and, at that commencement, either—

- (a) the sentence to be imposed on the person in respect of the offence has yet to be determined, or
- (b) a sentence has been imposed on the person in respect of the offence and—
  - (i) the person is serving the sentence in prison,
  - (ii) the person is temporarily released under section 2 or 3 of the Criminal Justice Act, 1960, or
  - (iii) the sentence is otherwise still in force or current.

*Period for which person is subject to requirements of this Part and related matters.*

**8.—**(1) A person who, by reason of section 7, is subject to the requirements of this Part shall be so subject for the period referred to in subsection (3) or, in the case of a person referred to in section 7(2), so much (if any) of that period as falls after the commencement of this Part.

(2) Subsection (1) is subject to section 11.

(3) The period mentioned in subsection (1) is the period, beginning with the relevant date, of—

- (a) an indefinite duration if the sentence imposed on the person in respect of the offence concerned is one of imprisonment for life or for a term of more than 2 years,
- (b) 10 years if the sentence imposed on the person in respect of the offence concerned is one of imprisonment for a term of more than 6 months but not more than 2 years,
- (c) 7 years if the sentence imposed on the person in respect of the offence concerned is one of imprisonment for a term of 6 months or less, or

(d) 5 years if the sentence imposed on the person—

(i) is one of imprisonment for any term, the operation of the whole of which is suspended (but, if the operation of that term is revived by the court, whichever of the preceding paragraphs is appropriate shall apply instead of this subparagraph), or

(ii) is otherwise than one of imprisonment.

(4) If—

(a) a sentence is imposed on a person in respect of a sexual offence, and

(b) at the time of sentencing the person is aged under 18 years,

subsection (3) shall have effect in relation to that person as if for the references to 10 years, 7 years and 5 years in that subsection there were substituted references to 5 years, 3½ years and 2½ years, respectively.

(5) If a sentence of imprisonment for any term is imposed on the person referred to in subsection (1) in respect of the offence concerned and the operation of a part of that term is suspended—

(a) the part of that term the operation of which is not suspended shall be regarded as the term of imprisonment imposed on that person for the purposes of subsection (3) (but, if the operation of the first mentioned part of that term is revived by the court, whichever of paragraphs (a), (b) and (c) of subsection (3) is appropriate shall apply without regard to this paragraph),

(b) the preceding paragraph extends to a case in which that suspension is provided for subsequent to the imposition of the sentence.

(6) If a person is or has been sentenced in respect of 2 or more sexual offences and the sentences imposed are consecutive or partly concurrent then subsection (3) shall have effect as if—

(a) in the case of consecutive sentences, the sentence imposed in respect of each of the offences were or had been a sentence equal to the aggregate of those sentences,

(b) in the case of partly concurrent sentences, the sentence imposed in respect of each of the offences were or had been a sentence equal to the aggregate of those sentences after making such deduction as is necessary to ensure that no period of time is counted more than once.

(7) Without prejudice to section 11, a person shall cease to be subject to the requirements of this Part if the conviction in respect of the offence concerned is quashed on appeal or otherwise.

(8) A reference in this section to a sentence imposed on a person shall, if the sentence is varied on appeal, be construed as a reference to the sentence as so varied and, accordingly, the period for which a person is subject to the requirements of this Part, by reason of this section, shall stand reduced or increased, as the case may be, in the event that such a variation is made which results in the sentence falling into a different paragraph of subsection (3) than it did before the variation.