

SCHEDULES

SCHEDULE 7

Section 39(6)

YOUTH DEFAULT ORDERS: MODIFICATION OF PROVISIONS APPLYING TO YOUTH REHABILITATION ORDERS

General

- 1 Any reference to the offender is, in relation to a youth default order, to be read as a reference to the person in default; and any reference to the time when the offender is convicted is to be read as a reference to the time when the order is made.

Unpaid work requirement

- 2 (1) In its application to a youth default order, paragraph 10 of Schedule 1 (unpaid work requirement) is modified as follows.
- (2) Sub-paragraph (2) has effect as if for paragraphs (a) and (b) there were substituted—
- “(a) not less than 20, and
 - (b) in the case of an amount in default which is specified in the first column of the following Table, not more than the number of hours set out opposite that amount in the second column.

TABLE

<i>Amount</i>	<i>Number of hours</i>
An amount not exceeding £200	40
An amount exceeding £200 but not exceeding £500	60
An amount exceeding £500	100”.

- (3) Sub-paragraph (7) has effect as if after “Unless revoked” there were inserted “(or section 39(7)(a) applies)”.

Attendance centre requirement

- 3 (1) In its application to a youth default order, paragraph 12 of Schedule 1 (attendance centre requirement) is modified as follows.
- (2) Sub-paragraph (2) has effect as if—
- (a) in paragraph (a), for the words following “conviction” there were substituted “must be, in the case of an amount in default which is specified in the first column of the following Table, not more than the number of hours set out opposite that amount in the second column.

Status: This is the original version (as it was originally enacted).

TABLE

<i>Amount</i>	<i>Number of hours</i>
An amount not exceeding £250	8
An amount exceeding £250 but not exceeding £500	14
An amount exceeding £500	24”,

(b) in paragraph (b), for the words following “conviction” there were substituted “must be, in the case of an amount in default which is specified in the first column of the following Table, not more than the number of hours set out opposite that amount in the second column.

TABLE

<i>Amount</i>	<i>Number of hours</i>
An amount not exceeding £250	8
An amount exceeding £250 but not exceeding £500	14
An amount exceeding £500	24”,

(c) in paragraph (c), for “must not be more than 12” there were substituted “must be, in the case of an amount in default which is specified in the first column of the following Table, not more than the number of hours set out opposite that amount in the second column.

TABLE

<i>Amount</i>	<i>Number of hours</i>
An amount not exceeding £250	8
An amount exceeding £250 but not exceeding £500	10
An amount exceeding £500	12”.

Curfew requirement

4 (1) In its application to a youth default order, paragraph 14 of Schedule 1 (curfew requirement) is modified as follows.

(2) That paragraph has effect as if after sub-paragraph (2) there were inserted—

“(2A) In the case of an amount in default which is specified in the first column of the following Table, the number of days on which the person in default is subject to the curfew requirement must not exceed the number of days set out opposite that amount in the second column.

TABLE

<i>Amount</i>	<i>Number of days</i>
An amount not exceeding £200	20
An amount exceeding £200 but not exceeding £500	30
An amount exceeding £500 but not exceeding £1,000	60
An amount exceeding £1,000 but not exceeding £2,000	90
An amount exceeding £2,000	180 ⁷ .

Enforcement, revocation and amendment of youth default order

- 5 (1) In its application to a youth default order, Schedule 2 (breach, revocation or amendment of youth rehabilitation orders) is modified as follows.
- (2) Any reference to the offence in respect of which the youth rehabilitation order was made is to be read as a reference to the default in respect of which the youth default order was made.
- (3) Accordingly, any power of the court to revoke a youth rehabilitation order and deal with the offender for the offence is to be taken to be a power to revoke the youth default order and deal with him in any way in which the court which made the youth default order could deal with him for his default in paying the sum in question.
- (4) Paragraph 2 has effect as if for paragraphs (a) and (b) there were substituted “as having been made by a magistrates' court”.
- (5) The following provisions are omitted—
- (a) paragraph 6(2)(a) and (b)(i), (5) and (12) to (16),
 - (b) paragraph 11(5),
 - (c) paragraph 18(7), and
 - (d) paragraph 19(3).

Power to alter amount of money or number of hours or days

- 6 The Secretary of State may by order amend paragraph 2, 3 or 4 by substituting for any reference to an amount of money or a number of hours or days there specified a reference to such other amount or number as may be specified in the order.

Transfer of youth default order to Northern Ireland

- 7 (1) In its application to a youth default order, Schedule 3 is modified as follows.
- (2) Paragraph 9 has effect as if, after sub-paragraph (2) there were inserted—
- “(3) Nothing in sub-paragraph (1) affects the application of section 39(7) to a youth default order made or amended in accordance with paragraph 1 or 2.”

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

- (3) Paragraph 12 has effect as if, after paragraph (b) there were inserted—
“(bb) any power to impose a fine on the offender”.