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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## SCHEDULES

### SCHEDULE 5

#### CONSEQUENTIAL AMENDMENTS

##### *The Criminal Justice (Scotland) Act 1949*

3 In section 7 of the Criminal Justice (Scotland) Act 1949 (probation orders relating to persons residing in England)—

- (a) in subsection (1), for the words " petty sessional division " and " that division " there shall be substituted respectively the words " petty sessions area " and " that area " ;
- (b) in subsection (4), for the words from " the Criminal Justice Act 1948" to the end of the subsection there shall be substituted the words " the Powers of Criminal Courts Act 1973 (except section 8 of that Act) shall apply to the order as if it were a probation order made under section 2 of that Act:

Provided that section 6(2)(a), (3)(d) and (6) of that Act shall not apply to any such order and section 6(4) and (5) of that Act shall have effect respectively in relation to any such order as if for the first reference in section 6(4) to the Crown Court there were substituted a reference to a court in Scotland and as if for the second such reference therein and for both such references in section 6(5) there were substituted references to the court in Scotland by which the probation order was made or amended under this section " ;

- (c) in subsection (5), for the words from "petty sessional division " to " 1948)" there shall be substituted the words " petty sessions area for which the supervising court within the meaning of the Powers of Criminal Courts Act 1973 ";
- (d) in subsection (6), for the words " court of summary jurisdiction" in both places where they occur there shall be substituted the words " magistrates' court ";
- (e) in subsection (7), for the words "petty sessional division" in both places where they occur there shall be substituted the words " petty sessions area ";
- (f) in subsection (8), for the words " section nine of the Criminal Justice Act 1948" there shall be substituted the words " section 10 of the Powers of Criminal Courts Act 1973 " and for the words " section three" there shall be substituted the words " section 2 " .