

**Status:** Point in time view as at 01/10/1992. This version of this cross heading contains provisions that are not valid for this point in time.

**Changes to legislation:** Criminal Justice Act 1991, Cross Heading: Supplemental is up to date with all changes known to be in force on or before 10 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### ENFORCEMENT ETC. OF COMMUNITY ORDERS

##### Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) (1.4.1996) by 1995 c. 46, ss. 234(5)(6), 309(2) (with ss. 24(2), 307(2))  
Sch. 2 applied (with modifications) (30.9.1998) by 1998 c. 37, ss. 68(3), 70(5), Sch. 5 para. 5(4)(5);  
S.I. 1998/2327, arts.2(1)(o)  
Sch. 2 applied (with modifications) (30.9.1998) by 1969 c. 54, s. 16B (as inserted by 1998 c. 37, s. 119,  
Sch. 8 para.21; S.I. 1998/2327, arts.2(1)(y)(2)(i))

##### Commencement Information

- II** Sch. 2 (paras. 1 - 18) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

### PART II

#### BREACH OF REQUIREMENT OF ORDER

##### Commencement Information

- II** Sch. 2 (paras. 1 - 18) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2

#### Supplemental

- 6 (1) Any exercise by a court of its powers under paragraph 3(1)(a), (b) or (c) or 4(1)(a) or (b) above shall be without prejudice to the continuance of the relevant order.
- (2) Section 18 of this Act shall apply for the purposes of paragraph 3(1)(a) above as if the failure to comply with the requirement were a summary offence punishable by a fine not exceeding level 3 on the standard scale; and a fine imposed under that paragraph or paragraph 4(1)(a) above shall be deemed for the purposes of any enactment to be a sum adjudged to be paid by a conviction.
- (3) The number of hours which an offender may be required to work under a community service order made under paragraph 3(1)(b) or 4(1)(b) above—
- (a) shall be specified in the order and shall not exceed 60 in the aggregate; and
  - (b) where the relevant order is a community service order, shall not be such that the total number of hours under both orders exceeds the maximum specified in section 14(1A) of the 1973 Act.
- (4) Section 14(2) of the 1973 Act and, so far as applicable—

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- (a) the following provisions of that Act relating to community service orders; and
  - (b) the provisions of this Schedule so far as so relating,
- shall have effect in relation to a community service order under paragraph 3(1)(b) or 4(1)(b) above as they have effect in relation to a community service order in respect of an offender.
- (5) Where the provisions of this Schedule have effect as mentioned in sub-paragraph (4) above, the powers conferred by those provisions to deal with the offender for the offence in respect of which the community service order was made shall be construed as powers to deal with the offender for the failure to comply with the requirements of the relevant order in respect of which the community service order was made.

#### Commencement Information

**II** Sch. 2 (paras. 1 - 18) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

VALID FROM 30/09/1998

- [<sup>F1</sup>6A (1) Where a relevant order was made by a magistrates' court in the case of an offender under 18 years of age in respect of an offence triable only on indictment in the case of an adult, any powers exercisable under paragraph 3(1)(d) above by that or any other court in respect of the offender after he has attained the age of 18 years shall be powers to do either or both of the following—
- (a) to impose a fine not exceeding £5,000 for the offence in respect of which the order was made;
  - (b) to deal with the offender for that offence in any way in which a magistrates' court could deal with him if it had just convicted him of an offence punishable with imprisonment for a term not exceeding six months.
- (2) In sub-paragraph (1)(b) above any reference to an offence punishable with imprisonment shall be construed without regard to any prohibition or restriction imposed by or under any enactment on the imprisonment of young offenders.]

#### Textual Amendments

**F1** Sch. 2 para. 6A inserted (30.9.1998, subject to S.I. 1998/2327, art. 6(4)(b)) by 1998 c. 37, s. 106, Sch. 7 para. 46(8); S.I. 1998/2327, arts2(1)(w), 6(4)(b)

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