



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XI

#### SENTENCING

#### *[<sup>F1</sup>Unpaid work or other activity requirement*

#### **[<sup>F1</sup>227J Unpaid work or other activity requirement: further provision**

- (1) A court may not impose an unpaid work or other activity requirement on an offender who is under 16 years of age.
- (2) A court may impose such a requirement on an offender only if the court is satisfied, after considering the report mentioned in section 227B(4), that the offender is a suitable person to undertake unpaid work in pursuance of the requirement.
- (3) Subsection (2) does not apply where the court is considering imposing a community payback order—
  - (a) imposing only a level 1 unpaid work or other activity requirement, or
  - (b) under section 227M(2).
- (4) A justice of the peace court may impose a level 2 unpaid work or other activity requirement only if—
  - (a) the Scottish Ministers by regulations made by statutory instrument so provide, and
  - (b) the requirement is imposed in such circumstances and subject to such conditions as may be specified in the regulations.
- (5) Regulations are not to be made under subsection (4) unless a draft of the statutory instrument containing them has been laid before and approved by resolution of the Scottish Parliament.]

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*Status: Point in time view as at 16/08/2013.*

**Changes to legislation:** *Criminal Procedure (Scotland) Act 1995, Section 227J is up to date with all changes known to be in force on or before 08 April 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)*

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#### **Textual Amendments**

- F1** Ss. 227A-227ZN and cross-headings inserted (1.2.2011 except for the insertion of s. 227ZM, 1.4.2011 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 14(1), 206(1)**; S.S.I. 2010/413, **art. 2**, sch. (with **art. 3(1)**)

**Status:**

Point in time view as at 16/08/2013.

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