



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART XI

SENTENCING

Community service by offenders

243 Community service orders: persons residing in Northern Ireland

- (1) Where a court is considering the making of a community service order and it is satisfied that the offender resides, or will be residing when the order comes into force, in Northern Ireland, then—
 - (a) section 238 of this Act shall have effect as if subsection (2) were amended as follows—
 - (i) paragraph (b) shall be omitted;
 - (ii) for paragraph (d) there shall be substituted the following paragraph—

“(d) it appears to the court that provision can be made by the Probation Board for Northern Ireland for him to perform work under such an order;”;
 - (b) the order shall specify that the unpaid work required to be performed by the order shall be performed under the provision made by the Probation Board for Northern Ireland and referred to in section 238(2)(d) of this Act as substituted by paragraph (a) above.
- (2) Where a community service order has been made and—
 - (a) the appropriate court is satisfied that the offender proposes to reside or is residing in Northern Ireland; and
 - (b) it appears to that court that provision can be made by the Probation Board for Northern Ireland for him to perform work under the order,it may amend the order by specifying that the unpaid work required to be performed by the order shall be performed under the provision made by the Probation Board for Northern Ireland and referred to in paragraph (b) of this subsection.

Status: This is the original version (as it was originally enacted).

- (3) A community service order made under section 238(1) of this Act as amended by or in accordance with this section shall—
- (a) specify the petty sessions district in Northern Ireland in which the offender resides or will be residing when the order or the amendment comes into force; and
 - (b) require the Probation Board for Northern Ireland to select an officer who will discharge in respect of the order the functions in respect of community service orders conferred on the relevant officer by the Treatment of Offenders (Northern Ireland) Order 1976.