

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART II

#### GENERAL

##### *Criminal Procedure (Scotland) Act 1995 (c. 46)*

- 120 The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- 121 In section 209(7) (supervised release orders), for “probation officer” there is substituted “officer of a local probation board”.
- 122 In section 228(2)(b) (probation orders), for “probation committee” there is substituted “local probation board”.
- 123 In section 234 (probation orders: persons residing in England and Wales)—
- (a) in subsection (2), for “probation order made” there is substituted “community rehabilitation order made”,
  - (b) in subsection (3)(c), for “probation committee” there is substituted “local probation board”,
  - (c) in subsection (4)(a), after “probation orders” there is inserted “or, as the case may be, community rehabilitation orders”,
  - (d) in subsection (5)(a), for “probation order” there is substituted “community rehabilitation order”,
  - (e) in subsection (5)(b), for “combination order” there is substituted “community punishment and rehabilitation order”,
  - (f) in subsection (10), for “probation orders” there is substituted “community rehabilitation orders”.
- 124 In section 242 (community service orders: persons residing in England and Wales)
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- (a) in subsection (1)(a)(ii), for “community service order” there is substituted “community punishment order”,
  - (b) in subsections (1)(a)(iii), (2)(b) and (3)(b), for “community service orders” there is substituted “community punishment orders”,
  - (c) in subsection (3)(b)—
    - (i) for “probation committee” there is substituted “local probation board”,
    - (ii) for “a probation officer” there is substituted “an officer of the board”.

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*Status: This is the original version (as it was originally enacted).*

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- 125 In section 244 (community service orders: general provisions relating to persons living in England and Wales or Northern Ireland)—
- (a) for subsection (3) there is substituted—
    - “(3) Subject to the following provisions of this section—
    - (a) a community service order made or amended in the circumstances specified in section 242 shall be treated as if it were a community punishment order made in England and Wales and the legislation relating to community punishment orders which has effect in England and Wales shall apply accordingly; and
    - (b) a community service order made or amended in the circumstances specified in section 243 shall be treated as if it were a community service order made in Northern Ireland and the legislation relating to community service orders which has effect in Northern Ireland shall apply accordingly.”
  - (b) in subsections (4)(a) and (6), after “community service orders” there is inserted “or, as the case may be, community punishment orders”,
  - (c) in subsection (5), after “a community service order” there is inserted “or, as the case may be, a community punishment order”.
- 126 In section 307(1) (interpretation), at the appropriate place there is inserted—
- ““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000”.