

Status: Point in time view as at 01/04/2005.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 05 July 2023. 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 3

[^{F1}BREACH, REVOCATION AND AMENDMENT OF CERTAIN COMMUNITY ORDERS]

Textual Amendments

- F1** Heading to Sch. 3 substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 199(27)**; S.I. 2001/919, **art. 2(f)(iv)**

PART IV

AMENDMENT OF ORDER

Supplementary

- 23 No order may be made under paragraph 18 above, and no application may be made under paragraph 19 or 22 above or, except with the consent of the offender, under paragraph 21 above, while an appeal against the relevant order is pending.
- 24 (1) Subject to sub-paragraph (2) below, where a court proposes to exercise its powers under this Part of this Schedule, otherwise than on the application of the offender, the court—
- (a) shall summon him to appear before the court; and
 - (b) if he does not appear in answer to the summons, may issue a warrant for his arrest.
- (2) This paragraph shall not apply to an order cancelling a requirement of a relevant order or reducing the period of any requirement, or [^{F1}to an order under paragraph 18 above] substituting a new petty sessions area or a new place for the one specified in a relevant order.

Textual Amendments

- F1** Words in **Sch. 3 para. 24(2)** inserted (20.6.2001 for specified purposes otherwise 2.7.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 199(24)**; S.I. 2001/2232, **art. 2(m)(viii)**

- 25 (1) On the making under this Part of this Schedule of an order amending a relevant order (other than a drug treatment and testing order), the [^{F2}designated officer] for the court shall forthwith—
- (a) if the order amends the relevant order otherwise than by substituting [^{F3}, by virtue of paragraph 18 above,] a new [^{F2}local justice area] or a new place for the one specified in the relevant order, give copies of the amending order to the responsible officer;

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- (b) if the order amends the relevant order in the manner excepted by paragraph (a) above, send to the [F²designated officer for] the justices for the new [F²local justice area] or, as the case may be, for the [F²local justice area] in which the new place is situated—
- (i) copies of the amending order; and
 - (ii) such documents and information relating to the case as he considers likely to be of assistance to a court [F²acting in that area] in the exercise of its functions in relation to the order;
- and in a case falling within paragraph (b) above the [F²designated officer for] the justices for that area shall give copies of the amending order to the responsible officer.
- (2) On the making under this Part of this Schedule of an order amending a drug treatment and testing order, the [F⁴designated officer] for the court shall forthwith give copies of the amending order to the responsible officer.
- (3) A responsible officer to whom in accordance with sub-paragraph (1) or (2) above copies of an order are given shall give a copy to the offender and to the person in charge of any institution in which the offender is or was required by the order to reside.

Textual Amendments

- F2** Words in Sch. 3 para. 25(1) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, [Sch. para. 82\(f\)\(i\)](#)
- F3** Words in Sch. 3 para. 25(1)(a) inserted (20.6.2001 for specified purposes otherwise 2.7.2001) by [2000 c. 43, s. 74, Sch. 7 Pt. II para. 199\(25\)\(a\)](#); [S.I. 2001/2232](#), art. 2(m)(viii)
- F4** Words in Sch. 3 para. 25(2) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, [Sch. para. 82\(f\)\(ii\)](#)

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