



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 2

#### SENTENCING

##### *Enforcement of sentences*

### **38 Imposition of unpaid work requirement for breach of community order**

(1) Part 2 of Schedule 8 to the Criminal Justice Act 2003 (c. 44) (breach of community order) is amended as follows.

(2) In paragraph 9 (powers of magistrates' court) after sub-paragraph (3) insert—

“(3A) Where—

- (a) the court is dealing with the offender under sub-paragraph (1)(a), and
- (b) the community order does not contain an unpaid work requirement, section 199(2)(a) applies in relation to the inclusion of such a requirement as if for “40” there were substituted “20”.

(3) In paragraph 10 (powers of Crown Court) after sub-paragraph (3) insert—

“(3A) Where—

- (a) the court is dealing with the offender under sub-paragraph (1)(a), and
- (b) the community order does not contain an unpaid work requirement, section 199(2)(a) applies in relation to the inclusion of such a requirement as if for “40” there were substituted “20”.