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STATUTORY INSTRUMENTS

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**1992 No. 2076**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Community Service and Combination Orders Rules 1992**

*Made* - - - - *28th August 1992*  
*Laid before Parliament* *8th September 1992*  
*Coming into force* - - *1st October 1992*

In exercise of the powers conferred upon me by section 15(1)(b), (2)(b) and (4)(b) of the Criminal Justice Act 1991(1), I hereby make the following Rules:

1.—(1) These Rules may be cited as the Community Service and Combination Orders Rules 1992 and shall come into force on 1st October 1992.

(2) In these Rules—

“Community service order” has the meaning assigned to it by section 14(1) of the Powers of Criminal Courts Act 1973(2);

“offender” means a person in respect of whom an order is in force;

“order” means a community service order or a combination order;

“relevant officer” has the meaning assigned by section 14(4) of the Powers of Criminal Courts Act 1973(3), and, for these purposes, the said section 14(4) shall apply in relation to a combination order as if it were a community service order; and

“supervisor” means the person appointed to supervise the performance of work under an order at any particular time and who is responsible for ensuring that the work is satisfactorily performed.

2. The Community Service Orders Rules 1989(4) are hereby revoked.

3. The time spent by an offender in travelling in connection with the performance of work under an order shall not be reckoned as time worked under the order except where his relevant officer or supervisor decides that all the time so spent, or such part of it as he so decides, shall be so reckoned.

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(1) 1991 c. 53.

(2) 1973 c. 62 (section 14(1) was amended by paragraph 1(a) of Schedule 12 to the Criminal Justice Act 1982 (c. 48) and by section 10(1) of the Criminal Justice Act 1991).

(3) Section 14(4) was amended by section 65(1) of the Criminal Justice Act 1982 and paragraph 12(a) of Schedule 11 to the Criminal Justice Act 1991.

(4) S.I.1989/191.

4.—(1) While performing work under an order an offender shall be required to comply with any reasonable directions of the supervisor as to the manner in which the work is to be performed and with any rules reasonably imposed by the supervisor in the place of work having regard to the circumstances of that work place, the interests of health or safety or the interests and well-being of other persons present.

(2) Where an offender—

- (a) fails to comply with any such direction or rule as is mentioned in the preceding paragraph;
- (b) in any way fails satisfactorily to perform the work he has been instructed to do;
- (c) behaves in a disorderly or disruptive manner or in a manner likely to give offence to members of the public or any person for whose benefit the work is being performed; or
- (d) reports for work later than the appointed time

he may (without prejudice to any proceedings for failure to comply with the requirements of the order under Schedule 2 to the Criminal Justice Act 1991) be required to cease work that day and may, in addition, be required to leave the place of work forthwith; and where he is so required to cease work, the relevant officer may direct that some or all of any period of work for that day shall not be reckoned as time worked under the order.

5.—(1) Where bad weather prevents the performance of work, it shall be open to the supervisor to require the offender to remain in the expectation of its being possible to begin or resume work, as appropriate, or he may make arrangements for the offender to perform work at some other place or, where it is not practicable to make such arrangements, he shall dismiss the offender for the remainder of that day.

(2) Any time during which bad weather prevents the performance of work may not be reckoned as time worked under an order except where the offender remains at the place of work either in the charge of the supervisor or because he is required by him so to remain.

6.—(1) The relevant officer or a person nominated by him shall make a report on an offender in respect of any week during which the offender has been instructed to perform work under the order.

(2) A report made on an offender under paragraph (1) above shall include a record of the time worked by him during the week in question, the total time worked under the order and the number of hours which remain to be worked.

(3) A copy of each report on an offender made under paragraph (1) above shall be given to him and, if it is made by another person, to the relevant officer.

Home Office  
28th August 1992

*Kenneth Clarke*  
One of Her Majesty's Principal Secretaries of  
State

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules, which revoke the Community Service Order Rules 1989 (S.I.1989/191), make provision for the reckoning of hours worked under community service orders and combination orders (rules 3, 4 and 5) and the keeping of work records (rule 6)

Under rule 3, the offender's relevant officer or supervisor can decide whether and, if so, to what extent time spent travelling in connection with work under the order can be reckoned as time spent working under it. Rule 4 repeats provision in rule 6 of the 1989 Rules. Under paragraph (1), an offender can be required to comply with directions as to the manner in which the work is performed and with rules of the work place. If the offender fails to do so, performs work unsatisfactorily, behaves in a disorderly or disruptive manner or reports late for work, paragraph (2) provides that all or some of the time spent working that day can be excluded from the time spent working under the order. Rule 5 deals with when bad weather prevents work. Rule 6 provides for a weekly record to be kept of an offender's hours worked under an order and for a copy of this to be given to him.