
Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Paragraph 21. (See end of Document for details)

SCHEDULE 2 COMMUNITY PAYBACK ORDERS: CONSEQUENTIAL MODIFICATIONS

PART 1

THE 1995 ACT

The 1995 Act

- 21 (1) Section 245A (restriction of liberty orders) is amended as follows.
- (2) In subsection (2), the words from “but” to the end are repealed.
- (3) After subsection (2) insert—
- “(2A) In making a restriction of liberty order containing provision under subsection (2)(a), the court must ensure that the offender is not required, either by the order alone or the order taken together with any other relevant order or requirement, to be in any place or places for a period or periods totalling more than 12 hours in any one day.
- (2B) In subsection (2A), “other relevant order or requirement” means—
- (a) any other restriction of liberty order in effect in respect of the offender at the time the court is making the order referred to in subsection (2A), and
- (b) any restricted movement requirement under section 227ZF in effect in respect of the offender at that time.”.
- (4) In subsection (12)(a), for “subsection (2)” substitute “ subsection (2A) ”.

Commencement Information

II Sch. 2 para. 21 in force at 1.2.2011 by S.S.I. 2010/413, art. 2, Sch. (with art. 3)

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