

CORONAVIRUS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Schedule 4 – Justice

Part 6 – Community orders

Community payback orders: extension of unpaid work or other activity requirements

155. Paragraph 12 of schedule 4 extends by 12 months the period within which unpaid work or other activity requirements in Community Payback Orders (“CPOs”) must be completed. This applies to all CPOs imposed by a court on or before the day this Act received Royal Assent, and affects the particular period specified for each individual order (i.e. whatever period was originally specified by the court when each individual CPO was imposed, that period will be 12 months longer).
156. Subparagraph (3) enables the Scottish Ministers to further extend this period, by regulations. Such a further extension would apply to all CPOs imposed on or before the day the regulations come into force. The regulations can only be made if the Scottish Ministers are satisfied that, if no action were taken, it is likely that there would be non-compliance with unpaid work or other activity requirements as a result of the coronavirus pandemic, or that such regulations are necessary as a result of the impact of the pandemic on local authorities (which deliver community orders through justice social work) or on the Scottish Courts and Tribunals Service.
157. Subparagraph (7) places a duty on local authorities to inform those subject to the relevant CPOs of the changes made by this provision (e.g. that the period within which the unpaid work or other activity requirement has been extended, and by how much).