



# Community Service by Offenders (Scotland) Act 1978

## 1978 CHAPTER 49

An Act to make provision as respects the performance of unpaid work by persons convicted or placed on probation in Scotland; and for connected purposes [31st July 1978]

### Modifications etc. (not altering text)

- C1** By [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 101(1), [Sch. 12 para. 23](#); [S.I. 1991/2208](#), art. 2(1), [Sch. 1](#) it is provided (14.10.1991) that in relation to any time before the commencement of s. 70 of that 1991 Act (which came into force on 1.10.1992 by [S.I. 1992/333](#), art. 2(2), [Sch. 2](#)) references in any enactment amended by that 1991 act, to youth courts shall be construed as references to juvenile courts.

### Commencement Information

- II** Act not in force at Royal Assent; Act wholly in force at 1.4.1980 see [s. 15\(2\)](#)

**F1** .....

### Textual Amendments

- F1** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F2** .....

### Textual Amendments

- F2** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

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*Changes to legislation: There are currently no known outstanding effects for the Community Service by Offenders (Scotland) Act 1978. (See end of Document for details)*

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**F3** .....

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**Textual Amendments**

**F3** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F4** .....

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**Textual Amendments**

**F4** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F5** .....

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**Textual Amendments**

**F5** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F6****5A** .  
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**Textual Amendments**

**F6** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F7****6** .....

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**Textual Amendments**

**F7** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F8****6A** .....

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**Textual Amendments**

**F8** [Ss. 1-8](#) repealed (1.4.1996) by [1995 c. 40](#), ss. 6, 7(2), [Sch. 5](#) (with Sch. 3 paras. 1, 3, 6 and 16)

**F9****6B** .....

*Changes to legislation: There are currently no known outstanding effects for the Community Service by Offenders (Scotland) Act 1978. (See end of Document for details)*

#### Textual Amendments

**F9** Ss. 1-8 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

**F10** 7 .....

#### Textual Amendments

**F10** Ss. 1-8 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

**F11** 8 .....

#### Textual Amendments

**F11** Ss. 1-8 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

## 9 Grants in respect of community service facilities.

After section 27 of the <sup>M1</sup>Social Work (Scotland) Act 1968 there shall be inserted the following section—

### “27A Grants in respect of Community service facilities.

The Secretary of State may make to a local authority grants of such amount and subject to such conditions as he may with the consent of the Treasury determine in respect of expenditure incurred by the authority in providing a service for the purposes mentioned in paragraph (b) of section 27(1) of this Act in relation to persons mentioned in sub-paragraph (iii) of that paragraph.”.

#### Modifications etc. (not altering text)

**C2** The text of ss. 8, 9, 14, Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M1** 1968 c. 49

**F12** 10 .....

#### Textual Amendments

**F12** Ss. 10-13 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

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*Changes to legislation: There are currently no known outstanding effects for the Community Service by Offenders (Scotland) Act 1978. (See end of Document for details)*

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<sup>F13</sup>**11** .....

**Textual Amendments**

**F13** Ss. 10-13 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

<sup>F14</sup>**12** .....

**Textual Amendments**

**F14** Ss. 10-13 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

<sup>F15</sup>**13** .....

**Textual Amendments**

**F15** Ss. 10-13 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

**14** The enactments specified in Schedule 2 to this Act shall have effect subject to the amendments there specified, being minor amendments and amendments consequential on the provisions of this Act.

<sup>F16</sup>**15** .....

**Textual Amendments**

**F16** S. 15 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

## SCHEDULES

### SCHEDULE 1

. . . F17

#### Textual Amendments

**F17** Sch. 1 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), Sch. 16

### SCHEDULE 2

Section 14.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### Modifications etc. (not altering text)

**C3** The text of ss. 8, 9, 14, Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *The Social Work (Scotland) Act 1968 (c. 49)*

1 In section 27 (supervision of persons put on probation or released from prisons etc.)

(a) at the end of subsection (1)(b)(ii) add “and (iii) without prejudice to sub-paragraphs (i) and (ii) above, persons in the area who are subject to a community service order under the Community Service by Offenders (Scotland) Act 1978 or a probation order which includes a requirement that the offender shall perform unpaid work”;

(b) for the words “probation scheme” wherever they occur substitute “probation and community service scheme”.

#### *The Criminal Procedure (Scotland) Act 1975 (c. 21)*

F18<sub>2</sub> . . . . .

#### Textual Amendments

**F18** Sch. 2 para. 2 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with Sch. 3 paras. 1, 3, 6 and 16)

F19<sub>3</sub> . . . . .

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**Changes to legislation:** There are currently no known outstanding effects for the  
Community Service by Offenders (Scotland) Act 1978. (See end of Document for details)

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#### Textual Amendments

**F19** SCh. 2 para. 2 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 paras. 1, 3, 6 and 16)

**Changes to legislation:**

There are currently no known outstanding effects for the Community Service by Offenders (Scotland) Act 1978.