

**Changes to legislation:** Sentencing Act 2020, Cross Heading: Requirement is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 9

#### COMMUNITY ORDERS AND SUSPENDED SENTENCE ORDERS: REQUIREMENTS

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

- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 178(2)-(4) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 3(3)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 183 (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 8** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (with modifications) by 2003 c. 44, s. 300(6), Sch. 31 (as amended (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 paras. 241(5), **249** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 182(3)-(5) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 7(5)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

### PART 5

#### CURFEW REQUIREMENT

##### *Requirement*

- 9 (1) In this Code “curfew requirement”, in relation to a relevant order, means a requirement that the offender must remain, for particular periods (“curfew periods”), at a particular place.
- (2) A relevant order which imposes a curfew requirement must specify—
- (a) the curfew periods, and
  - (b) the place at which the offender must remain for each curfew period.
- (3) Different places or different curfew periods may be specified for different days.
- (4) The curfew periods specified must amount to—
- (a) not less than 2 hours in any day, <sup>F1</sup>...
  - (b) not more than [<sup>F2</sup>the relevant number of hours] in any day [<sup>F3</sup>, and
  - (c) not more than 112 hours in any period of 7 days beginning with the day of the week on which the requirement first takes effect.]
- [<sup>F4</sup>(4A) In sub-paragraph (4) “the relevant number of hours” means—
- (a) in relation to a relevant order in respect of an offence of which the offender was convicted before the day on which section 150 of the Police, Crime, Sentencing and Courts Act 2022 came into force, 16 hours, and

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- (b) in relation to a relevant order in respect of an offence of which the offender was convicted on or after that day, 20 hours.]
- (5) The specified curfew periods must fall within [<sup>F5</sup>the relevant period] beginning with the day on which the requirement first takes effect.
- [<sup>F6</sup>(6) In sub-paragraph (5) “the relevant period” means—
- (a) in relation to a relevant order in respect of an offence of which the offender was convicted before the day on which section 150 of the Police, Crime, Sentencing and Courts Act 2022 came into force, the period of 12 months, and
- (b) in relation to a relevant order in respect of an offence of which the offender was convicted on or after that day, the period of 2 years.]

#### Textual Amendments

- F1** Word in Sch. 9 para. 9(4)(a) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(2)(a)**, 208(5)(q)
- F2** Words in Sch. 9 para. 9(4)(b) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(2)(b)**, 208(5)(q)
- F3** Sch. 9 para. 9(4)(c) and word inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(2)(c)**, 208(5)(q)
- F4** Sch. 9 para. 9(4A) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(3)**, 208(5)(q)
- F5** Words in Sch. 9 para. 9(5) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(4)**, 208(5)(q)
- F6** Sch. 9 para. 9(6) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(5)**, 208(5)(q)

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

- C1** Sch. 9 paras. 1-20 modified by 2006 c. 52, s. 200(1)(c)(iv) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 19** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C2** Sch. 9 para. 9(1)-(4) applied (with modifications) by 2003 c. 44, **Sch. 19A paras. 1-3** (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 para. 248(2) (with Sch. 24 para. 447, **Sch. 27**); S.I. 2020/1236, **reg. 2**) and as amended (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **s. 150(8)(b)**)
- C3** Sch. 9 para. 9(4A) applied (with modifications) (28.6.2022) by 2003 c. 44, Sch. 19A paras. 2, 3 (as amended by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 150(8)**, 208(5)(q))

#### Commencement Information

- I1** Sch. 9 para. 9 in force at 1.12.2020 by S.I. 2020/1236, **reg. 2**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 1](#)
- s. 80(3)(f) inserted by [2021 c. 17 s. 54\(2\)](#)
- s. 179(4A) inserted by [2020 c. 17 Sch. 22 para. 11\(1\)](#)
- s. 179A inserted by [2020 c. 17 Sch. 22 para. 12\(2\)](#)
- s. 179A(1)(b)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 16\(2\)](#)
- s. 180(5) inserted by [2020 c. 17 Sch. 22 para. 11\(2\)](#)
- s. 186(8A) inserted by [2020 c. 17 Sch. 22 para. 11\(3\)](#)
- s. 202(1A)(1B) inserted by [2020 c. 17 Sch. 22 para. 13\(b\)](#)
- s. 202(1A)(b)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 17\(2\)](#)
- s. 204A inserted by [2020 c. 17 Sch. 22 para. 14\(2\)](#)
- s. 204A(3)(c)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 18\(2\)](#)
- s. 215(1A)(1B) inserted by [2022 c. 32 s. 149\(2\)\(a\)](#)
- s. 215(2A) inserted by [2022 c. 32 s. 149\(2\)\(c\)](#)
- s. 226(2)(ba) and word substituted for s. 226(2)(c)(d) by [2020 c. 17 Sch. 22 para. 43](#)
- s. 230(3A) and words inserted by [2020 c. 17 Sch. 22 para. 2](#)
- s. 234(1)(aa) inserted by [2020 c. 17 Sch. 22 para. 27\(1\)\(b\)](#)
- s. 234(1)(aa) omitted by [2020 c. 17 Sch. 22 para. 28\(1\)](#)
- s. 235(3A) inserted by [2020 c. 17 Sch. 22 para. 27\(2\)](#)
- s. 236(2A) inserted by [2020 c. 17 Sch. 22 para. 29\(3\)](#)
- s. 236(2A)(b) word substituted by [2020 c. 17 Sch. 22 para. 47\(b\)](#)
- s. 301(1A)(1B) inserted by [2022 c. 32 s. 149\(3\)\(a\)](#)
- s. 301(2A) inserted by [2022 c. 32 s. 149\(3\)\(c\)](#)
- s. 323(2A)-(2C) inserted by [2020 c. 17 Sch. 22 para. 85\(3\)](#)
- s. 343(4) inserted by [2022 c. 32 s. 178\(2\)](#)
- s. 348A348B inserted by [2022 c. 32 s. 178\(4\)](#)
- s. 350(6C)(6D) inserted by [2022 c. 32 s. 178\(5\)](#)
- s. 387A inserted by [2021 c. 17 s. 54\(3\)](#)
- s. 397A inserted by [2020 c. 17 Sch. 22 para. 15](#)
- s. 397A(4)(a)(ia) inserted by [2020 c. 17 Sch. 22 para. 19\(2\)\(b\)](#)
- s. 397A(4)(a)(i) words omitted by [2020 c. 17 Sch. 22 para. 19\(2\)\(a\)](#)
- s. 397A(5) words inserted by [2020 c. 17 Sch. 22 para. 19\(3\)](#)
- s. 397A(6)(7) inserted by [2020 c. 17 Sch. 22 para. 19\(4\)](#)
- s. 418(2A) inserted by [2021 c. 11 Sch. 13 para. 43\(5\)](#)
- Sch. 1 para. 13A inserted by [2020 c. 17 Sch. 22 para. 4\(a\)](#)
- Sch. 10 para. 10(5)(d) inserted by [2020 c. 17 Sch. 22 para. 21\(2\)\(a\)](#)
- Sch. 10 para. 10(9A) inserted by [2020 c. 17 Sch. 22 para. 21\(2\)\(c\)](#)
- Sch. 10 para. 11(2)(d) inserted by [2020 c. 17 Sch. 22 para. 21\(3\)\(a\)](#)
- Sch. 10 para. 11(6A) inserted by [2020 c. 17 Sch. 22 para. 21\(3\)\(c\)](#)
- Sch. 10 para. 10(9A) omitted by [2020 c. 17 Sch. 22 para. 74\(1\)\(b\)](#)
- Sch. 10 para. 11(6A) omitted by [2020 c. 17 Sch. 22 para. 75\(1\)\(b\)](#)
- Sch. 10 para. 10(5)(d) words substituted by [2020 c. 17 Sch. 22 para. 25\(a\)](#)
- Sch. 10 para. 10(5)(d) words substituted by [2020 c. 17 Sch. 22 para. 74\(1\)\(a\)](#)
- Sch. 10 para. 11(2)(d) words substituted by [2020 c. 17 Sch. 22 para. 26\(a\)](#)
- Sch. 10 para. 11(2)(d) words substituted by [2020 c. 17 Sch. 22 para. 75\(1\)\(a\)](#)
- Sch. 17A para. 24A inserted by [2020 c. 17, Sch. 22 para. 79A \(as inserted\) by 2021 c. 11 Sch. 13 para. 11\(20\)\(m\)](#)
- Sch. 18 para. 26A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 80](#)
- Sch. 19 para. 22A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 84](#)

- Sch. 26 para. 13A inserted by 2021 c. 11 Sch. 13 para. 43(7)(a)
- Sch. 26 para. 15(a)(iii) inserted by 2021 c. 11 Sch. 13 para. 43(7)(c)
- Sch. 26 para. 19(a)(ia) inserted by 2021 c. 11 Sch. 13 para. 43(7)(e)(i)
- Sch. 26 para. 20(c) inserted by 2021 c. 11 Sch. 13 para. 43(7)(f)
- Sch. 26 para. 20A inserted by 2021 c. 11 Sch. 13 para. 43(7)(g)
- Sch. 26 para. 24A inserted by 2021 c. 11 Sch. 13 para. 43(7)(i)
- Sch. 26 para. 20A(za) inserted by 2022 c. 32 s. 129(3)(d)
- Sch. 27 para. 16(2)(a)(b) substituted for words by 2021 c. 11 Sch. 13 para. 43(8)