

## SCHEDULE

### PART 1

#### Primary legislation

#### **The Criminal Procedure (Scotland) Act 1995**

1.—(1) The Criminal Procedure (Scotland) Act 1995(1) is amended as follows.

(2) In section 227N(2) (Offenders subject to more than one unpaid work or other activity requirement)—

(a) in subsection (1)(b), for the words from “community” to the end substitute—

“of the following orders—

- (i) a community payback order imposing such a requirement on the same offender;
- (ii) a community service order under this Act in relation to the same offender;
- (iii) a probation order under this Act imposing an unpaid work requirement on the same offender;
- (iv) a supervised attendance order under this Act in relation to the same offender.”;

(b) after subsection (1) insert—

“(1A) In this section references to an “existing requirement” are—

- (a) in relation to a community payback order, to the unpaid work or other activity requirement imposed on the offender by the order;
- (b) in relation to a community service order or a probation order, to the unpaid work requirement imposed on the offender by the order;
- (c) in relation to a supervised attendance order, to the requirement imposed on the offender by the order by virtue of section 235(2) of this Act.”; and

(c) in subsection (5), the words “of unpaid work or activity” are repealed.

(3) In section 227ZC(3) (Breach of community payback order) after subsection (9) insert—

“(9A) Where under subsection (8)(a) the court revokes the order and imposes on the offender a period of imprisonment, liability to pay the fine in respect of which the order was imposed (or, as the case may be, any instalments of the fine that are unpaid on the date that the period of imprisonment is imposed) is discharged.”.

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(1) 1995 c.46.

(2) Section 227N was inserted by section 14 of the [Criminal Justice and Licensing \(Scotland\) Act 2010 asp 13](#).

(3) Section 227ZC was inserted by section 14 of the [Criminal Justice and Licensing \(Scotland\) Act 2010 asp 13](#).