

## SCHEDULE

### PART 1

#### Primary legislation

##### **The Sexual Offences Act 2003**

2.—(1) The Sexual Offences Act 2003<sup>(1)</sup> is amended as follows—

(2) In section 82(1) (The notification period), in the Table, in the entry relating to a person in whose case an order for conditional discharge is made—

- (a) in the first column, for “a probation order” substitute “a community payback order imposing an offender supervision requirement”; and
- (b) in the second column for “the probation period” substitute “the specified period for the offender supervision requirement”.

(3) In section 111(c) (Appeals in relation to SOPOs and interim SOPOs: Scotland)—

- (a) in sub-paragraph (i)<sup>(2)</sup>, for “section 106(1)(d) of the Criminal Procedure (Scotland) Act 1995 (c.46) (appeal against probation and community service orders)” substitute “section 106(1)(dza) of the Criminal Procedure (Scotland) Act 1995 (c.46) (appeal against community payback order)”; and
- (b) in sub-paragraph (ii), for “section 175(2)(c) of that Act (appeal against probation, community service and other orders)” substitute “section 175(2)(cza) of that Act (appeal against community payback order)”.

(4) In section 113(3) (Offence: breach of SOPO or interim SOPO), for “probation order” substitute “community payback order”.

(5) In section 122(3) (Offence: breach of foreign travel order), for “probation order” substitute “community payback order”.

(6) In section 133(1) (Part 2: general interpretation)—

- (a) in the definition of “community order”, for paragraph (b) substitute—
  - “(b) a community payback order made under the Criminal Procedure (Scotland) Act 1995 (c.46);”;
- (b) the definitions of “probation order” and “probation period” are repealed; and
- (c) at the appropriate place, insert:—
  - ““specified”, in relation to an offender supervision requirement, means specified in the requirement.”.

(7) In section 134(1) (Conditional discharges and probation orders)—

- (a) the words “or, in Scotland, a probation order” are repealed; and
- (b) in paragraph (c), the words “probation order or” are repealed.

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(1) 2003 c.42.

(2) Paragraph (c) of section 111 was inserted by section 17(2)(c) of the [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005 asp 9](#).