
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

**The Community Orders (Coronavirus)
(Scotland) Regulations 2021**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Community Orders (Coronavirus) (Scotland) Regulations 2021 and come into force immediately after they are made.

(2) In these Regulations—

“the 1995 Act” means the Criminal Procedure (Scotland) Act 1995(1),

“the hours already undertaken” means the number of hours of unpaid work or other activity undertaken by an individual in pursuance of an unpaid work or other activity requirement before these Regulations come into force,

“a qualifying community payback order” is a community payback order which—

- (a) is imposed on an individual before these Regulations come into force, and
- (b) is not imposed, either entirely or partially, for—
 - (i) an offence that is aggravated as described in section 1(1)(a) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016(2) and has been recorded as such under section 1(5) of that Act,
 - (ii) an offence under section 1(1) of the Domestic Abuse (Scotland) Act 2018(3),
 - (iii) an offence listed in paragraphs 36 to 60 of Schedule 3 of the Sexual Offences Act 2003(4),
 - (iv) the offence of stalking as defined in section 39 of the Criminal Justice and Licensing (Scotland) Act 2010(5),

“the reduced hours” means the number of hours specified in a relevant unpaid work or other activity requirement following the variation of the requirement by regulation 2,

“a relevant unpaid work or other activity requirement” means an unpaid work or other activity requirement which—

- (a) is imposed in a qualifying community payback order, and
- (b) when these Regulations come into force, has not been completed by the individual,

“responsible officer” is to be interpreted in the same manner as in section 227C(4) of the 1995 Act,

“the specified hours” means the number of hours specified in a relevant unpaid work or other activity requirement by the court.

(1) 1995 c.46; sections 227A to 227ZN were inserted by the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), section 14(1).
(2) 2016 asp 22.
(3) 2018 asp 5.
(4) 2003 c.42.
(5) 2010 asp 13.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish
Statutory Instrument: The Community Orders (Coronavirus) (Scotland) Regulations 2021 No. 144
