
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

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

Transitional provision: Alleged breach of Community Payback Order

4.—(1) Paragraph (2) applies where—

- (a) a relevant unpaid work or other activity requirement would be varied to the effect that regulation 2(5) applies,
- (b) the court has issued a warrant or citation in accordance with section 227ZC(2) of the 1995 Act in respect of an alleged failure by the offender to comply with a requirement of a qualifying community payback order which includes that relevant unpaid work or other activity requirement, and
- (c) the court has not yet determined in respect of that allegation, whether it is satisfied that the offender has failed without reasonable excuse to comply with a requirement of the qualifying community payback order which includes that relevant unpaid work or other activity requirement.

(2) The variation in accordance with regulation 2 is to be applied to that qualifying community payback order as it has effect after the court's determination.