

SCHEDULES

SCHEDULE 3

BREACH, REVOCATION AND AMENDMENT OF CURFEW, PROBATION, COMMUNITY SERVICE, COMBINATION AND DRUG TREATMENT AND TESTING ORDERS

PART IV

AMENDMENT OF ORDER

Amendment of requirements of probation, combination or curfew order

- 19 (1) Without prejudice to the provisions of paragraph 18 above but subject to sub-paragraphs (2) and (3) below, a magistrates' court acting for the petty sessions area concerned may, on the application of the offender or the responsible officer, by order amend a probation or curfew order or the probation element of a combination order—
- (a) by cancelling any of the requirements of the probation or curfew order or of the probation element of the combination order; or
 - (b) by inserting in the probation or curfew order or probation element of the combination order (either in addition to or in substitution for any of its requirements) any requirement which the court could include if it were then making the order.
- (2) A magistrates' court shall not under sub-paragraph (1) above amend a probation order or the probation element of a combination order—
- (a) by reducing the probation period, or by extending that period beyond the end of three years from the date of the original order; or
 - (b) by inserting in it a requirement that the offender shall submit to treatment for his mental condition, or his dependency on or propensity to misuse drugs or alcohol, unless—
 - (i) the offender has expressed his willingness to comply with such a requirement; and
 - (ii) the amending order is made within three months after the date of the original order.
- (3) A magistrates' court shall not under sub-paragraph (1) above amend a curfew order by extending the curfew periods beyond the end of six months from the date of the original order.