

SCHEDULES

SCHEDULE 11

TRANSFER OF COMMUNITY ORDERS TO SCOTLAND OR NORTHERN IRELAND

PART 5

INTERPRETATION

- 27 In this Schedule—
- “breach”, in relation to a requirement, means a failure to comply with it, and related expressions are to be read accordingly;
- “corresponding order”, in relation to a community order, means the order specified under paragraph 16(3);
- “home court” means—
- if the offender resides in Scotland, or will be residing there at the relevant time, the sheriff court having jurisdiction in the locality in which the offender resides or proposes to reside, and
 - if the offender resides in Northern Ireland, or will be residing there at the relevant time, a court of summary jurisdiction;
- “the local authority officer concerned”, in relation to an offender, means the officer of a council constituted under section 2 of the Local Government etc (Scotland) Act 1994 responsible for—
- the offender’s supervision, and
 - discharging in relation to the offender the functions of the responsible officer under sections 227A to 227ZK of the Criminal Procedure (Scotland) Act 1995;
- “the local council in Scotland” means the council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 in whose area the offender resides or will be residing at the relevant time;
- “Northern Ireland community order” means a community order made or amended in accordance with Part 2 of this Schedule;
- “the probation officer concerned”, in relation to an offender, means the probation officer responsible for—
- the offender’s supervision, or
 - as the case may be, discharging in relation to the offender the functions conferred by Part 2 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24));
- “relevant home legislation” has the meaning given by paragraph 20(3);
- “the relevant time”, in relation to the making or amendment of an order in accordance with Part 1, 2 or 4 of this Schedule, means the time when the order or the amendment to it comes into force;
- “Scottish community order” means a community order made or amended in accordance with Part 1 of this Schedule.