

Status: Point in time view as at 30/04/2021.

Changes to legislation: Sentencing Act 2020, PART 2 is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 17

TRANSFER OF SUSPENDED SENTENCE ORDERS TO SCOTLAND OR NORTHERN IRELAND

Modifications etc. (not altering text)

- C1** Sch. 17 applied (with modifications) by 2006 c. 52, ss. 200, 204 (as amended (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 paras. 19, 22](#) (with s. 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#))

PART 2

NORTHERN IRELAND

Restriction on making suspended sentence order where offender resides in Northern Ireland

- 4 (1) This paragraph applies where—
- (a) a relevant suspended sentence order is available to a court dealing with an offender, and
 - (b) the court is satisfied that the offender—
 - (i) resides in Northern Ireland, or
 - (ii) if a relevant suspended sentence order is made, will reside there when the order comes into force.
- (2) The court may make a relevant suspended sentence order only if—
- (a) it appears to the court that suitable arrangements for the offender's supervision can be made by the Probation Board for Northern Ireland, and
 - (b) the order will satisfy paragraphs 8 and 9.
- (3) If the court makes a relevant suspended sentence order in accordance with this paragraph, it may not provide for it to be subject to review.

Modifications etc. (not altering text)

- C1** Sch. 17 para. 4 modified by 2006 c. 52, s. 200(1)(e)(ii) (as substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 19](#) (with s. 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#))

Commencement Information

- I1** Sch. 17 para. 4 in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

Amendment of relevant suspended sentence order to become an NISSO

- 5 (1) This paragraph applies where—
- (a) a relevant suspended sentence order is in force,

Status: Point in time view as at 30/04/2021.

Changes to legislation: Sentencing Act 2020, PART 2 is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) the appropriate court is satisfied that the offender—
 - (i) resides in Northern Ireland, or
 - (ii) proposes to reside there, and
 - (c) it appears to the court that suitable arrangements for the offender's supervision can be made by the Probation Board for Northern Ireland.
- (2) The power of the appropriate court to amend the order under Part 3 of Schedule 16 (“the amendment power”) includes power to amend the order by requiring—
- (a) the order to be complied with in Northern Ireland, and
 - (b) the offender to be supervised in accordance with the arrangements referred to in sub-paragraph (1)(c).
- (3) But the appropriate court may exercise the amendment power in that way only if the order (as amended) will satisfy paragraphs 8 and 9.

Commencement Information

I2 Sch. 17 para. 5 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

- 6
- (1) A relevant suspended sentence order which is subject to review ceases to be subject to review if it is amended in accordance with paragraph 5.
 - (2) If the court amends a relevant suspended sentence order in accordance with paragraph 5, it may not provide for it to be subject to review.

Commencement Information

I3 Sch. 17 para. 6 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

Status:

Point in time view as at 30/04/2021.

Changes to legislation:

Sentencing Act 2020, PART 2 is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.