

SCHEDULES

SCHEDULE 2

SENTENCING CONSOLIDATION: PRE-CONSOLIDATION AMENDMENTS

PART 2

AMENDMENTS OF THE CRIMINAL JUSTICE ACT 2003

- 54 The Criminal Justice Act 2003 is amended as follows.
- 55 In section 142 (purposes of sentencing), in subsection (2A), at the end insert—
“(h) section 8(2) of the Offensive Weapons Act 2019 (minimum sentence in certain cases of possession of a corrosive substance).”
- 56 In section 142A (purposes of sentencing: offender under 18), in subsection (5), at the end insert—
“(f) section 8(2) of the Offensive Weapons Act 2019 (minimum sentence in certain cases of possession of a corrosive substance).”
- 57 (1) Section 143 (determining the seriousness of an offence) is amended as follows.
- (2) After subsection (2) insert—
“(2A) Where under subsection (2) the court treats a previous conviction as an aggravating factor, it must state in open court that the offence was so aggravated.”
- (3) In subsection (3), at the end insert “and must state in open court that the offence was so aggravated.”
- (4) In subsection (6)—
(a) in paragraph (a), for “defendant” substitute “offender”;
(b) in paragraph (b)(ii), for “defendant” substitute “offender”.
- 58 Section 146 (increase in sentences for aggravation related to disability, sexual orientation or transgender identity), at the end insert—
“(7) In this section “presumed” means presumed by the offender.”
- 59 (1) Section 150 (community sentence not available where sentence fixed by law etc) is amended as follows.
- (2) In subsection (2)—
(a) omit “or” at the end of paragraph (a);
(b) after paragraph (b) insert “, or
(c) falls to be imposed under section 8(2) of the Offensive Weapons Act 2019 (minimum sentence in certain cases of possession of a corrosive substance).”

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- (3) After subsection (2) insert—
- “(3) This section is subject to section 73(5) of the Serious Organised Crime and Police Act 2005 (assistance by defendant: reduction in sentence).”
- 60 Section 152 (general restrictions on imposing discretionary custodial sentences), in subsection (1A), at the end insert—
- “(g) section 8(2) of the Offensive Weapons Act 2019.”
- 61 In section 153 (length of discretionary custodial sentences: general provision), in subsection (3), at the end insert—
- “(g) section 8(2) of the Offensive Weapons Act 2019.”
- 62 (1) Section 154 (general limit on magistrates’ court’s power to impose imprisonment) is amended as follows.
- (2) In subsection (6), for “goods” substitute “distress”.
- (3) For subsection (8) substitute—
- “(8) In subsection (4), the reference to want of sufficient goods to satisfy a fine is a reference to circumstances where—
- (a) there is power to use the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 to recover the fine from a person, but
- (b) it appears, after an attempt has been made to exercise the power, that the person’s goods are insufficient to pay the amount outstanding (as defined by paragraph 50(3) of that Schedule).”
- 63 In section 163 (general power of Crown Court to fine offender convicted on indictment) omit “110(2) or”.
- 64 In section 164 (fixing of fines), in subsection (3), for “among other things,” substitute “in particular.”
- 65 In section 166 (savings for powers to mitigate sentences and deal appropriately with mentally disordered offenders), in subsection (1), for paragraphs (e) and (f) substitute—
- “(ee) section 1(4) of the Criminal Justice and Immigration Act 2008 (youth rehabilitation order with intensive supervision and surveillance or with fostering).”
- 66 (1) Section 177 (community orders) is amended as follows.
- (2) In subsection (1)(l), after “25” insert “when convicted”.
- (3) In subsection (5B) for “on” substitute “at the end of”.
- (4) After subsection (6) insert—
- “(7) In any case in which the amendments made by paragraph 12 of Schedule 16 to the Crime and Courts Act 2013 (electronic monitoring) do not have effect, the references in subsections (5A) and (6) to requirements falling within subsection (1) include an electronic monitoring requirement.”
- 67 In section 178 (power to provide for court review of community orders), in subsection (3), for “this Part” substitute “this Chapter or Chapter 4 of this Part (apart from sections 221 to 223)”.

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- 68 (1) Section 190 (imposition of requirements by suspended sentence order) is amended as follows.
- (2) In subsection (1)(l), after “25” insert “when convicted”.
- (3) After subsection (5) insert—
- “(6) In any case in which the amendments made by paragraph 13 of Schedule 16 to the Crime and Courts Act 2013 (electronic monitoring) do not have effect, the references in subsection (5) to requirements falling within subsection (1) include an electronic monitoring requirement.”
- 69 (1) Section 191 (power to provide for review of suspended sentence order) is amended as follows.
- (2) In subsection (2), for “Subsection (1) does not apply in the case of an order imposing” substitute “But provision may not be made under subsection (1) in relation to the review of”.
- (3) In subsection (4)—
- (a) for “area for which” substitute “area in which”;
- (b) for “, if it thinks fit, include in the order provision specifying” substitute “specify”;
- (c) for “for the area” substitute “in the area”.
- (4) In subsection (5), omit “the criminal division of”.
- 70 In section 196 (meaning of “relevant order” etc), after subsection (1A) insert—
- “(1B) For the purposes of this Chapter a suspended sentence order is in force during the supervision period (within the meaning given in section 189(1A)).”
- 71 In section 198 (duties of responsible officer), in subsection (1), for “has effect” substitute “is in force”.
- 72 In section 199 (unpaid work requirement), in subsection (3) omit “an officer of a local probation board or”.
- 73 In section 200A (rehabilitation activity requirement), in subsection (2), for “for” substitute “on”.
- 74 In section 203 (prohibited activity requirement), in subsection (2), omit “an officer of a local probation board or”.
- 75 In section 204 (curfew requirement), in subsection (3), for “it is made” substitute “the requirement first takes effect”.
- 76 In section 205 (exclusion requirement), in subsection (2), at the end insert “beginning with the day on which the requirement first takes effect”.
- 77 In section 206 (residence requirement), in subsection (4), omit “an officer of a local probation board or”.
- 78 In section 206A (foreign travel prohibition requirement) in subsections (2) and (3) for “the relevant order is made” substitute “the requirement takes effect”.
- 79 (1) Section 207 (mental health treatment requirement) is amended as follows.
- (2) In subsection (2)—

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- (a) in the opening words, after “required” insert “during a period specified under subsection (1)”;
 - (b) in paragraph (a), after “patient in” insert “a hospital or care home specified in the order which is”.
- (3) In subsection (3)(c) for “such a” substitute “the”.
- 80 (1) Section 208 (mental health treatment at place other than that specified in order) is amended as follows.
- (2) In subsection (1), in the words after paragraph (b), omit “, with the consent of the offender.”.
- (3) After that subsection insert—
- “(1A) Such arrangements as are mentioned in subsection (1) may only be made if the offender has expressed willingness for the treatment to be given as mentioned in that subsection.”
- 81 (1) Section 209 (drug rehabilitation requirement) is amended as follows.
- (2) In subsection (1)(b), for the words after “description” substitute “as may be determined by the responsible officer or by the person specified as the person by or under whose direction the treatment is to be provided, at such times or in such circumstances as may (subject to the provisions of the order) be so determined”.
- (3) In subsection (2)(c), omit “an officer of a local probation board or”.
- (4) In subsection (4), after “period” insert “during the treatment and testing period”.
- 82 (1) Section 210 (drug rehabilitation requirement: provision for review by court) is amended as follows.
- (2) In subsection (3), for “for the area” substitute “in the area”.
- (3) In subsection (4), omit “the criminal division of”.
- 83 (1) Section 211 (periodic review of drug rehabilitation requirement) is amended as follows.
- (2) In subsection (3)(b), for the words after “in which” substitute “the court could deal with the offender if the offender had just been convicted by or before it”.
- (3) After subsection (3) insert—
- “(3A) If the relevant order was made by the Crown Court where its powers to deal with the offender for the offence were those (however expressed) which would have been exercisable by a magistrates’ court on convicting the offender of the offence, the power of the Crown Court under subsection (3) (b) is power to deal with the offender in any way in which the magistrates court could deal with the offender if it had just convicted the offender of the offence.”
- 84 In section 212 (alcohol treatment requirement), in subsection (5)—
- (a) in the opening words, after “period” insert “during the period specified under subsection (1)”;
 - (b) in paragraph (c), for the words after “direction of” substitute “the person specified under subsection (1)”.

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- 85 In section 212A (alcohol abstinence and monitoring requirement), in
subsection (12), at the end insert “(and the notice has not been withdrawn)”.
- 86 (1) Section 217 (requirement to avoid conflict with other orders etc) is amended as
follows.
- (2) In subsection (1)(a), for “relevant order” substitute “court order”.
- (3) In subsection (2), omit “or requirement imposed”.
- 87 (1) Section 218 (availability of arrangements in local area) is amended as follows.
- (2) In subsection (3), at the end insert “(and the notice has not been withdrawn)”.
- (3) In subsection (4)—
- (a) in the opening words, omit “the court”;
- (b) in paragraph (a)—
- (i) at the beginning, insert “the court”;
- (ii) at the end (but before the “and”) insert “(and the notice has not been
withdrawn)”;
- (c) in paragraph (b), at the beginning, insert “the court”.
- (4) In subsection (9)—
- (a) in the opening words, omit “the court”;
- (b) in paragraph (a)—
- (i) at the beginning, insert “the court”;
- (ii) at the end, insert “(and the notice has not been withdrawn)”;
- (c) in each of paragraphs (b) and (c), at the beginning, insert “the court”.
- 88 In section 219 (provision of copies of relevant orders), in subsection (1)(d), for
“acting” substitute “operating”.
- 89 In section 220A (duty to obtain permission before changing residence), after
subsection (4) insert—
- “(4A) The responsible officer must refuse an application for permission if—
- (a) the offender’s present residence is in England or Wales, and
- (b) the offender’s proposed residence is outside England and Wales.”
- 90 In section 222 (rules), in subsection (1)(c), omit “local probation boards or”.
- 91 In section 223 (power to amend limits), at the end insert—
- “(4) Provision that may be made by an order under this section includes provision
that has effect in relation to any offence of which a person is convicted after
the order comes into force.”
- 92 In section 225 (life sentence for serious offences), in subsection (2), as it has effect
by virtue of article 3 of the Criminal Justice Act 2003 (Sentencing) (Transitory
Provisions) Order 2005 ([S.I. 2005/643](#)), after “custody for life” insert “under
section 94 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- 93 In section 226A (extended sentence for certain violent, sexual or terrorism offences:
persons 18 or over), in subsection (10), for “and a specified sexual offence”
substitute “, a specified sexual offence and a specified terrorism offence”.

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- 94 In section 236A (special custodial sentence for certain offenders of particular concern), in subsection (7), for “an offence committed before” substitute “any offence of which the person was convicted after”.
- 95 In section 238 (power of court to recommend licence conditions for certain prisoners), omit subsection (4).
- 96 In section 269 (determination of minimum term in relation to mandatory life sentence), after subsection (6) insert—
- “(6A) Amendments made by an order under subsection (6) may not have effect in relation to an offence committed before the order comes into force.”
- 97 In section 270 (duty to give reasons), at the end insert—
- “(3) The reference in subsection (2) to section 174(2) includes section 252(1) (a) of the Armed Forces Act 2006 (service offence sentences: duty to give reasons).”
- 98 In section 298 (term of detention and training order), in subsection (3), in the inserted subsection (2A) of section 101 of the Powers of Criminal Courts (Sentencing) Act 2000, at the end of paragraph (a) insert “and”.
- 99 In section 305 (interpretation of Part 12), in subsection (4), after paragraph (d) insert—
- “(da) a sentence falls to be imposed under section 8(2) of the Offensive Weapons Act 2019 if it is required by that provision and the court is not of the opinion there mentioned.”
- 100 (1) Schedule 8 (breach, revocation or amendment of community order) is amended as follows.
- (2) In paragraph 5 (duty to give warning), in sub-paragraph (2)(c), for “the next twelve months” substitute “the period of 12 months beginning with the date on which the warning was given”.
- (3) In paragraph 7 (issue of summons or warrant by justice of the peace), in sub-paragraph (3)(a), for “before the magistrates’ court responsible for the order” substitute “if the court responsible for the order is a magistrates’ court, before that court”.
- (4) In paragraph 9 (powers of magistrates’ court), in sub-paragraph (1)(a), after “include if” insert “the court had just convicted the offender of the offence in respect of which the order was made and”.
- (5) In paragraph 10 (powers of Crown Court to deal with offender on breach)—
- (a) in sub-paragraph (1)(a), for “impose if” substitute “include if the offender had just been convicted before it of the offence in respect of which the order was made and”;
- (b) in sub-paragraph (1)(b), for the words after “made” substitute “—
- (i) in any way in which it could deal with the offender for the offence if the offender had just been convicted before it of the offence, unless sub-paragraph (3C) applies;
- (ii) if sub-paragraph (3C) applies, in any way in which a magistrates’ court could deal with the offender for

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the offence if it had just convicted the offender of the offence.”;

(c) after sub-paragraph (3B) insert—

“(3C) This sub-paragraph applies where the community order was made by the Crown Court where its powers to deal with the offender for the offence were those (however expressed) which would have been exercisable by a magistrates’ court on convicting the offender of the offence.”

(6) In paragraph 11 (restriction of powers in paragraphs 9 and 10 where treatment required), omit sub-paragraph (2).

(7) In paragraph 11A (power to amend amount of fine on breach of community order), for sub-paragraph (4) (amendment not to have effect in relation to offence committed before commencement of amendment), substitute—

“(4) Provision that may be made by an order under sub-paragraph (1) (a “fine amendment order”) includes provision that has effect in relation to a community order made in respect of an offence (whenever committed) of which the offender was convicted after the fine amendment order comes into force.”

(8) In paragraph 13 (revocation of order with or without re-sentencing: powers of magistrates’ court)—

(a) in sub-paragraph (6)—

(i) for “a magistrates’ court” substitute “the appropriate magistrates’ court”;

(ii) for “this paragraph” substitute “sub-paragraph (2)(b)”;

(b) in sub-paragraph (7)(a), for “the magistrates’ court responsible for the order” substitute “if a magistrates’ court is responsible for the order, that court”.

(9) In paragraph 14 (powers of Crown Court to deal with offender on revoking community order)—

(a) in sub-paragraph (2)(b)(ii), for the words after “in which” substitute “it could deal with the offender for the offence if the offender had just been convicted before it of the offence (but this is subject to sub-paragraph (2A)).”;

(b) after sub-paragraph (2) insert—

“(2A) Where the community order was made by the Crown Court where its powers to deal with the offender for the offence were those (however expressed) which would have been exercisable by a magistrates’ court on convicting the offender of the offence, the power of the Crown Court under sub-paragraph (2)(b)(ii) is power to deal with the offender for the offence in any way in which a magistrates’ court could deal with the offender for the offence if it had just convicted the offender of the offence.”;

(c) in sub-paragraph (5), for “this paragraph” substitute “sub-paragraph (2)(b)”.

(10) In paragraph 17 (amendment of requirements of community order)—

(a) in sub-paragraph (1)(b), after “include if” insert “the offender had just been convicted by or before it of the offence in respect of which the community order was made and”;

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- (b) in sub-paragraph (3)(b), for the words after “in which” substitute “it could deal with the offender for the offence if the offender had just been convicted by or before it of the offence (but this is subject to sub-paragraph (3A))”;
- (c) after sub-paragraph (3) insert—

“(3A) Where the community order was made by the Crown Court where its powers to deal with the offender for the offence were those (however expressed) which would have been exercisable by a magistrates’ court on convicting the offender of the offence, the power of the Crown Court under sub-paragraph (3)(b) is power to deal with the offender for the offence in any way in which a magistrates’ court could deal with the offender for the offence if it had just convicted the offender of the offence.”

- (11) In paragraph 18 (amendment of treatment requirements of community order on report of practitioner)—

- (a) in sub-paragraph (1)—
 - (i) in the opening words, for “the medical practitioner or other person” substitute “the treatment practitioner”;
 - (ii) in the words after paragraph (b), for “variation” substitute “replacement”;
- (b) after sub-paragraph (2) insert—

“(2A) In sub-paragraph (1), “treatment practitioner” means, in relation to a requirement to which that sub-paragraph applies—

- (a) the medical practitioner or other person specified in the community order as the person by whom, or under whose direction, the offender is being treated in pursuance of the requirement, or
- (b) in the case of a mental health treatment requirement, if no such person is specified, the person by whom, or under whose direction, the offender is being treated in pursuance of the requirement.”

- (12) In paragraph 21(2)(b)(ii) (powers of magistrates’ court following subsequent conviction: offender subject to community order made by a magistrates’ court) for the words after “in which” substitute “it could deal with the offender for the offence if it had just convicted the offender of that offence”.

- (13) In paragraph 22(1) (powers of magistrates’ court following subsequent conviction: offender subject to community order made by Crown Court), for “in custody” substitute “to custody”.

- (14) In paragraph 23 (powers of Crown Court following subsequent conviction)—

- (a) in sub-paragraph (2)(b)(ii), for the words after “in which” substitute “it could deal with the offender for the offence if the offender had just been convicted before it of the offence (but this is subject to sub-paragraph (2A))”;
- (b) after sub-paragraph (2) insert—

“(2A) Where the community order was made—

- (a) by a magistrates’ court, or
- (b) by the Crown Court where its powers to deal with the offender for the offence were those (however expressed)

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which would have been exercisable by a magistrates' court on convicting the offender of the offence, the power of the Crown Court under sub-paragraph (2)(b)(ii) is power to deal with the offender for the offence in any way in which a magistrates' court could deal with the offender for the offence if it had just convicted the offender of the offence."

- (15) In paragraph 24(1) (supplementary)—
- (a) after "13," insert "14,";
 - (b) after "17" insert ", 19A".
- (16) In paragraph 25 (court to issue summons or warrant before exercising certain powers)—
- (a) in sub-paragraph (2), for the words from "cancelling" to "substituting" substitute "which only does one or more of the following—"
 - (a) revokes a community order;
 - (b) cancels a requirement of a community order or replaces it with one of a shorter duration;
 - (c) substitutes";
 - (b) after sub-paragraph (2) insert—

“(3) This paragraph also does not apply where a court proposes to exercise its powers under Part 5 of this Schedule where the offender is before the court.”
- (17) In paragraph 26 (restrictions on imposing requirements), for the words after "effect" substitute ", in relation to the imposition of any requirement under any of those paragraphs, subject to any provision that applies to the court in making a community order as if the court were imposing that requirement on making the order".
- (18) In paragraph 27 (copies of revoking or amending orders and other information)—
- (a) in sub-paragraph (1), in the opening words, omit "the proper officer of";
 - (b) in sub-paragraph (2)—
 - (i) omit "the proper officer of";
 - (ii) for "the officer" substitute "the court";
 - (c) omit sub-paragraph (3).
- 101 (1) Schedule 9 (transfer of community orders to Scotland or Northern Ireland) is amended as follows.
- (2) In paragraph 1(6)(c) (matters that must be specified in a community order to be transferred to Scotland), at the beginning insert "if the order specifies as the corresponding order a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995,".
- (3) In paragraph 3 (orders transferred to Northern Ireland)—
- (a) in sub-paragraph (1)(a), for the words from "the petty sessions district" to "force" substitute "in Northern Ireland";
 - (b) in sub-paragraph (1)(aa)(i), for "that locality" substitute "Northern Ireland";
 - (c) in sub-paragraph (5), for the words from "the petty sessions district" to "residing" substitute "that the offender resides in Northern Ireland or will be residing there".

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- (4) In paragraph 5 (interpretation), in paragraph (b) of the definition of “home court”, for the words after “relevant time,” substitute “a court of summary jurisdiction”.
- (5) In paragraph 9 (matters to be explained to offender), before paragraph (a) insert—
 “(za) the effect of paragraph 8,”.
- (6) In paragraph 10 (restrictions on exercise of powers by home court), in paragraphs (c) and (d), for “have specified” substitute “specify if it were now making the order on the assumption that the offender had just been convicted by or before it of the offence in respect of which the order was made”.
- (7) In paragraph 11(a)(ii) (powers of home court), omit the words after “justice of the peace”.
- (8) In paragraph 15(b) (certificate of home court to be evidence of breach of order), for “which made the order” substitute “in England and Wales”.
- 102 (1) Schedule 12 (breach or amendment of suspended sentence order, and effect of further conviction) is amended as follows.
- (2) In paragraph 6(2) (failure to comply with community requirement: issue of summons or warrant by justice of the peace), for “while a suspended sentence order to which this paragraph applies is in force” substitute “during the supervision period of a suspended sentence order to which this paragraph applies”.
- (3) In paragraph 7(2) (failure to comply with community requirement: issue of summons or warrant by Crown Court), for “while a suspended sentence order to which this paragraph applies is in force” substitute “during the supervision period of a suspended sentence order to which this paragraph applies”.
- (4) In paragraph 8 (powers of court on breach of community requirement or conviction of further offence)—
- (a) in sub-paragraph (1)—
- (i) in paragraph (a), after “192(6)” insert “or sub-paragraph (6) of this paragraph”;
- (ii) in paragraph (b), in the opening words, for “(other than one which” substitute “order (other than one in respect of which the suspended sentence”;
- (b) in sub-paragraph (2)—
- (i) in the opening words, omit “consider his case and”;
- (ii) in paragraph (c)(i), after “include if” insert “the offender had just been convicted by or before it of the offence in respect of which the order was made and”;
- (c) in sub-paragraph (6), for “or (c)” substitute “, (c) or (d)”;
- (d) after sub-paragraph (7) insert—
- “(7A) Where—
- (a) an offender is convicted of an offence committed during the operational period of a suspended sentence order made by a magistrates’ court, and
- (b) a magistrates’ court commits the offender to the Crown Court under section 6 of the Powers of Criminal Courts

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(Sentencing) Act 2000 to be dealt with in respect of the suspended sentence order,

sub-paragraph (2) does not apply to the magistrates' court mentioned in paragraph (b).”

- (5) In paragraph 9 (further provisions as to order that suspended sentence is to take effect), in sub-paragraph (1)(b), for “term of imprisonment” substitute “custodial sentence”.
- (6) In paragraph 10 (restriction of powers in paragraph 8 where treatment required), omit sub-paragraph (2).
- (7) In paragraph 12A (power to amend level of fines on breach or further conviction), for sub-paragraph (4) substitute—
 - “(4) Provision that may be made by an order under sub-paragraph (1) (a “fine amendment order”) includes provision that has effect in relation to a suspended sentence order made in respect of an offence (whenever committed) of which the offender was convicted after the fine amendment order comes into force.”
- (8) In paragraph 13(1) (cancellation of community requirements of suspended sentence order), for “at any time while a suspended sentence order is in force” substitute “during the supervision period of a suspended sentence order”.
- (9) In paragraph 14(1) (amendment by reason of change of residence), for “at any time while a suspended sentence order is in force” substitute “during the supervision period of a suspended sentence order”.
- (10) In paragraph 14A(1) (amendment by reason of change of residence), for “at any time while a suspended sentence order is in force” substitute “during the supervision period of a suspended sentence order”.
- (11) In paragraph 15 (amendment of community requirements of suspended sentence order)—
 - (a) in sub-paragraph (1)(b), after “include if” insert “the offender had just been convicted by or before it of the offence in respect of which the order was made and”;
 - (b) omit sub-paragraph (3);
 - (c) in sub-paragraph (4)(b), for the words after “in which” substitute “it could deal with the offender for the offence if the offender had just been convicted by or before it of the offence (but this is subject to sub-paragraph (4A)).”;
 - (d) after sub-paragraph (4) insert—
 - “(4A) Where the suspended sentence order was made by the Crown Court in circumstances where its powers to deal with the offender for the offence were those (however expressed) which would have been exercisable by a magistrates' court on convicting the offender of the offence, the power of the Crown Court under sub-paragraph (4)(b) is power to deal with the offender for the offence in any way in which a magistrates' court could deal with the offender for the offence if it had just convicted the offender of the offence.”

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- (12) In paragraph 18(1), for “Where—” and paragraphs (a) and (b) substitute “Where, during the supervision period of a suspended sentence order imposing an unpaid work requirement, it appears to the appropriate court, on the application of the offender or an officer of a provider of probation services, that it would be in the interests of justice to do so having regard to circumstances which have arisen since the order was made.”.
- (13) In paragraph 21 (restrictions on imposing requirements), for the words after “effect” substitute “in relation to the imposition of any requirement under either of those paragraphs subject to any provision that applies to the court in making a suspended sentence order as if the court were imposing that requirement on making the order”.
- (14) In paragraph 22 (copies of amending orders)—
- (a) in sub-paragraph (1)—
 - (i) in the opening words, after “amending” insert “or revoking” and omit “the proper officer of”;
 - (ii) in paragraph (a), after “amending” insert “or revoking”;
 - (b) in sub-paragraph (2)—
 - (i) omit “the proper officer of”;
 - (ii) for “the officer” substitute “the court”;
 - (c) omit sub-paragraph (3).
- 103 (1) Schedule 13 (transfer of suspended sentence orders to Scotland or Northern Ireland) is amended as follows.
- (2) In paragraph 1(6) (order amended on transfer to Scotland not to be made subject to review), after “made” insert “or amended”.
- (3) In paragraph 6 (Northern Ireland)—
- (a) in sub-paragraph (1)(a) (arrangements needed for particular requirements), for the words from “the petty sessions district in Northern Ireland” to “force” substitute “Northern Ireland”;
 - (b) in sub-paragraph (1)(aa)(i), for “that locality” substitute “Northern Ireland”;
 - (c) in sub-paragraph (5) (order amended on transfer to Northern Ireland not to be made subject to review), after “made” insert “or amended”.
- (4) In paragraph 7(a), for the words from “the petty sessions district in Northern Ireland” to “force” substitute “that the offender resides in Northern Ireland or will be residing there”.
- (5) In paragraph 8(1), for paragraph (b) substitute—
- “(b) a court of summary jurisdiction in Northern Ireland;”.
- (6) In paragraph 11, in paragraph (b) of the definition of “home court”, for the words after “relevant time,” substitute “a court of summary jurisdiction”.
- (7) In paragraph 12 (application of Schedule 12 with modifications)—
- (a) in sub-paragraph (5) for “In paragraphs 4 and 5” substitute “Paragraphs 4 and 5 have effect as if the amendments made by paragraph 7(3) to (5) of Schedule 4 to the Offender Rehabilitation Act 2014 (enforcement officers) had not been made, and in those paragraphs”;
 - (b) after sub-paragraph (5) insert—

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- “(5ZA) Paragraph 5A (role of enforcement officer) is omitted.”;
 - (c) in sub-paragraph (6)—
 - (i) for “paragraph 14” substitute “paragraphs 14 and 14A”;
 - (ii) in paragraph (a)(i), for “concerned” substitute “specified in the order”;
 - (iii) omit paragraph (b);
 - (d) after that sub-paragraph insert—
 - “(6A) If the home court is in Northern Ireland, paragraphs 14 and 14A are omitted.”
- (8) In paragraph 20 (transfer to England and Wales)—
- (a) in sub-paragraph (5) for “petty sessions” substitute “local justice”;
 - (b) in sub-paragraph (6)(a) omit “the local probation board acting in the new local justice area, or (as the case may be)”.