

## SCHEDULES

### SCHEDULE 14

#### COMMUNITY AND SUSPENDED SENTENCE ORDERS: SPECIAL PROCEDURES RELATING TO REVIEW AND BREACH

#### PART 1

##### AMENDMENTS TO THE SENTENCING CODE

##### *Orders that qualify for special procedures*

2 After section 395 insert—

##### **“395A Community and suspended sentence orders qualifying for special procedures**

- (1) A community order or suspended sentence order qualifies for special procedures for the purposes of a relevant provision if the order—
  - (a) is of a description specified in regulations for the purposes of that provision, and
  - (b) is made within a period, or after a time, so specified.
- (2) In subsection (1) “relevant provision” means—
  - (a) section 217A;
  - (b) section 293A;
  - (c) paragraphs 10(5)(ba) and 11(2)(ba) of Schedule 10;
  - (d) paragraph 13(1)(da) of Schedule 16.
- (3) A description specified under subsection (1)(a) may, among other things, be framed by reference to—
  - (a) the courts by which the orders are made (for example, courts sitting in particular places or areas);
  - (b) the persons who are subject to the orders (for example, persons of a particular sex);
  - (c) the offences to which the orders relate.
- (4) Where regulations under subsection (1)(a) specify a description of community or suspended sentence order for the first time, they must under subsection (1)(b) specify, in relation to that description of order, a period of 18 months beginning with the day on which the regulations come into force.
- (5) Regulations under this section are to be made by the Secretary of State.
- (6) Regulations under this section are subject to—

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**Status:** *This is the original version (as it was originally enacted).*

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- (a) the negative resolution procedure, where under subsection (1)(b) the regulations specify a period, and
- (b) the affirmative resolution procedure, in any other case.”