
STATUTORY INSTRUMENTS

1998 No. 2167

**The Magistrates' Courts (Miscellaneous
Amendments) Rules 1998**

The Magistrates' Courts Rules 1981

4.—(1) The Magistrates' Courts Rules 1981(1) shall be amended as follows.

(2) In rule 28 (notification of discharge of probation order or order for conditional discharge) the following amendments shall be made:

(a) in paragraph (1A):

(i) for the words “section 11 of the Powers of Criminal Courts Act 1973” there shall be substituted the words “paragraph 8A of Schedule 2 to the Criminal Justice Act 1991”; and

(ii) sub-paragraph (b) and the word “or” preceding it shall be omitted;

(b) in paragraph (2):

(i) for the words “the said Act of 1973” there shall be substituted the words “the Powers of Criminal Courts Act 1973”; and

(ii) for the words “or Schedule 2 to the Criminal Justice Act 1991” there shall be substituted the words “, Schedule 2 to the Criminal Justice Act 1991 or Schedule 5 to the Crime and Disorder Act 1998”; and

(c) for paragraph (4) there shall be substituted the following paragraph:

“(4) In this rule “community order” has the same meaning as in Part I of the Criminal Justice Act 1991.”.

(3) Rule 103 shall be revoked.

(4) After rule 113 there shall be added the following rule:

“Applications for variation or discharge of orders under the Crime and Disorder Act 1998

114. An application for variation or discharge of any of the following orders shall be by complaint:

(a) a parenting order, under section 9(5) of the Crime and Disorder Act 1998;

(b) a child safety order, under section 12(4) of that Act;

(c) a reparation order, under paragraph 2 of Schedule 5 to that Act;

(d) an action plan order, under that paragraph.”.

(1) S.I.1981/552, amended by S.I. 1982/245, 1983/523, 1984/1552, 1985/1695, 1985/1944, 1986/1332, 1988/2132, 1989/300, 1989/384, 1990/336, 1990/1190, 1990/2260, 1991/1991, 1992/457, 1992/729, 1992/2072, 1993/1183, 1994/1481, 1994/3154, 1995/585, 1995/2619 and 1997/706.