

SCHEDULE

MODIFICATIONS

PART 5

COMMUNITY PAYBACK ORDER CONSEQUENTIAL MODIFICATIONS

SECONDARY LEGISLATION

Juries (Northern Ireland) Order 1996

15.—(1) Schedule 1 to the Juries (Northern Ireland) Order 1996⁽¹⁾ (persons disqualified for jury service) is amended as follows.

(2) In paragraph 2, in sub-paragraph (d), after “community service order”, insert “or a community payback order with an unpaid work or other activity requirement imposed under section 227A or 227M of the Criminal Procedure (Scotland) Act 1995⁽²⁾”.

(3) In paragraph 3, after “probation”, insert “or had made in respect of him a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995 which did not include an unpaid work or other activity requirement under section 227A(2)(c)”.

Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009

16. In the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009⁽³⁾, in Schedule 1 (persons excluded from direct payments) for paragraph (f) substitute—

“(f) either—

- (i) required to submit to treatment for their drug or alcohol dependency by virtue of a requirement of a probation order within the meaning of sections 228 to 230 of the Criminal Procedure (Scotland) Act 1995;
- (ii) subject to a drug treatment and testing order within the meaning of section 234B of that Act; or
- (iii) subject to a community payback order under section 227A of that Act imposing requirements relating to drug or alcohol treatment⁽⁴⁾; or”.

(1) S.I. 1996/1141 (N.I. 6).

(2) 1995 c.46.

(3) S.I. 2009/1887.

(4) 1995 c.46. Section 228 was amended by paragraph 21 of Schedule 1 to the Crime and Punishment (Scotland) Act 1997 (c.48), by paragraph 1 of Schedule 6 to the Crime and Disorder Act 1998 (c.37), by paragraph 122 of Schedule 7 to the Criminal Justice and Court Services Act 2000 (c.43), by sections 42(11) and 89 of the Criminal Justice (Scotland) Act 2003 (asp 7) and by S.I. 1998/2327, 2001/919, 2001/1149, 2003/288 and 2008/912. Section 229 was amended by section 49(4) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6). Section 229A was inserted by sections 12(2) and 24 of the Management of Offenders etc (Scotland) Act 2005 (asp 14) and amended by S.S.I. 2006/48. Section 230 was amended by Schedule 6 to the Adults with Incapacity (Scotland) Act 2000 (asp 4), by sections 135, 331 and 333 and paragraph 8 of Schedule 4 and Part 1 of Schedule 5 to the Mental Health (Care and Treatment) Scotland Act 2003 (asp 13) and by S.S.I. 2005/161 and S.I. 2009/1182. Section 234B was inserted by section 89 of the Crime and Disorder Act 1998 and amended by S.I. 1998/2327. Section 227A was inserted into the Criminal Procedure (Scotland) Act 1995 by section 14 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13). Section 227A(2)(g) and (h) provide for the imposition of requirements relating to drug and alcohol treatment respectively.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

National Health Service (Direct Payments) Regulations 2010

17. In the National Health Service (Direct Payments) Regulations 2010⁽⁵⁾, in the Schedule (persons excluded from direct payments), for paragraph (i), substitute—

- “(i) either—
- (i) required to submit to treatment for their drug or alcohol dependency by virtue of a requirement of a probation order within the meaning of sections 228 to 230 of the Criminal Procedure (Scotland) Act 1995 (probation orders); or
 - (ii) subject to a drug treatment and testing order within the meaning of section 234B of that Act (drug treatment and testing order); or
 - (iii) subject to a community payback order under section 227A of that Act imposing requirements relating to drug or alcohol treatment⁽⁶⁾; or”.

⁽⁵⁾ S. I. 2010/1000.

⁽⁶⁾ 1995 c.46. Section 228 was amended by paragraph 21 of Schedule 1 to the Crime and Punishment (Scotland) Act 1997 (c.48), by paragraph 1 of Schedule 6 to the Crime and Disorder Act 1998 (c.37), by paragraph 122 of Schedule 7 to the Criminal Justice and Court Services Act 2000 (c.43), by sections 42(11) and 89 of the Criminal Justice (Scotland) Act 2003 (asp 7) and by S.I. 1998/2327, 2001/919, 2001/1149, 2003/288 and 2008/912. Section 229 was amended by section 49(4) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6). Section 229A was inserted by sections 12(2) and 24 of the Management of Offenders etc (Scotland) Act 2005 (asp 14) and amended by S.S.I. 2006/48. Section 230 was amended by Schedule 6 to the Adults with Incapacity (Scotland) Act 2000 (asp 4), by sections 135, 331 and 333 and paragraph 8 of Schedule 4 and Part 1 of Schedule 5 to the Mental Health (Care and Treatment) Scotland Act 2003 (asp 13) and by S.S.I. 2005/161 and S.I. 2009/1182. Section 234B was inserted by section 89 of the Crime and Disorder Act 1998 and amended by S.I. 1998/2327. Section 227A was inserted into the Criminal Procedure (Scotland) Act 1995 by section 14 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13). Section 227A(2)(g) and (h) provide for the imposition of requirements relating to drug and alcohol treatment respectively.