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**Changes to legislation:** Sentencing Act 2020, PART 5 is up to date with all changes known to be in force on or before 12 May 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 23

#### POWERS TO AMEND THE SENTENCING CODE

##### PART 5

##### YOUTH REHABILITATION ORDERS

###### *Responsible officer*

- 8 (1) The Secretary of State may by regulations—
- (a) amend section 191 (meaning of “the responsible officer”), and
  - (b) make any other amendments of—
    - (i) Chapter 1 of Part 9 (youth rehabilitation orders), or
    - (ii) any provision of this Act derived from Chapter 1 of Part 12 of the Criminal Justice Act 2003 (general provisions about sentencing),that appear to be necessary or expedient in consequence of any amendment made by virtue of paragraph (a).
- (2) Regulations under sub-paragraph (1) may, in particular, provide for the court to determine which of two or more descriptions of responsible officer is to apply in relation to any youth rehabilitation order.
- (3) Regulations under this paragraph are subject to the affirmative resolution procedure.

###### **Commencement Information**

**II** Sch. 23 para. 8 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

###### *Power to amend limits*

- 9 (1) The Secretary of State may by regulations substitute a maximum number of hours, or a period, for the time being specified in [<sup>F1</sup>any] of the following provisions of Schedule 6 (youth rehabilitation order: requirements)—
- (a) paragraph 10(3) (unpaid work requirement), or
  - (b) paragraph [<sup>F2</sup>18(4) or (4A)] (curfew requirement).
- (2) The Secretary of State may by regulations substitute a period for the time being specified in any of the following provisions of Schedule 6 (youth rehabilitation order: requirements)—
- (a) paragraph 18(5) (curfew requirement);
  - (b) paragraph 20(3) (exclusion requirement);
  - (c) paragraph 24(4)(a) (local authority residence requirement);

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- (d) paragraph 26(3)(a) (fostering requirement).
- (3) Regulations under this paragraph which amend paragraph 26(3)(a) of Schedule 6 may also make consequential amendments of paragraphs 10(9) and (10) and 17(5) and (6) of Schedule 7.
- (4) Regulations under this paragraph are subject to the affirmative resolution procedure.

#### Textual Amendments

- F1** Word in [Sch. 23 para. 9\(1\)](#) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(u), [Sch. 17 para. 20\(a\)](#)
- F2** Words in [Sch. 23 para. 9\(1\)\(b\)](#) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(u), [Sch. 17 para. 20\(b\)](#)

#### Modifications etc. (not altering text)

- C1** [Sch. 23 para. 9](#) applied (with modifications) by 2008 c. 4, s. 39(6)(e), [Sch 7 \(as amended\) \(1.12.2020\)](#) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 paras. 266\(5\), 270](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

#### Commencement Information

- I2** [Sch. 23 para. 9](#) in force at 1.12.2020 by [S.I. 2020/1236](#), reg. 2

#### *Power to amend fines for breach of youth rehabilitation order*

- 10 (1) The Secretary of State may by regulations amend any sum for the time being specified in paragraph 6(5)(a) or 7(2)(a) of Schedule 7 (fine on breach of youth rehabilitation order).
- (2) The power conferred by sub-paragraph (1) may be exercised only if it appears to the Secretary of State that there has been a change in the value of money since the relevant date which justifies the change.
- (3) In sub-paragraph (2), “the relevant date” means—
- (a) 3 December 2012, or
  - (b) if the sum specified in paragraph 6(5)(a) or 7(2)(a) (as the case may be) of Schedule 7 has been substituted by regulations under sub-paragraph (1), the date on which the sum was last so substituted.
- (4) Regulations under this paragraph are subject to the negative resolution procedure.

#### Commencement Information

- I3** [Sch. 23 para. 10](#) in force at 1.12.2020 by [S.I. 2020/1236](#), reg. 2

#### *Maximum period of fostering requirement where imposed by virtue of Schedule 7*

- 11 (1) The Secretary of State may by regulations amend paragraph 10(10) or 17(6) of Schedule 7 by substituting, for—
- (a) the period of 18 months specified in the provision, or
  - (b) any other period which may be so specified by virtue of previous regulations under this paragraph,

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such other period as may be specified in the regulations.

(2) Regulations under this paragraph are subject to the affirmative resolution procedure.

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**Commencement Information**

**I4** Sch. 23 para. 11 in force at 1.12.2020 by [S.I. 2020/1236](#), **reg. 2**

*Power to amend provisions of Schedule 8 in  
consequence of changes to the law in Northern Ireland*

- 12 (1) This paragraph applies where a change is made to the law in Northern Ireland adding further descriptions of orders to the kinds of orders which a court in that jurisdiction may impose in dealing with an offender aged under 18 at the time of conviction.
- (2) The Secretary of State may by regulations make such amendments to Schedule 8 (transfer of youth rehabilitation orders to Northern Ireland) as appear expedient in consequence of the change.
- (3) Regulations under this paragraph are subject to the negative resolution procedure.

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**Commencement Information**

**I5** Sch. 23 para. 12 in force at 1.12.2020 by [S.I. 2020/1236](#), **reg. 2**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 1](#)
- s. 80(3)(f) inserted by [2021 c. 17 s. 54\(2\)](#)
- s. 179(4A) inserted by [2020 c. 17 Sch. 22 para. 11\(1\)](#)
- s. 179A inserted by [2020 c. 17 Sch. 22 para. 12\(2\)](#)
- s. 179A(1)(b)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 16\(2\)](#)
- s. 180(5) inserted by [2020 c. 17 Sch. 22 para. 11\(2\)](#)
- s. 186(8A) inserted by [2020 c. 17 Sch. 22 para. 11\(3\)](#)
- s. 202(1A)(1B) inserted by [2020 c. 17 Sch. 22 para. 13\(b\)](#)
- s. 202(1A)(b)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 17\(2\)](#)
- s. 204A inserted by [2020 c. 17 Sch. 22 para. 14\(2\)](#)
- s. 204A(3)(c)(i)(ii) substituted for words by [2020 c. 17 Sch. 22 para. 18\(2\)](#)
- s. 215(1A)(1B) inserted by [2022 c. 32 s. 149\(2\)\(a\)](#)
- s. 215(2A) inserted by [2022 c. 32 s. 149\(2\)\(c\)](#)
- s. 226(2)(ba) and word substituted for s. 226(2)(c)(d) by [2020 c. 17 Sch. 22 para. 43](#)
- s. 230(3A) and words inserted by [2020 c. 17 Sch. 22 para. 2](#)
- s. 234(1)(aa) inserted by [2020 c. 17 Sch. 22 para. 27\(1\)\(b\)](#)
- s. 234(1)(aa) omitted by [2020 c. 17 Sch. 22 para. 28\(1\)](#)
- s. 235(3A) inserted by [2020 c. 17 Sch. 22 para. 27\(2\)](#)
- s. 236(2A) inserted by [2020 c. 17 Sch. 22 para. 29\(3\)](#)
- s. 236(2A)(b) word substituted by [2020 c. 17 Sch. 22 para. 47\(b\)](#)
- s. 301(1A)(1B) inserted by [2022 c. 32 s. 149\(3\)\(a\)](#)
- s. 301(2A) inserted by [2022 c. 32 s. 149\(3\)\(c\)](#)
- s. 323(2A)–(2C) inserted by [2020 c. 17 Sch. 22 para. 85\(3\)](#)
- s. 343(4) inserted by [2022 c. 32 s. 178\(2\)](#)
- s. 348A348B inserted by [2022 c. 32 s. 178\(4\)](#)
- s. 350(6C)(6D) inserted by [2022 c. 32 s. 178\(5\)](#)
- s. 387A inserted by [2021 c. 17 s. 54\(3\)](#)
- s. 397A inserted by [2020 c. 17 Sch. 22 para. 15](#)
- s. 397A(4)(a)(ia) inserted by [2020 c. 17 Sch. 22 para. 19\(2\)\(b\)](#)
- s. 397A(4)(a)(i) words omitted by [2020 c. 17 Sch. 22 para. 19\(2\)\(a\)](#)
- s. 397A(5) words inserted by [2020 c. 17 Sch. 22 para. 19\(3\)](#)
- s. 397A(6)(7) inserted by [2020 c. 17 Sch. 22 para. 19\(4\)](#)
- s. 418(2A) inserted by [2021 c. 11 Sch. 13 para. 43\(5\)](#)
- Sch. 1 para. 13A inserted by [2020 c. 17 Sch. 22 para. 4\(a\)](#)
- Sch. 10 para. 10(5)(d) inserted by [2020 c. 17 Sch. 22 para. 21\(2\)\(a\)](#)
- Sch. 10 para. 10(9A) inserted by [2020 c. 17 Sch. 22 para. 21\(2\)\(c\)](#)
- Sch. 10 para. 11(2)(d) inserted by [2020 c. 17 Sch. 22 para. 21\(3\)\(a\)](#)
- Sch. 10 para. 11(6A) inserted by [2020 c. 17 Sch. 22 para. 21\(3\)\(c\)](#)
- Sch. 10 para. 10(9A) omitted by [2020 c. 17 Sch. 22 para. 74\(1\)\(b\)](#)
- Sch. 10 para. 11(6A) omitted by [2020 c. 17 Sch. 22 para. 75\(1\)\(b\)](#)
- Sch. 10 para. 10(5)(d) words substituted by [2020 c. 17 Sch. 22 para. 25\(a\)](#)
- Sch. 10 para. 10(5)(d) words substituted by [2020 c. 17 Sch. 22 para. 74\(1\)\(a\)](#)
- Sch. 10 para. 11(2)(d) words substituted by [2020 c. 17 Sch. 22 para. 26\(a\)](#)
- Sch. 10 para. 11(2)(d) words substituted by [2020 c. 17 Sch. 22 para. 75\(1\)\(a\)](#)
- Sch. 17A para. 24A inserted by [2020 c. 17, Sch. 22 para. 79A \(as inserted\) by 2021 c. 11 Sch. 13 para. 11\(20\)\(m\)](#)
- Sch. 18 para. 26A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 80](#)
- Sch. 19 para. 22A and cross-heading inserted by [2020 c. 17 Sch. 22 para. 84](#)

- Sch. 26 para. 13A inserted by 2021 c. 11 Sch. 13 para. 43(7)(a)
- Sch. 26 para. 15(a)(iii) inserted by 2021 c. 11 Sch. 13 para. 43(7)(c)
- Sch. 26 para. 19(a)(ia) inserted by 2021 c. 11 Sch. 13 para. 43(7)(e)(i)
- Sch. 26 para. 20(c) inserted by 2021 c. 11 Sch. 13 para. 43(7)(f)
- Sch. 26 para. 20A inserted by 2021 c. 11 Sch. 13 para. 43(7)(g)
- Sch. 26 para. 24A inserted by 2021 c. 11 Sch. 13 para. 43(7)(i)
- Sch. 26 para. 20A(za) inserted by 2022 c. 32 s. 129(3)(d)
- Sch. 27 para. 16(2)(a)(b) substituted for words by 2021 c. 11 Sch. 13 para. 43(8)