

Status: Point in time view as at 01/10/1992.

Changes to legislation: Criminal Justice Act 1991, Cross Heading: Revocation of order following custodial sentence is up to date with all changes known to be in force on or before 23 July 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)

SCHEDULES

SCHEDULE 2

ENFORCEMENT ETC. OF COMMUNITY ORDERS

Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) (1.4.1996) by 1995 c. 46, ss. 234(5)(6), 309(2) (with ss. 24(2), 307(2))
Sch. 2 applied (with modifications) (30.9.1998) by 1998 c. 37, ss. 68(3), 70(5), Sch. 5 para. 5(4)(5);
S.I. 1998/2327, arts.2(1)(o)
Sch. 2 applied (with modifications) (30.9.1998) by 1969 c. 54, s. 16B (as inserted by 1998 c. 37, s. 119,
Sch. 8 para.21; S.I. 1998/2327, arts.2(1)(y)(2)(i))

Commencement Information

- II** Sch. 2 (paras. 1 - 18) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

PART III

REVOCATION OF ORDER

Commencement Information

- II** Sch. 2 (paras. 1 - 18) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

Revocation of order following custodial sentence

- 9 (1) This paragraph applies where—
- (a) an offender in respect of whom a relevant order is in force is convicted of an offence before a magistrates' court other than a magistrates' court acting for the petty sessions area concerned; and
 - (b) the court imposes a custodial sentence on the offender.
- (2) If it appears to the court, on the application of the offender or the responsible officer, that it would be in the interests of justice to do so having regard to circumstances which have arisen since the order was made, the court may—
- (a) if the order was made by a magistrates' court, revoke it; and
 - (b) if the order was made by the Crown Court, commit the offender in custody or release him on bail until he can be brought or appear before the Crown Court.
- (3) Where the court deals with an offender's case under sub-paragraph (2)(b) above, it shall send to the Crown Court such particulars of the case as may be desirable.

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Commencement Information

I1 [Sch. 2](#) (paras. 1 - 18) wholly in force at 1.10.1992 see [s. 102\(2\)\(3\)](#) and [S.I. 1992/333](#), art. 2(2), [Sch. 2](#).

- 10 Where by virtue of paragraph 9(2)(b) above an offender is brought or appears before the Crown Court and it appears to the Crown Court to be in the interests of justice to do so, having regard to circumstances which have arisen since the relevant order was made, the Crown Court may revoke the order.

Commencement Information

I2 [Sch. 2](#) (paras. 1 - 18) wholly in force at 1.10.1992 see [s. 102\(2\)\(3\)](#) and [S.I. 1992/333](#), art. 2(2), [Sch. 2](#).

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