

Status: Point in time view as at 29/11/2022.

Changes to legislation: Sentencing Act 2020, PART 7 is up to date with all changes known to be in force on or before 05 October 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 9

COMMUNITY ORDERS AND SUSPENDED SENTENCE ORDERS: REQUIREMENTS

Modifications etc. (not altering text)

- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 178(2)-(4) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 3(3)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 183 (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 8** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (with modifications) by 2003 c. 44, s. 300(6), Sch. 31 (as amended (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 paras. 241(5), **249** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2)
- C1** Sch. 9 applied (in part) (with modifications) by 2006 c. 52, s. 182(3)-(5) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 7(5)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

PART 7

RESIDENCE REQUIREMENT

Requirement

- 13 (1) In this Code “residence requirement”, in relation to a relevant order, means a requirement that, for a particular period (“the required period”), the offender must reside—
- (a) at a particular place (“the required place”), or
 - (b) if the order so permits, at the required place or, with the prior approval of the responsible officer, at some other place.
- (2) A relevant order imposing a residence requirement must specify—
- (a) the required place,
 - (b) the required period, and
 - (c) if the offender is to be permitted to reside at some other place with the prior approval of the responsible officer, that fact.
- (3) A hostel or other institution may not be specified as the required place, except on the recommendation of an officer of a provider of probation services.

Modifications etc. (not altering text)

- C1** Sch. 9 paras. 1-20 modified by 2006 c. 52, s. 200(1)(c)(iv) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 19** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

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- C2** Sch. 9 para. 13 modified by 2006 c. 52, Sch. 6 para. 3(1) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 11(5)(a)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

Commencement Information

- I1** Sch. 9 para. 13 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Requirement where court imposes residence requirement

- 14 Before making a relevant order containing a residence requirement, the court must consider the home surroundings of the offender.

Modifications etc. (not altering text)

- C1** Sch. 9 paras. 1-20 modified by 2006 c. 52, s. 200(1)(c)(iv) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 19** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- C3** Sch. 9 para. 14 excluded by 2006 c. 52, Sch. 6 para. 3(3) (as amended (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 11(5)(b)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

Commencement Information

- I2** Sch. 9 para. 14 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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