

## SCHEDULES

### SCHEDULE 2

#### ENFORCEMENT ETC. OF COMMUNITY ORDERS

##### PART IV

##### AMENDMENT OF ORDER

###### *Amendment of requirements of probation or curfew order*

- 13 (1) Without prejudice to the provisions of paragraph 12 above, but subject to sub-paragraph (2) below, a magistrates' court for the petty sessions area concerned may, on the application of the offender or the responsible officer, by order amend a probation or curfew order—
- (a) by cancelling any of the requirements of the order; or
  - (b) by inserting in the order (either in addition to or in substitution for any such requirement) any requirement which the court could include if it were then making the order.
- (2) The power of a magistrates' court under sub-paragraph (1) above shall be subject to the following restrictions, namely—
- (a) the court shall not amend a probation order—
    - (i) by reducing the probation period, or by extending that period beyond the end of three years from the date of the original order; or
    - (ii) by inserting in it a requirement that the offender shall submit to treatment for his mental condition, or his dependency on drugs or alcohol, unless the amending order is made within three months after the date of the original order; and
  - (b) the court shall not amend a curfew order by extending the curfew periods beyond the end of six months from the date of the original order.
- (3) In this paragraph and paragraph 14 below, references to the offender's dependency on drugs or alcohol include references to his propensity towards the misuse of drugs or alcohol.