



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART XI U.K.

SENTENCING

[^{F1}Restricted movement requirement

[^{F1}227Z]Restricted movement requirement: effect S

- (1) In this Act, a “restricted movement requirement” is, in relation to an offender, a requirement restricting the offender's movements to such extent as is specified.
- (2) A restricted movement requirement may in particular require the offender—
 - (a) to be in a specified place at a specified time or during specified periods, or
 - (b) not to be in a specified place, or a specified class of place, at a specified time or during specified periods.
- (3) In imposing a restricted movement requirement containing provision under subsection (2)(a), the court must ensure that the offender is not required, either by the requirement alone or the requirement taken together with any other relevant requirement or order, to be at any place for periods totalling more than 12 hours in any one day.
- (4) In subsection (3), “other relevant requirement or order” means—
 - (a) any other restricted movement requirement in effect in respect of the offender at the time the court is imposing the requirement referred to in subsection (3), and
 - (b) any restriction of liberty order under section 245A in effect in respect of the offender at that time.
- (5) A restricted movement requirement—
 - (a) takes effect from the specified day, and
 - (b) has effect for such period as is specified.

Changes to legislation: Criminal Procedure (Scotland) Act 1995, Section 227ZF is up to date with all changes known to be in force on or before 14 September 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

- (6) The period specified under subsection (5)(b) must be—
- (a) not less than 14 days, and
 - (b) subject to subsections (7) and (8), not more than 12 months.
- (7) Subsection (8) applies [^{F2}as follows in relation to] a community payback order—
- (a) [^{F3}in the case of any restricted movement requirement imposed by the order,] where the offender was under 18 years of age at the time the order was imposed, or
 - (b) [^{F4}in the case of a restricted movement requirement imposed under section 227ZC(7)(d), where the only requirement (apart from the restricted movement requirement)] imposed by the order is a level 1 unpaid work or other activity requirement.
- (8) The period specified under subsection (5)(b) must be not more than—
- (a) where the order was imposed by a justice of the peace court, 60 days, or
 - (b) in any other case, 3 months.
- (9) A court imposing a restricted movement requirement must specify in it—
- (a) the method by which the offender's compliance with the requirement is to be monitored, and
 - (b) the person who is to be responsible for monitoring that compliance.
- (10) The Scottish Ministers may by regulations made by statutory instrument substitute—
- (a) for the number of hours for the time being specified in subsection (3) another number of hours,
 - (b) for the number of months for the time being specified in subsection (6)(b) another number of months.
- (11) Regulations are not to be made under subsection (10) unless a draft of the statutory instrument containing the regulations has been laid before and approved by resolution of the Scottish Parliament.
- (12) In this section, “ specified ”, in relation to a restricted movement requirement, means specified in the requirement.]

Textual Amendments

- F1** Ss. 227A-227ZN and cross-headings inserted (1.2.2011 except for the insertion of s. 227ZM, 1.4.2011 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 14\(1\)](#), 206(1); S.S.I. 2010/413, art. 2, sch. (with art. 3(1))
- F2** Words in s. 227ZF(7) substituted (17.5.2022) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), s. 63(2), [sch. 1 para. 2\(5\)\(a\)](#); S.S.I. 2022/94, reg. 2(2)(l) (with regs. 1(2), 3(2))
- F3** Words in s. 227ZF(7)(a) inserted (17.5.2022) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), s. 63(2), [sch. 1 para. 2\(5\)\(b\)](#); S.S.I. 2022/94, reg. 2(2)(l) (with regs. 1(2), 3(2))
- F4** Words in s. 227ZF(7)(b) substituted (17.5.2022) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), s. 63(2), [sch. 1 para. 2\(5\)\(c\)](#); S.S.I. 2022/94, reg. 2(2)(l) (with regs. 1(2), 3(2))

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 227ZF is up to date with all changes known to be in force on or before 14 September 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.

[View outstanding changes](#)

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. 5A inserted by [2010 asp 13 Sch. 7 para. 26](#)
- s. 13(1B)(1C) inserted by [2006 asp 10 s. 82\(2\)](#)
- s. 13(2)(aa) inserted by [2006 asp 10 s. 82\(3\)\(b\)](#)
- s. 13(3A) inserted by [2006 asp 10 s. 82\(4\)](#)
- s. 13(5)(ba) inserted by [2006 asp 10 s. 82\(5\)\(a\)](#)
- s. 13(6)(a)(iii) and word inserted by [2006 asp 10 s. 82\(6\)\(b\)](#)
- s. 13(8) inserted by [2006 asp 10 s. 82\(7\)](#)
- s. 22(5A) inserted by [2007 asp 6 s. 7\(2\)\(g\)](#)
- s. 22A(1A) inserted by [2023 asp 4 s. 1\(2\)](#)
- s. 23B(1)(1A) substituted for s. 23B(1) by [2023 asp 4 s. 2\(2\)\(a\)](#)
- s. 23B(6A) inserted by [2023 asp 4 s. 1\(3\)\(c\)](#)
- s. 23B(8)-(10) inserted by [2023 asp 4 s. 2\(2\)\(c\)](#)
- s. 23C(1A) inserted by [2023 asp 4 s. 2\(3\)\(b\)](#)
- s. 23C(3) inserted by [2023 asp 4 s. 2\(3\)\(c\)](#)
- s. 24(2C) inserted by [2023 asp 4 s. 4\(4\)](#)
- s. 24(2AA) inserted by [2023 asp 4 s. 4\(2\)](#)
- s. 49(1)-(1F) substituted for s. 49(1)-(3) by [2024 asp 5 s. 17\(2\)\(a\)](#)
- s. 49(4A)-(4C) inserted by [2024 asp 5 s. 17\(2\)\(c\)](#)
- s. 50(7) inserted by [2024 asp 5 s. 16\(2\)](#)
- s. 70B and cross-heading inserted by [2024 asp 5 s. 16\(3\)](#)
- s. 73A inserted by [2004 asp 3 s. 2\(3\)](#)
- s. 142A inserted by [2024 asp 5 s. 16\(5\)](#)
- s. 167(7D)(7E) inserted by [2007 asp 17 sch. 4 para. 1\(3\)](#)
- s. 167(7D) words substituted by [2010 asp 13 Sch. 3 para. 16\(2\)](#)
- s. 167(7E) words substituted by [2010 asp 13 Sch. 3 para. 16\(3\)](#)
- s. 175(1)(ca) words substituted by [2024 asp 5 Sch. para. 7\(4\)\(a\)](#)
- s. 194ZA repealed by [2014 asp 18 sch. 3 para. 25](#)
- s. 200A inserted by [2016 asp 1 s. 85](#)
- s. 205A added by [1997 c. 48 s. 1\(1\)](#) (This amendment not applied to legislation.gov.uk. 1997 c. 48, s. 1 repealed (27.6.2003) without ever being in force by [2003 asp 7, s. 19\(3\)](#); S.S.I. 2003/288, art. 2, Sch.)
- s. 249(4A)-(4D) inserted by [2014 asp 1 s. 24](#)
- s. 271D(4A) inserted by [2019 asp 8 s. 6\(4\)](#)
- s. 271F(2)(aa) inserted by [2019 asp 8 s. 10\(4\)](#)
- s. 271AA inserted by [2019 asp 8 s. 6\(2\)](#)
- s. 271BZD inserted by [2019 asp 8 s. 3\(2\)](#)
- Sch. 5A added by [1997 c. 48 s. 1\(2\)](#) (This amendment not applied to legislation.gov.uk. 1997 c. 48, s. 1 repealed (27.6.2003) without ever being in force by [2003 asp 7, s. 19\(3\)](#); S.S.I. 2003/288, art. 2, Sch.)