

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Justice Act 1991 (c. 53)

- 96 (1) After sub-paragraph (5) of paragraph 1 of Schedule 2 to the 1991 Act (enforcement etc. of community orders) there shall be inserted the following sub-paragraph—
- “(6) Where a drug treatment and testing order has been made on an appeal brought from the Crown Court, or from the criminal division of the Court of Appeal, for the purposes of this Schedule it shall be deemed to have been made by the Crown Court.”
- (2) In sub-paragraph (1)(d) of paragraph 3 of that Schedule, the words “revoke the order and” shall cease to have effect.
- (3) After sub-paragraph (2) of that paragraph there shall be inserted the following sub-paragraph—
- “(2A) Where a magistrates' court deals with an offender under sub-paragraph (1) (d) above, it shall revoke the relevant order if it is still in force.”
- (4) In sub-paragraph (1)(d) of paragraph 4 of that Schedule, the words “revoke the order and” shall cease to have effect.
- (5) After sub-paragraph (2) of that paragraph there shall be inserted the following sub-paragraph—
- “(2A) Where the Crown Court deals with an offender under sub-paragraph (1) (d) above, it shall revoke the relevant order if it is still in force.”
- (6) After paragraph 12(4) of that Schedule there shall be inserted the following sub-paragraphs—
- “(5) Where—
- (a) the court amends a probation order or community service order under this paragraph;
 - (b) a local authority is specified in the order in accordance with section 2(2)(b) or 14(4)(c) of the 1973 Act; and
 - (c) the change, or proposed change, of residence also is or would be a change of residence from the area of that authority to the area of another such authority,
- the court shall further amend the order by substituting the other authority for the authority specified in the order.

Status: This is the original version (as it was originally enacted).

- (6) In sub-paragraph (5) above “local authority” has the meaning given by section 42 of the Crime and Disorder Act 1998, and references to the area of a local authority shall be construed in accordance with that section.”
- (7) In paragraph 17(1) of that Schedule, the words from “and the court shall not” to the end shall cease to have effect.