

SCHEDULES

SCHEDULE 9

TRANSFER OF COMMUNITY ORDERS TO SCOTLAND OR NORTHERN IRELAND

PART 1

SCOTLAND

- 2 (1) Where a court is considering the making or amendment of a community order by virtue of paragraph 1, Chapter 4 of Part 12 of this Act has effect subject to the following modifications.
- (2) Any reference to the responsible officer has effect as a reference to the officer of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39) responsible for the offender's supervision or, as the case may be, discharging in relation to him the functions in respect of community service orders assigned by sections 239 to 245 of the Criminal Procedure (Scotland) Act 1995.
- (3) The following provisions are omitted—
- (a) subsection (7) of section 201 (activity requirement),
 - (b) subsection (7) of section 202 (programme requirement),
 - (c) subsection (4) of section 206 (residence requirement), and
 - (d) subsection (4) of section 218 (availability of arrangements in local area).
- (4) In section 207 (mental health treatment requirement), for subsection (2)(a) there is substituted—
- “(a) treatment as a resident patient in a hospital within the meaning of the Mental Health (Care and Treatment) (Scotland) Act 2003, not being a State hospital within the meaning of that Act;”.
- (5) In section 215 (electronic monitoring requirement), in subsection (3), the words from “and” onwards are omitted.