

Status: Point in time view as at 30/04/2021.

Changes to legislation: Sentencing Act 2020, Paragraph 430 is up to date with all changes known to be in force on or before 15 June 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 24

CONSEQUENTIAL AMENDMENTS

PART 5

SECONDARY LEGISLATION

Prosecution of Offences Act 1985 (Criminal Courts Charge) Regulations 2015 (S.I. 2015/796)

- 430 (1) Regulation 2 of those regulations is amended as follows.
- (2) In paragraph (1)—
- (a) for “section 21A(1) of the POA 1985” substitute “ section 46(1) of the Sentencing Code ”;
 - (b) in sub-paragraph (a), for “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 79 of the Sentencing Code ”.
- (3) In paragraph (2), for sub-paragraph (b) substitute—
- “(b) for a relevant failure.”
- (4) After paragraph (2) insert—
- “(2A) In this regulation “relevant failure” means a failure to comply with—
- (a) a requirement of a community order (within the meaning given by section 200 of the Sentencing Code),
 - (b) a community requirement of a suspended sentence order (within the meaning given by section 286 of the Sentencing Code), or
 - (c) a supervision requirement imposed under section 256AA of the Criminal Justice Act 2003.”
- (5) In paragraph (3)—
- (a) for “section 21A(1) of the POA 1985” substitute “ section 46(1) of the Sentencing Code ”;
 - (b) for the words after “in respect of” substitute “ the relevant failure ”.
- (6) In paragraph (4), for the words after “in the same proceedings” substitute “ two or more different kinds of relevant failure ”.
- (7) In paragraph (5)(a)—
- (a) for “section 21B(1)(b), (c) and (d) of the POA 1985” substitute “ paragraph (2A)(a), (b) and (c) ”;
 - (b) for “section 21B(1)(c) or (d)” substitute “ paragraph (2A)(b) or (c) ”.
- (8) In paragraph (5)(b)—

Status: Point in time view as at 30/04/2021.

Changes to legislation: Sentencing Act 2020, Paragraph 430 is up to date with all changes known to be in force on or before 15 June 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)

- (a) for “section 21B(1)(b) and (c) of the POA 1985” substitute “ paragraph (2A) (a) and (b) ”;
 - (b) for “section 21B(1)(c)” substitute “ paragraph (2A)(b) ”.
- (9) In paragraph (5)(c)—
- (a) for “section 21B(1)(b) and (d) of the POA 1985” substitute “ paragraph (2A) (a) and (c) ”;
 - (b) for “section 21B(1)(d)” substitute “ paragraph (2A)(c) ”.
- (10) In paragraph (5)(d)—
- (a) for “section 21B(1)(c) and (d) of the POA 1985” substitute “ paragraph (2A) (b) and (c) ”;
 - (b) for “section 21B(1)(d)” substitute “ paragraph (2A)(c) ”.
- (11) Omit sub-paragraph (e) of paragraph (5).

Commencement Information

II Sch. 24 para. 430 in force at 1.12.2020 by [S.I. 2020/1236](#), **reg. 2**

Status:

Point in time view as at 30/04/2021.

Changes to legislation:

Sentencing Act 2020, Paragraph 430 is up to date with all changes known to be in force on or before 15 June 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.