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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Probation Rules 1984 to take account of the cash limit system introduced by section 94 of the Criminal Justice Act 1991 (c. 53) which is to apply to expenditure on the probation service from April 1992 and of changes in probation officers' duties introduced by the Children Act 1989.

Rule 3 and Part I of the Schedule to the Rules add to rule 35 of the 1984 Rules additional duties of probation officers in consequence of the Children Act 1989. These amendments come into force on 14th October 1991. The amendments in consequence of the cash limiting system come into force on 31st October 1991.

Rule 3 and Part II of the Schedule amend rule 50 of the 1984 Rules by requiring each probation committee, other than the committees for the Inner London Area and the City of London, to send an estimate of the committee's expenses for the following financial year to the local authority liable to defray these expenses by a date specified by the Secretary of State. A committee for a shire county must also consult the local authority in relation to any specified expenditure (defined in new rule 50(2D)) included in its estimate. New rule 50(2A) and (2B) require a committee to send a supplementary estimate where it proposes to incur specified expenditure or expenditure under paragraph 1(1) of Schedule 2 to the 1984 Rules which is not covered by its original estimate and, in the case of a committee for a shire county, to consult its local authority where the supplementary estimate relates to specified expenditure. Where a local authority objects to any specified expenditure included in an estimate or a supplementary estimate, new rule 50(2C) provides for the matter to be referred to the Secretary of State for determination.

Other amendments to rule 50, by paragraph 3 of the Schedule to these rules, and amendments to rule 50A, by paragraph 4 of that Schedule, amend the present arrangements for supplementary expenditure to limit their application to the remaining part of the current financial year only.