



Criminal Justice Act 1991

1991 CHAPTER 53

PART V

FINANCIAL AND OTHER PROVISIONS

Cash limits

94 Cash limits for probation services.

- (1) After subsection (3) of section 51 of the 1973 Act (expenses and grants payable out of money provided by Parliament) there shall be inserted the following subsection—

“(3A) The amount of any payments under subsection (3) above towards any person’s expenditure, or towards any expenditure out of the metropolitan police fund, in any year shall not exceed the appropriate percentage of whichever of the following is the less, namely—

- (a) that expenditure; and
- (b) the amount which, in relation to that expenditure and that year, is for the time being determined by the Secretary of State;

and in this subsection “the appropriate percentage”, in relation to expenditure of any description, means the percentage which in relation to expenditure of that description is for the time being determined by the Secretary of State.”

- (2) In paragraph 3 of Schedule 3 to the 1973 Act (the probation service and its functions)

- (a) for paragraph (a) of sub-paragraph (1) there shall be substituted the following paragraph—

“(a) to appoint such number of probation officers—

- (i) as may be determined by them without objection by the responsible authority; or
- (ii) where objection is made, as may be agreed between them and that authority,

Status: Point in time view as at 31/10/1991. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1991, Section 94 is up to date with all changes known to be in force on or before 24 January 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)

to be a sufficient number of such officers for their probation area, subject, in the case of such classes or descriptions of officers as may be prescribed, to the approval of the appointment by the Secretary of State;”;

- (b) at the end of that sub-paragraph there shall be inserted the words “and any question as to number arising under paragraph (a) above shall, in default of agreement, be determined by the Secretary of State”; and
- (c) for sub-paragraph (5) there shall be substituted the following sub-paragraph—

“(5) In this paragraph “the responsible authority”—

- (a) in relation to a probation area other than the inner London probation area, means the local authority in whose area that probation area is situated; and
- (b) in relation to the inner London probation area, means—
 - (i) the Receiver for the metropolitan police district; and
 - (ii) where that area includes one or more petty sessions areas outside the inner London area, the local authority or authorities in whose area or areas that petty sessions area or those petty sessions areas is or are situated;

and “supervision order” and “supervisor” have the meanings assigned to them by section 11 of the Children and Young Persons Act 1969.”

- (3) After paragraph 16 of that Schedule there shall be inserted the following paragraph—

Limits on sums payable under paragraphs 15 and 16

- “16A (1) Nothing in paragraph 15 or 16 above shall require a local authority to defray any sums which would cause its expenditure in any year to exceed the amount which, in relation to that expenditure and that year, is for the time being determined by the Secretary of State under section 51(3A)(b) of this Act.
- (2) Nothing in paragraph 16 above shall require there to be paid out of the metropolitan police fund any sums which would cause the expenditure out of that fund in any year to exceed the amount which, in relation to that expenditure and that year, is for the time being so determined.
- (3) In this paragraph “expenditure” means expenditure under this Schedule.”

Commencement Information

II S. 94 wholly in force at 31.10.1991 see s. 102(2)(3) and S.I. 1991/2208, art. 2(4) and Sch. 3

Status:

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