



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XI

#### SENTENCING

##### *Community service by offenders*

#### **245 Community service orders: rules, annual report and interpretation**

- (1) The Secretary of State may make rules for regulating the performance of work under community service orders or probation orders which include a requirement that the offender shall perform unpaid work.
- (2) Without prejudice to the generality of subsection (1) above, rules under this section may—
  - (a) limit the number of hours' work to be done by a person under such an order on any one day;
  - (b) make provision as to the reckoning of time worked under such orders;
  - (c) make provision for the payment of travelling and other expenses in connection with the performance of work under such orders;
  - (d) provide for records to be kept of the work done by any person under such an order.
- (3) Rules under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) The Secretary of State shall lay before Parliament each year, or incorporate in annual reports he already makes, a report of the working of community service orders.
- (5) In sections 238 to 243 of this Act, “the appropriate court” means—
  - (a) where the relevant community service order has been made by the High Court, the High Court;
  - (b) in any other case, the court having jurisdiction in the locality for the time being specified in the order under section 238(8)(a) of this Act, being a sheriff or

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*Status: This is the original version (as it was originally enacted).*

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district court according to whether the order has been made by a sheriff or a district court, but in a case where the order has been made by a district court and there is no district court in that locality, the sheriff court.