

## SCHEDULES

### SCHEDULE 3

#### BREACH, REVOCATION AND AMENDMENT OF CURFEW, PROBATION, COMMUNITY SERVICE, COMBINATION AND DRUG TREATMENT AND TESTING ORDERS

#### PART I

#### PRELIMINARY

##### *Definitions*

- 1 (1) In this Schedule “relevant order” means any of the following orders—
- (a) a curfew order;
  - (b) a probation order;
  - (c) a community service order;
  - (d) a combination order;
  - (e) a drug treatment and testing order.
- (2) In this Schedule “the petty sessions area concerned” means—
- (a) in relation to a curfew order, the petty sessions area in which the place for the time being specified in the order is situated; and
  - (b) in relation to a probation, community service, combination or drug treatment and testing order, the petty sessions area for the time being specified in the order.
- (3) In this Schedule, references to the court responsible for a drug treatment and testing order shall be construed in accordance with section 54(7) of this Act.
- (4) In this Schedule—
- (a) references to the probation element of a combination order are references to the order in so far as it imposes such a requirement as is mentioned in section 51(1)(a) of this Act (and in so far as it imposes any additional requirements included in the order by virtue of section 42); and
  - (b) references to the community service element of such an order are references to the order in so far as it imposes such a requirement as is mentioned in section 51(1)(b).

##### *Orders made on appeal*

- 2 (1) Where a curfew, probation, community service or combination order has been made on appeal, for the purposes of this Schedule it shall be deemed—
- (a) if it was made on an appeal brought from a magistrates' court, to have been made by a magistrates' court;

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- (b) if it was made on an appeal brought from the Crown Court or from the criminal division of the Court of Appeal, to have been made by the Crown Court.
- (2) Where a drug treatment and testing order has been made on an appeal brought from the Crown Court or from the criminal division of the Court of Appeal, for the purposes of this Schedule it shall be deemed to have been made by the Crown Court.