
Changes to legislation: There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 3

RELEASE AND SUPERVISION: MINOR AND CONSEQUENTIAL PROVISION

Crime (Sentences) Act 1997 (c. 43)

- 5 (1) Paragraph 9 (restricted transfers from England and Wales to Northern Ireland) is amended as follows.
- (2) In sub-paragraph (2)(a)—
- (a) for “264A” substitute “ 264B ”,
 - (b) after “267B of” insert “ , and Schedules 20A and 20B to, ” and
 - (c) after “104” insert “ and 106B ”.
- (3) In sub-paragraph (4)(a)—
- (a) for “264A” substitute “ 264B ”,
 - (b) after “267B of” insert “ , and Schedules 20A and 20B to, ” and
 - (c) after “104” insert “ and 106B ”.
- (4) Omit sub-paragraph (8).
- (5) At the end insert—
- “(9) The supervision provisions, as applied by sub-paragraph (2) or (4), have effect—
- (a) as if any reference to something listed in the first column of the Table in sub-paragraph (11) were a reference to whatever is opposite it in the second column of that Table, and
 - (b) with the other modifications in sub-paragraph (12).
- (10) In this paragraph “the supervision provisions” means—
- (a) sections 256AA to 256AC, 256D and 256E of the 2003 Act, and
 - (b) section 106B of the Powers of Criminal Courts (Sentencing) Act 2000.
- (11) The references mentioned in sub-paragraph (9)(a) are—

TABLE

<i>Reference</i>	<i>Substituted reference</i>
Crown Court	County court
Justice of the peace	Lay magistrate
Information	Complaint
Local justice area	Petty sessions district

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Magistrates' court	Court of summary jurisdiction
Officer of a provider of probation services	Probation officer
Young offender institution	Young offender centre

- (12) The other modifications mentioned in sub-paragraph (9)(b) are—
- (a) section 256AA(2)(b) of the 2003 Act has effect as if it also referred to—
 - (i) a custody probation order or licence under Part 2 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160) (N.I. 24), and
 - (ii) a licence under the Northern Ireland (Sentences) Act 1998, Part 3 of the Life Sentences (Northern Ireland) Order 2001 (S.I. 2001/2564 (N.I. 2)) or Chapter 4 of Part 2 of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)),
 - (b) section 256AC of the 2003 Act has effect as if subsections (4)(c), (5) and (10) (provision for supervision default orders) were omitted, and
 - (c) subsection (7)(b) of that section has effect as if for “the Secretary of State” there were substituted “ the Department of Justice in Northern Ireland ”.”

Commencement Information

II Sch. 3 para. 5 in force at 1.2.2015 by S.I. 2015/40, art. 2(t)

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