

SCHEDULE 1

Amendments of Acts

PART 1

New arrangements for the provision of probation services

Criminal Justice Act 1991

9.—(1) The Criminal Justice Act 1991(1) is amended as follows.

(2) In section 37(2) (duration and conditions of licences), in subsection (4A)(a), after “being” insert “, or (as the case may be) an officer of a provider of probation services acting in the local justice area within which the person resides for the time being”.

(3) In section 43(3) (young offenders), in subsection (5), for “local probation board” substitute “provider of probation services”;

(4) In section 65(4) (supervision of young offenders after release)—

(a) in subsection (1)(a)(5), at the end insert “or an officer of a provider of probation services”;

(b) after subsection (1A)(6), insert—

“(1AA) Where the supervision is to be provided by an officer of a provider of probation services, the officer of a provider of probation services shall be an officer acting in the local justice area in which the offender resides for the time being.”; and

(c) in subsection (5A)(c)(7), after “board” insert “, an officer of a provider of probation services”.

(5) In Schedule 3 (reciprocal enforcement of certain orders)—

(a) in paragraph 10—

(i) in sub-paragraph (2)(b)(8), at the end insert “or (as the case may be) by a provider of probation services operating in the local justice area in which he resides or will reside”;

(ii) in sub-paragraph (3)(a)(9), at the end insert “or (as the case may be) to an officer of a provider of probation services acting in the local justice area in England and Wales in which the offender resides or will be residing when the order or amendment comes into force”; and

(1) [1991 c.53](#)

(2) Section 37 was repealed by the Criminal Justice Act 2003 (c.44), Schedule 39, Part 7, with savings in [S.I. 2005/950](#). Section 37(4A) was inserted by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 83(5) and was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraph 4.

(3) Section 43 was repealed by the Criminal Justice Act 2003 (c.44), Schedule 37, Part 7, with savings in [S.I. 2005/950](#). Section 43(5) was amended by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 87(2) and the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraph 4.

(4) Section 65 is to be repealed by the Criminal Justice Act 2003 (c.44), Schedule 32, paragraphs 62 and 63 and Schedule 7, Part 7, from a date to be appointed. Until that date, section 65 has effect subject to the modifications in the Criminal Justice Act 2003 (c.44), Schedule 38, paragraph 5, as amended by the Children Act 2004 (c.31), Schedule 5, Part 4.

(5) Section 65(1)(a) was amended by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 94(1) and the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraph 4(1)(a) and (2).

(6) Section 65(1A) was inserted by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 94(2) and was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraph 4(1)(a), (1)(b) and (2).

(7) Section 65(5A) was inserted by the Criminal Justice and Court Services Act 2000 (c.43), section 63(1) and (2).

(8) Schedule 3, paragraph 10(2)(b) was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraphs 103, 111(a)(ii) and [S.I. 2005/886](#).

(9) Schedule 3, paragraph 10(3)(a) was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraphs 103, 111(a)(i) and [S.I. 2005/886](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) in sub-paragraph (3)(c)(**10**), after “are situated” insert “or to the provider of probation services operating in the local justice area in which the premises are situated”; and
- (b) in paragraph 11(5)(b)(**11**), for “or the” substitute “, the” and after “board” insert “, or (as the case may be) the officer of a provider of probation services”.

(10) Schedule 3, paragraph 10(3)(c) was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraphs 103, 111(a)(i) and S.I. 1996/3161.

(11) Schedule 3, paragraph 11(5)(b) was amended by the Criminal Justice and Court Services Act 2000 (c.43), Schedule 7, paragraph (4)(1)(b) and (2) and S.I. 1996/3161.