



2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Freezing bank accounts etc.

Bank account order

22.—(1) A bank account order is an order requiring the deposit-taker to whom it is directed to pay the amount specified in the order for the purpose of securing payment of the outstanding amount.

(2) The amount to be specified in a bank account order is—

- (a) in a case where an interim bank account order has been made, the amount specified in that order, or
- (b) in a case where no interim bank account order has been made, such amount as the responsible court may determine.

(3) The making of a payment in accordance with a bank account order discharges the deposit-taker from liability to the debtor in respect of the amount of the payment.

(4) A bank account order may not require the making of a payment which would reduce the credit balance below such amount as is specified in regulations.

(5) If the outstanding amount has been paid, the collection officer or (in a case where there is not a collection order) the proper officer of the responsible court must—

Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 22. (See end of Document for details)

- (a) discharge the bank account order and any interim bank account order in force in relation to the debtor, and
 - (b) notify the responsible court and the deposit-taker accordingly.
- (6) In subsection (5), “proper officer” has the same meaning as in section 8.
- (7) Regulations may make further provision in relation to bank account orders; and the regulations may in particular—
- (a) make provision enabling the responsible court to require a deposit-taker to provide the court with information of a specified description;
 - (b) make provision as to the contents of a bank account order;
 - (c) make provision as to the service of a bank account order;
 - (d) make provision enabling a deposit-taker to impose administrative charges of a specified amount or description in relation to costs incurred by it in complying with a bank account order.
- (8) A person commits an offence if the person fails, without reasonable excuse, to provide information required by virtue of subsection (7)(a).
- (9) A person commits an offence if, in response to a requirement imposed by virtue of subsection (7)(a), the person—
- (a) provides information which the person knows to be false in a material particular,
 - (b) recklessly provides information which is false in a material particular, or
 - (c) knowingly fails to disclose a material fact.

Commencement Information

- I1** S. 22(1)-(3) in operation at 1.6.2018 by S.R. 2018/99, **art. 2(a)**
- I2** S. 22(4)(7) in operation at 3.10.2016 for specified purposes by S.R. 2016/248, **art. 4(i)**
- I3** S. 22(4)(7) in operation at 1.6.2018 in so far as not already in operation by S.R. 2018/99, **art. 2(a)**
- I4** S. 22(5)(6)(8)(9) in operation at 1.6.2018 by S.R. 2018/99, **art. 2(a)**

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