
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 188

**The Penalty Notices (Justice Act (Northern Ireland) 2011)
(Enforcement of Fines) Regulations (Northern Ireland) 2012**

Enforcement where defaulter appears to reside in Northern Ireland and fails to pay by due date

4.—(1) This regulation applies where a defaulter has failed to pay a sum payable in default by the due date.

(2) A magistrates' court may, upon complaint made to him by the clerk of petty sessions, at any time after the expiration of 14 days from the due date and before the expiration of 6 months from that date —

- (a) issue and cause to be served on the defendant a summons for the appearance of the defendant before a court acting for the same petty sessions district in which the sum payable in default is registered; or
- (b) by warrant cause the defendant to be brought before a court acting for the same petty sessions district in which the sum payable in default is registered or for any petty sessions district in the same county court division.

(3) In paragraphs (1) and (2) the “the due date” means—

- (a) within the time stated in the notice of registration; or
- (b) where any application for a longer time to pay than that stated in the notice of registration has been granted by the court under Article 91(1) of the Magistrates' Courts (Northern Ireland) Order 1981 the final date by which payment was to have been made; or
- (c) where any application for payment by instalments has been granted by the court under Article 91(1) of the Magistrates' Courts (Northern Ireland) Order 1981 where the defendant has failed to pay any one instalment and the final date by which that instalment was due to have been paid has passed.

(4) A warrant shall not be issued under paragraph (2)(b) unless the complaint is written and substantiated on oath.