

These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Schedule 7: Youth default orders: Modification of provisions applying to youth rehabilitation orders

Section 41: Disclosure of information for enforcing fines

318. [Section 41](#) inserts new paragraphs 9A, 9B and 9C into Part 3 of Schedule 5 to the Courts Act 2003.

New paragraph 9A of Part 3 of Schedule 5 to the Courts Act 2003

319. Paragraph 9A empowers a designated officer in a magistrates' court to ask for information about a person's benefit status from the Secretary of State, in order to assist a court in deciding whether to make an application for benefits deductions. A person's benefit status consists of the particular benefit of which he is in receipt, which deductions apply and how much money is finally received after those deductions have been made (paragraph 9C). It also allows certain other information, such as name and address, to be obtained. This enables the person in respect of whom the request is made to be identified.

New paragraph 9B of Part 3 of Schedule 5 to the Courts Act 2003

320. Paragraph 9B places restrictions on the way in which this information can be used once it has been obtained and creates an offence to ensure that it is not used or disclosed in an unauthorised manner or otherwise than in accordance with the purposes intended.