

Changes to legislation: Criminal Justice and Immigration Act 2008, Cross Heading: Person having property etc. in England and Wales and Scotland is up to date with all changes known to be in force on or before 26 February 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 18

PENALTIES SUITABLE FOR ENFORCEMENT IN ENGLAND AND WALES OR NORTHERN IRELAND

Person having property etc. in England and Wales and Scotland

- 6 (1) This paragraph applies if—
- (a) the certificate states that the person required to pay the financial penalty has property or a source of income in England and Wales,
 - (b) the certificate also states that the person has property or a source of income in Scotland, and
 - (c) the certificate does not state—
 - (i) that the person has property or a source of income in Northern Ireland, or
 - (ii) that the person is normally resident in the United Kingdom.
- (2) The financial penalty is suitable for enforcement in England and Wales unless subparagraph (3) [^{F1}or (4)] applies.
- (3) This sub-paragraph applies if—
- (a) the Lord Chancellor was given the certificate by the competent authority or central authority of another member State (and not by the central authority for Scotland [^{F2}or by the Department of Justice under section 90A]), and
 - (b) the Lord Chancellor thinks that it is more appropriate for the financial penalty to be enforced in Scotland than in England and Wales.
- [^{F3}(4) This sub-paragraph applies if—
- (a) the Lord Chancellor was given the certificate by the Department of Justice under section 90A,
 - (b) the Department of Justice was not given the certificate by the central authority for Scotland, and
 - (c) the Lord Chancellor thinks that it is more appropriate for the financial penalty to be enforced in Scotland than in England and Wales.]

Annotations:

Amendments (Textual)

- F1** Words in Sch. 18 para. 6(2) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 18 para. 95(3)(a) (with arts. 28-31)
- F2** Words in Sch. 18 para. 6(3)(a) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 18 para. 95(3)(b) (with arts. 28-31)
- F3** Sch. 18 para. 6(4) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 18 para. 95(3)(c) (with arts. 28-31)

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Commencement Information

II Sch. 18 para. 6 in force at 1.10.2009 by [S.I. 2009/2606](#), [art. 2\(q\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)