



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 3

COURTS AND TRIBUNALS

Collection of fines etc

56 Variation of collection orders etc

- (1) Schedule 5 to the Courts Act 2003 (collection of fines and other sums imposed on conviction) is amended as follows.
- (2) For paragraph 21 (application of Part 6: variation of collection orders containing payment terms) substitute—
 - “21 This Part applies if—
 - (a) the court has made a collection order, and
 - (b) the order contains payment terms but does not contain reserve terms.”
- (3) In paragraph 22 (variation of collection order)—
 - (a) omit sub-paragraph (1),
 - (b) in sub-paragraph (2), for “P may apply for” substitute “P may at any time apply to the fines officer under this paragraph for”,
 - (c) in sub-paragraph (4)(a), omit “in P’s favour”,
 - (d) after sub-paragraph (4) insert—
 - “(4A) The fines officer may not vary the payment terms under sub-paragraph (4)(a) so that they are less favourable to P without P’s consent.”, and
 - (e) for sub-paragraph (7) substitute—

Status: This is the original version (as it was originally enacted).

“(7) The fines officer may not vary the order so that it states reserve terms which are less favourable to P than the payment terms without P’s consent.”

(4) In paragraph 25 (application of Part 7: effect of first default on collection order containing payment terms), for paragraphs (a) and (b) substitute—

“(a) an application to a fines officer under paragraph 22 (application for variation of order or for attachment of earnings order etc) that was made at a time when P was not in default on the collection order;

(b) an appeal under paragraph 23 against a decision of a fines officer on an application described in paragraph (a);”.

(5) In paragraph 31 (variation of reserve terms)—

(a) for sub-paragraph (1) substitute—

“(1) P may, at any time after the date of a payment notice under paragraph 30, apply to the fines officer for the reserve terms to be varied.”,

(b) in sub-paragraph (3)(a), omit “in P’s favour”, and

(c) after sub-paragraph (3) insert—

“(3A) The fines officer may not vary the reserve terms under sub-paragraph (3)(a) so that they are less favourable to P without P’s consent.”

(6) In paragraph 37 (functions of fines officer in relation to defaulters: referral or further steps notice), in sub-paragraph (1)(c), for sub-paragraphs (i) and (ii) substitute—

“(i) an application to a fines officer under paragraph 31 (application for variation of reserve terms) that was made at a time when P was not in default on the collection order;

(ii) an appeal under paragraph 32 against a decision of a fines officer on an application described in sub-paragraph (i);”.