

SCHEDULE 3

Mutual recognition of financial penalties: amendments of Criminal Justice and Immigration Act 2008

- 2.—(1) Section 81 (procedure on issue of certificate: England and Wales) is amended as follows.
- (2) In subsection (2), for the words from “fines” to “other case” substitute “ the relevant officer ”.
- (3) After subsection (2) insert—
- “(2A) The “relevant officer” means—
- (a) the fines officer (in the case of a certificate issued by the officer), or
 - (b) the designated officer for the magistrates' court (in any other case).”.

(4) For subsection (4) substitute—

“(4) Subsections (4A) to (4C) apply where a certified copy of the decision is given to the central authority or competent authority of a member State in accordance with subsection (3).

(4A) No further steps to enforce the decision may be taken in England and Wales unless—

 - (a) an event mentioned in Article 15(2)(a) of the Framework Decision on financial penalties occurs in relation to the decision, or
 - (b) the relevant officer or the Lord Chancellor informs the central authority or competent authority as mentioned in subsection (4C)(b).

(4B) The relevant officer or the Lord Chancellor must inform the central authority or competent authority without delay if the officer receives any sum of money which the person concerned has paid voluntarily in respect of the decision requiring payment of the financial penalty.

(4C) The relevant officer or the Lord Chancellor must inform the central authority or competent authority forthwith of any decision or measure as a result of which the decision requiring payment of the financial penalty—

 - (a) ceases to be enforceable, or
 - (b) is withdrawn from the competent authority for any other reason.”.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014, Paragraph 2.