2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Collection officers and orders

Additional powers where collection order made

4.—(1) Where a court makes a collection order in the case of a debtor who is an individual, it may also—

(a) order the collection officer who is responsible for securing compliance with the order to make an application for deduction from benefits in relation to the debtor (see sections 14 to 16);

(b) make an attachment of earnings order in relation to the debtor (see sections 18 and 19).

(2) But a court may make an order under subsection (1)(a) or (b) only if—

(a) the court, having considered whether it would be appropriate to require the debtor to pay the sum due in either of the ways mentioned in subsection (4), is satisfied that it would be more appropriate to make the order under subsection (1)(a) or (b), and

(b) the debtor consents to the making of the order.

(3) If the court makes an order under subsection (1)(a) or (b), the collection order must also state that the order has been made.

(4) If the court does not make an order under subsection (1)(a) or (b), the collection order must also include—

(a) a term requiring the payment of the outstanding amount within a specified period, or

(b) terms requiring the payment of the outstanding amount by instalments of specified amounts on or before specified dates.

(5) If the court makes an order under subsection (1)(a), the collection officer must make an application for deduction from benefits in relation to the debtor.

Commencement Information

I1 S. 4 in operation at 1.6.2018 by S.R. 2018/99, **art. 2(a)**

Changes to legislation:
There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 4.