

*These notes refer to the Justice Act (Northern Ireland)
2016 (c.21) which received Royal Assent on 12 May 2016*

Justice Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1

Fines and Other Penalties: Enforcement

Chapter 1: Collection of Fines Etc.

Section 14: Application for deduction from benefits

This Section defines what an application for a deduction from benefits is, namely an application to the Department for Social Development for deductions to be made from a debtor's relevant welfare benefit to pay the sum that he owes to the Court (Section 14(1)). Such an application may only be made in respect of those aged 18 years or older (Section 14(2)). The relevant welfare benefits are jobseeker's allowance, state pension credit, employment and support allowance and income support (Section 14(3)).

The Department for Social Development will have discretion in whether to approve the application. If the application is granted, the Department must deduct the sums payable by the debtor from his benefit and pay these to the Court (Section 14(4)).

The application will be treated as having failed if the Department rejects the application, the application is withdrawn by the collection officer, the application is successfully appealed or the Department stops making the deductions whilst the debtor is still liable to pay any part of the sum owing to the Court (Section 14(5)).

The Section confers a regulation making power on the Department of Justice to amend the list of relevant benefits (Section 14(7)).