

*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

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 1

#### Fines and Other Penalties: Enforcement

##### *Chapter 1: Collection of Fines Etc.*

##### *Section 22: Bank account order*

This Section defines a bank account order, namely that the deposit-taker must pay out of the debtor's account the amount specified to court (Section 22(1)). This is the effect of the full bank account order which can only be made at a court hearing.

Where the order has been preceded by an interim bank account order, only the sum specified on the interim order is to be paid to the court. Where the court makes a bank account order of its own motion, the court will determine the amount to be paid (Section 22(2)). The release of funds under this order discharges the deposit-taker's liability to the debtor for that amount, that is to say the debtor cannot claim that the deposit-taker should still hold that amount for the debtor in his account (Section 22(3))

The Section allows for regulations to provide for a minimum account balance below which an account cannot be reduced (Section 22(4)). Section 22(5) and (6) requires the collection officer or proper officer (as defined in Section 8) to discharge full or interim bank account orders if the outstanding amount has been paid and to notify the court and deposit-taker.

The content of regulations may provide for further information to be requested from the deposit-taker, for the contents and service of the order and for administrative charges to be imposed (Section 22(7)).

Failure to provide information when requested by a collection officer or to provide false information is an offence under Sections 22(8) and (9), which can attract a penalty of up to £500 (as provided by Section 24 by way of a fine not exceeding level 2 on the standard scale).