
Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Cross Heading: Magistrates' Courts (Northern Ireland) Order 1981. (See end of Document for details)

SCHEDULES

SCHEDULE 2

COLLECTION ORDERS: MINOR AND CONSEQUENTIAL AMENDMENTS

Magistrates' Courts (Northern Ireland) Order 1981

3.—(1) In Article 2(3) (interpretation) at the appropriate place insert—
 ““collection order” means (except in Article 96(1B)) an order under section 3 of the Justice Act (Northern Ireland) 2016;”.

(2) In Article 91 (payment of sums adjudged to be paid by a conviction), in paragraph (4) at the end insert “ , unless there is a collection order in relation to the sum ”.

(3) In Article 92 (enforcing payment of a sum adjudged to be paid by a conviction), in paragraph (4) at the end insert “ ; but this does not apply where there is a collection order in relation to the sum ”.

(4) In Article 92A (fines imposed on companies), after paragraph (1) insert—

“(1A) In a case where there is a collection order, the power to make the application referred to in paragraph (1) is instead exercisable by the collection officer responsible for securing compliance with the order.”

(5) In Article 96 (transfer of fines elsewhere in the United Kingdom), after paragraph (1) insert—

“(1A) The clerk of a court of summary jurisdiction acting for the district in question must refer the transfer of fine order to a district judge (magistrates' courts) for the judge to consider whether to make a collection order; and the order may be made without a court hearing.

(1B) The duty under paragraph (1A) applies whether or not a collection order under Schedule 5 to the Courts Act 2003 or an enforcement order under section 226B of the Criminal Procedure (Scotland) Act 1995 has been made in relation to the sum to which the transfer of fine order relates.”

Commencement Information

II Sch. 2 para. 3 in operation at 1.6.2018 by S.R. 2018/99, art. 2(c)

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