



2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Freezing bank accounts etc.

Interim bank account order

20.—(1) An interim bank account order is an order requiring the deposit-taker to whom it is directed not to do anything which—

- (a) would reduce below such amount as is specified in the order the credit balance of the account so specified, or
- (b) if the credit balance is already below the specified amount, would reduce it further.

(2) Where an interim bank account order is in force and the deposit-taker receives a request from the debtor for it to release the whole of the amount specified in the order to the responsible court, the deposit-taker must (unless there are exceptional circumstances) comply with the request.

(3) Where the court receives payment of the specified amount in accordance with subsection (2), or by some other means, the collection officer must discharge the interim bank account order and notify the court and the deposit-taker accordingly.

(4) Having received a notification under subsection (3), the court must—

- (a) if the sum due has been paid, dismiss the referral under section 6(5), or

(b) if the sum due has (in spite of the payment of the specified amount) yet to be paid, decide at the hearing under section 9 what action to take in relation to the outstanding amount.

(5) A request of the kind mentioned in subsection (2) must be in the form specified in regulations.

(6) Regulations may make further provision in relation to interim bank account orders; and the regulations may in particular—

- (a) make provision enabling a collection officer to require a deposit-taker to provide the officer with information of a specified description;
- (b) make provision as to the contents of an interim bank account order;
- (c) make provision as to the service of an interim bank account order and the arrangements for the hearing on the referral under section 6(5);
- (d) make provision enabling a deposit-taker to impose administrative charges of a specified amount or description in relation to costs incurred by it in complying with an interim bank account order.

(7) A person commits an offence if the person fails, without reasonable excuse, to provide information required by virtue of subsection (6)(a).

(8) A person commits an offence if, in response to a requirement imposed by virtue of subsection (6)(a), the person—

- (a) provides information which the person knows to be false in a material particular,
- (b) recklessly provides information which is false in a material particular, or
- (c) knowingly fails to disclose a material fact.

(9) This section and sections 21 and 22 apply in the case of a person who was convicted of an offence, but not sentenced, before the commencement of this section (as well as in the case of a person convicted after that commencement).