2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Default on payment

Collection officer to contact debtor in default

5.—(1) This section and section 6 apply where a debtor who is subject to a collection order fails to comply with the order.

(2) Where the debtor is an individual, the collection officer must take reasonable steps to contact the individual for the purpose of obtaining or verifying the following information—

(a) the individual's full name, address, date of birth and National Insurance number,

(b) particulars of any earnings or other income the individual receives or expects to receive and the name and address of any employer the individual has,

(c) particulars of any welfare benefits the individual receives,

(d) particulars of any bank account or similar account held in the individual's sole name, and

(e) particulars of any vehicles registered in the individual's name.

(3) Where the debtor is a company, the collection officer must take reasonable steps to contact an officer of the company for the purpose of obtaining or verifying the following information—

(a) the company's name and registered address,

(b) particulars of any bank account or similar account held in the company's name, and

(c) particulars of any vehicles registered in the company's name.

(4) If the collection officer, having taken steps as mentioned in subsection (2) or (3), is unable to contact the debtor or if the debtor fails, without reasonable excuse, to provide the information referred to in that subsection, the collection officer may apply to a magistrates' court for the issue of a summons to require the debtor to attend on the collection officer at the time and place specified in the summons.

(5) A person commits an offence if the person fails, without reasonable excuse, to provide information required under subsection (2) or (3).

(6) A person commits an offence if, in providing information in response to a requirement under subsection (2) or (3), 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.

(7) In subsection (2)(c), "welfare benefit" means a benefit to which section 5 of the Social Security Administration (Northern Ireland) Act 1992 applies or which is treated by a provision of that section as if it were a benefit to which that section applies.