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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Collection of Fines (Final Scheme) Order 2006**

**Amendments to Schedule 5 to the Courts Act 2003**

**29.** After paragraph 42 insert—

**“Increase in fine by court**

**42A.**—(1) This paragraph applies where—

- (a) P is in default on a collection order,
- (b) the sum due consists of or includes a fine, and
- (c) the fines officer has referred P’s case to the court—
  - (i) under paragraph 37(6)(a), or
  - (ii) after taking any of the steps listed in paragraph 38.

(2) Where the court is satisfied that the default is due to P’s wilful refusal or culpable neglect, the court may increase the fine which is the subject of the order.

(3) But the court may not increase any other sum which is the subject of the order.

(4) The amount of the increase is to be determined in accordance with fines collection regulations but must not be greater than 50% of the fine.

(5) The increase is given effect by treating it as part of the fine imposed on P by his conviction.”.