

Status: Point in time view as at 01/12/2020.

Changes to legislation: Courts Act 2003, Cross Heading: Restrictions on disclosure is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 5

COLLECTION OF FINES ^[F1]AND OTHER SUMS IMPOSED ON CONVICTION]

Textual Amendments

- F1** Sch. 5: words in heading inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), arts. 1, 5 (with transitional provision in art. 3)

Modifications etc. (not altering text)

- C1** Sch. 5 applied (with modifications) (temp. from 23.3.2004 for certain purposes, 29.3.2004 for certain further purposes, 5.4.2004 for all purposes to 31.3.2006) by [S.I. 2004/175](#), arts. 1-3, Sch. (as amended by [S.I. 2004/1406](#), arts. 3, 4; [S.I. 2005/487](#), arts. 4-6; [S.I. 2005/642](#), art. 2; [S.I. 2005/2410](#), art. 2; [S.I. 2005/3166](#), art. 2)
- C1** Sch. 5 modified (temp. from 27.3.2006 to 2.7.2006) by [The Collection of Fines \(Pilot Scheme\) and Discharge of Fines by Unpaid Work \(Pilot Schemes\) \(Amendment\) Order 2006 \(S.I. 2006/502\)](#), arts. 1(1)(b)(2), 5 (with transitional provision in art. 4)
- C1** Sch. 5 restricted (prosp.) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 56-58, 173(4)
- C1** Sch. 5 applied (1.10.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 85(7)(b), 153; [S.I. 2009/2606](#), art. 2(f)

^[F1]PART 3A

DISCLOSURE OF INFORMATION, AND MEANING OF "RELEVANT BENEFIT" ETC]

Textual Amendments

- F1** Sch. 5 Pt. 3A heading inserted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), ss. 27(3), 61(3); [S.I. 2013/2981](#), art. 2(a)

^[F1]Restrictions on disclosure

Textual Amendments

- F1** Sch. 5 paras. 9A-9C and cross-headings inserted (3.11.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 41, 153; [S.I. 2008/2712](#), art. 2, Sch. para. 6 (subject to arts. 3, 4)

- 9B** (1) A person to whom information is disclosed under paragraph ^[F2]9A], or this subparagraph, may disclose the information to any person to whom its disclosure is necessary or expedient in connection with facilitating the making ^[F3], by the relevant

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court or a fines officer, of such a decision, order or application as is mentioned in paragraph 9A(1B).]

- (2) A person to whom such information is disclosed commits an offence if the person—
- (a) discloses or uses the information, and
 - (b) the disclosure is not authorised by sub-paragraph (1) or (as the case may be) the use is not for the purpose of facilitating the making of such a decision [F⁴, order or application as is mentioned in paragraph 9A(1B)].
- (3) But it is not an offence under sub-paragraph (2)—
- (a) to disclose any information in accordance with any enactment or order of a court [F⁵ or of a tribunal established by or under an Act] or for the purposes of any proceedings before a court; or
 - (b) to disclose [F⁶ or use—
 - (i) any information which is in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it, or
 - (ii)] any information which has previously been lawfully disclosed to the public.
- (4) It is a defence for a person charged with an offence under sub-paragraph (2) to prove that the person reasonably believed that the disclosure or use was lawful.
- (5) A person guilty of an offence under sub-paragraph (2) is [F⁷ liable—
- (a) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 2 years, or
 - (ii) to a fine, or
 - (iii) to both;
 - (b) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months, or
 - (ii) to a fine not exceeding the statutory maximum, or
 - (iii) to both.]

[Sub-paragraph (5)(b) applies in relation to offences committed before the F⁸(6) commencement of [F⁹ paragraph 24(2) of Schedule 22 to the Sentencing Act 2020] (general limit on power of magistrates' courts to impose imprisonment) as if the reference to 12 months were a reference to 6 months.

- (7) A prosecution for an offence under sub-paragraph (2) may be instituted only by or with the consent of the Director of Public Prosecutions.]]

Textual Amendments

- F2** Word in Sch. 5 para. 9B(1) substituted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 27(6)(a)**, 61(3); S.I. 2013/2981, art. 2(a)
- F3** Words in Sch. 5 para. 9B(1) substituted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 27(6)(b)**, 61(3); S.I. 2013/2981, art. 2(a)
- F4** Words in Sch. 5 para. 9B(2)(b) substituted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 27(7)**, 61(3); S.I. 2013/2981, art. 2(a)
- F5** Words in Sch. 5 para. 9B(3)(a) inserted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 27(8)(a)**, 61(3); S.I. 2013/2981, art. 2(a)

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| F6 | Words in Sch. 5 para. 9B(3)(b) inserted (11.12.2013) by Crime and Courts Act 2013 (c. 22), ss. 27(8)(b) , 61(3); S.I. 2013/2981, art. 2(a) |
| F7 | Words in Sch. 5 para. 9B(5) substituted (11.12.2013) by Crime and Courts Act 2013 (c. 22), ss. 27(9) , 61(3); S.I. 2013/2981, art. 2(a) |
| F8 | Sch. 5 para. 9B(6)(7) inserted (11.12.2013) by Crime and Courts Act 2013 (c. 22), ss. 27(10) , 61(3); S.I. 2013/2981, art. 2(a) |
| F9 | Words in Sch. 5 para. 9B(6) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 para. 443(1) (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2 |

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