

SCHEDULES

SCHEDULE 16

DEALING NON-CUSTODIALLY WITH OFFENDERS

PART 6

STATEMENTS OF ASSETS AND OTHER FINANCIAL CIRCUMSTANCES OF OFFENDERS ETC

Financial circumstances orders

- 24 In section 162(3) of the Criminal Justice Act 2003 (a “financial circumstances order” is a pre-sentencing order requiring a statement of an offender’s financial circumstances) after “statement of his” insert “assets and other”.

Further amendments

- 25 In section 84 of the Magistrates’ Courts Act 1980 (court’s power to require statement of means)—
- (a) in subsection (1) (court may require statement of means before or on inquiring into means under section 82) for “means”, in the second place, substitute “assets and other financial circumstances”, and
 - (b) in the title for “means” substitute “assets and other financial circumstances”.
- 26 In section 20A of the Criminal Justice Act 1991 (false statements as to financial circumstances)—
- (a) in subsection (1) (person charged with offence commits further offence if person responds to official request by making false statement etc as to financial circumstances) for “his financial circumstances” substitute “financial circumstances (whether a statement of assets, of other financial circumstances or of both)”, and
 - (b) in subsection (1A) (person charged with offence commits further offence if person fails to provide statement of financial circumstances in response to official request) for “his financial circumstances in response to” substitute “financial circumstances (whether a statement of assets, of other financial circumstances or of both) requested by”.
- 27 In section 13B of the Crime and Disorder Act 1998 (parental compensation orders: the compensation)—
- (a) in subsection (4) (provision by parent or guardian of statement of financial circumstances) after “statement of his” insert “assets and other”, and
 - (b) in subsection (6) (provision of false statement) omit “of his financial circumstances”.
- 28 (1) The Courts Act 2003 is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In paragraph 48 of Schedule 5 (offences relating to provision of information as to financial circumstances)—
- (a) in sub-paragraph (1) (person commits offence if person responds to relevant request by making false statement etc as to financial circumstances) for “his financial circumstances” substitute “financial circumstances (whether a statement of assets, of other financial circumstances or of both)”,
 - (b) in sub-paragraph (3) (person commits offence if person fails to provide statement of financial circumstances in response to relevant request) for “statement of his financial circumstances to a fines officer in response to” substitute “fines officer with a statement of financial circumstances (whether a statement of assets, of other financial circumstances or of both) requested by”, and
 - (c) in sub-paragraph (5) (meaning of “relevant request”), in the opening words, after “information about P’s financial circumstances” insert “(whether about P’s assets, P’s other financial circumstances or both)”.
- (3) In paragraph 2 of Schedule 6 (cases in which work order may be made)—
- (a) in sub-paragraph (3) (magistrates’ court considering making work order may order person to give statement of means) for “means” substitute “assets and other financial circumstances”, and
 - (b) in sub-paragraph (4) (application of section 84(2) and (4) of the Magistrates’ Courts Act 1980) for “means” substitute “assets and other financial circumstances”.