
STATUTORY INSTRUMENTS

1992 No. 2182

Fines (Deductions from Income Support) Regulations 1992

[^{F1}Deductions from offender's income support [^{F2}, [^{F3}universal credit,] state pension credit] or jobseeker's allowance

4.—(1) Subject to regulation 7, where—

- (a) the Secretary of State receives an application from a court in respect of an offender who is entitled to income support [^{F4}, state pension credit][^{F5}, income-based jobseeker's allowance or income-related employment and support allowance];
- (b) the amount payable by way of that benefit, after any deduction under this paragraph, is 10 pence or more; and
- (c) the aggregate amount payable under one or more of the following provisions, namely, paragraphs 3(2)(a), 5(6), 6(2)(a) and 7(3)(a) and (5)(a) of Schedule 9 to the Claims and Payments Regulations, and regulation 2 of the Council Tax (Deductions from Income Support) Regulations 1993, together with the amount to be deducted under this paragraph does not exceed an amount equal to 3 times 5 per cent. of the personal allowance for a single claimant aged not less than 25 years,

the Secretary of State may deduct a sum from that benefit which is equal to 5 per cent. of the personal allowance for a single claimant aged not less than 25 [^{F6}or £5, whichever is the greater amount allowed by sub-paragraphs (b) and (c)] and pay that sum to the court towards satisfaction of the fine or the sum required to be paid by compensation order.

[^{F7}(1A) Subject to paragraphs (1C) and (1D) and regulation 7, where the Secretary of State receives an application from a court in respect of an offender who is entitled to universal credit, the Secretary of State may deduct from the universal credit payable to the offender an amount permitted by paragraph (1B) and pay that amount to the court towards satisfaction of the fine or the sum required to be paid by compensation order.

[^{F8}(1B) The amount that may be deducted under paragraph (1A) is 5 per cent. of the appropriate universal credit standard allowance for the offender for the assessment period in question, as specified under regulation 36 of the UC Regulations.]

(1C) No amount may be deducted under paragraph (1A) where it would reduce the amount of universal credit payable to the offender to less than 1 penny.

(1D) For the purpose of paragraph (1B), where 5 per cent. of the appropriate universal credit standard allowance results in a fraction of a penny, that fraction is to be disregarded if it is less than half a penny and otherwise it is to be treated as a penny.]

[^{F9}(2) Subject to paragraph (3) and regulation 7, where—

- (a) the Secretary of State receives an application from a court in respect of an offender who is entitled to contribution-based jobseeker's allowance or contributory employment and support allowance; and
- (b) the amount of that allowance payable, before any deduction under this paragraph, is 10 pence or more,

the Secretary of State may deduct a sum from that allowance, up to the appropriate maximum specified in paragraph (2A), and pay that sum to the court towards satisfaction of the fine or the sum required to be paid by compensation order.

(2A) The appropriate maximum is 40 per cent. of the appropriate age-related amount for the offender specified—

- (a) where the offender is entitled to contribution-based jobseeker's allowance, in regulation 79 of the Jobseeker's Allowance Regulations 1996 or, as the case may be, regulation 49 of the Jobseeker's Allowance Regulations 2013;
- (b) where the offender is entitled to contributory employment and support allowance, in paragraph 1(1) of Schedule 4 to the Employment and Support Allowance Regulations or, as the case may be, regulation 62(1)(b) of the Employment and Support Allowance Regulations 2013.]

(3) No deduction shall be made under paragraph (2) where a deduction is being made from the offender's contribution-based jobseeker's allowance under the Community Charges (Deductions from Income Support) (No. 2) Regulations 1990, the Community Charges (Deductions from Income Support) (Scotland) Regulations 1989 or the Council Tax (Deductions from Income Support) Regulations 1993.

^{F10}(4)

(5) The Secretary of State shall notify the offender and the court in writing of a decision to make a deduction under this regulation so far as is practicable within 14 days from the date on which he made the decision and at the same time shall notify the offender of his right of appeal.]

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| F1 | Regs. 4 to 6A substituted (29.11.99) by S.I. 1999/3178, Sch. 12 , para. 2 |
| F2 | Words in reg. 4 inserted (6.10.2003) by State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), 32(4) |
| F3 | Words in reg. 4 inserted (29.4.2013) by The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013 (S.I. 2013/612), regs. 1(2), 5(2) |
| F4 | Words in reg. 4(1)(a) inserted (6.10.2003) by State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) Regulations 2002 (S.I. 2002/3019), regs. 1(2)(b), 32(4) |
| F5 | Words in reg. 4(1)(a) substituted (27.10.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), 54(5)(a) |
| F6 | Words in reg. 4(1) inserted (18.12.2004) by Fines (Deductions from Income Support) (Amendment) Regulations 2004 (S.I. 2004/2889), regs. 1(2), 2(b) |
| F7 | Reg. 4(1A)-(1D) inserted (29.4.2013) by The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013 (S.I. 2013/612), regs. 1(2), 5(3) |
| F8 | Reg. 4(1B) substituted (29.10.2021) by The Fines (Deductions from Income Support) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1077), regs. 1(1), 2 |
| F9 | Reg. 4(2)-(2A) substituted for reg. 4(2) (29.4.2013) by The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013 (S.I. 2013/612), regs. 1(2), 5(4) (with reg. 5(6)) |
| F10 | Reg. 4(4) omitted (29.4.2013) by virtue of The Fines, Council Tax and Community Charges (Deductions from Universal Credit and Other Benefits) Regulations 2013 (S.I. 2013/612), regs. 1(2), 5(5) |

Modifications etc. (not altering text)

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| C1 | Reg. 4(1) applied (with modifications) (27.3.2006) by Fines Collection Regulations 2006 (S.I. 2006/501), art. 1(1) reg. 31(e)(iii) |
| C2 | Reg. 4(1) applied (with modifications) (27.3.2006) by Fines Collection Regulations 2006 (S.I. 2006/501), art. 1(1) reg. 31(e)(ii) |

Changes to legislation: There are currently no known outstanding effects for the Fines
(Deductions from Income Support) Regulations 1992, Section 4. (See end of Document for details)

C3 Reg. 4(1) applied (with modifications) (27.3.2006) by [Fines Collection Regulations 2006 \(S.I. 2006/501\)](#), art. 1(1)**reg. 31(e)(i)**

Changes to legislation:

There are currently no known outstanding effects for the Fines (Deductions from Income Support) Regulations 1992, Section 4.