

**2004 No.2889**

**SOCIAL SECURITY**

**The Fines (Deductions from Income Support)(Amendment)  
Regulations 2004**

<i>Made</i> - - - -	<i>6th November 2004</i>
<i>Laid before Parliament</i>	<i>12th November 2004</i>
<i>Coming into force</i> - -	<i>18th December 2004</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by section 24 of the Criminal Justice Act 1991(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and extent**

- 1.—(1) These Regulations may be cited as the Fines (Deductions from Income Support)(Amendment) Regulations 2004.
- (2) These Regulations shall come into force on 18th December 2004.
- (3) Regulation 2(a) extends to England and Wales only.

**Amendment of the Fines (Deductions from Income Support) Regulations 1992**

2. The Fines (Deductions from Income Support) Regulations 1992(b) are amended as follows:
- (a) after regulation 2 (application for deductions from income support, state pension credit or jobseeker's allowance) insert—

**“Information that the court may require**

- 2A.—(1) Where an application is made the court may require the offender to provide his full name, full address, date of birth, national insurance number and the name of any benefits to which he is entitled.
- (2) For the purposes of this regulation “benefits” means income support, state pension credit or a jobseeker's allowance.”;
- (b) in regulation 4(1) (deductions from offender's income support, state pension credit or jobseeker's allowance) after “not less than 25” in the second place where those words occur, insert “or £5, whichever is the greater amount allowed by sub-paragraphs (b) and (c)”.

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(a) 1991 c.53. Section 24 was amended by section 96 of the Courts Act 2003 (c.39).  
(b) S.I. 1992/2182 as amended by S.I. 1996/2344, S.I. 1999/3178, S.I. 2002/3019 and S.I. 2003/1360.

Signed by authority of the Secretary of State for Work and Pensions.

6th November 2004

*Chris Pond*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These regulations amend the Fines (Deductions from Income Support) Regulations 1992 (S.I. 1992/2182) ('the principal Regulations').

Regulation 2 amends the principal regulations to allow the Court to require an offender to provide details as to his address, name, national insurance number and the name of the benefits to which the offender is in receipt, in order to process an application for benefit deductions. Section 24(2A) of the Criminal Justice Act 1991 (c.53) makes it an offence where an offender fails to provide this information. Section 24A was inserted by section 96 of the Courts Act 2003 (c.39).

Regulation 2 also amends the principal Regulations to increase the maximum amount that may be deducted from benefits to £5 where this complies with the provisions relating to maximum deductions set out in the principal Regulations.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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