
STATUTORY INSTRUMENTS

2006 No. 1737

The Collection of Fines (Final Scheme) Order 2006

Amendments to the Magistrates' Courts Act 1980

49. In section 89(1) (transfer of fine order)—

(a) in subsection (1)—

(i) after “to the court” insert “, or where that sum is the subject of a collection order, it appears to the court or the fines officer as the case may be,”; and

(ii) after “Wales, the court” insert “or the fines officer, as the case may be,”

(b) for subsection (2) substitute—

“(2) As from the date on which a transfer of fine order is made with respect to any sum, all functions under this Part of this Act or under Schedule 5 to the Courts Act 2003 relating to that sum which, if no order had been made, would have been exercisable by any court or person mentioned in column 1 of the Table below shall be exercisable by the court or person mentioned in the corresponding entry in column 2, and not otherwise.

Table

<i>Column 1</i>	<i>Column 2</i>
(A) The court which made the order.	
(B) A court acting in the same local justice area as was the fines officer who made the	In either case, a court acting in the local justice area specified in the order.
The designated officer for the court mentioned in the row above.	The designated officer for the court mentioned in the row above.
(A) The fines officer who made the order.	
(B) A fines officer acting in the same local justice area as was the court which made the order.	In either case, a fines officer acting in the local justice area specified in the order.”.

(c) in subsection (2A) after “court” insert “under this Part of this Act”; and

(d) in subsection (3) for “by which” substitute “or a fines officer, as the case may be, by which or whom”.

(1) 1980 c. 43; so far as relevant, in section 89, subsections (1) and (2) were amended by the Courts Act 2003, Schedule 8, paragraph 225; subsection (2A) was inserted by the Criminal Justice and Public Order Act 1994 (c. 33), section 47(1).