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STATUTORY INSTRUMENTS

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**2010 No. 60**

**The Criminal Procedure Rules 2010**

**PART 52**

**ENFORCEMENT OF FINES**

**Transfer of magistrates' court fine order**

**52.10.**—(1) The court officer for a magistrates' court which has made a transfer of fine order under section 89 or 90 or section 90 as applied by section 91 of the Magistrates' Courts Act 1980<sup>(1)</sup> shall send to the clerk of the court having jurisdiction under the order a copy of the order.

(2) Where a magistrates' court has made a transfer of fine order in respect of a sum adjudged to be paid by a court in Scotland or in Northern Ireland the court officer shall send a copy of the order to the clerk of the Scottish court or to the clerk of the Northern Irish court, as the case may be.

(3) Where a court officer receives a copy of a transfer of fine order (whether made in England and Wales, or in Scotland or in Northern Ireland) specifying his court as the court by which payment of the sum in question is to be enforceable, he shall thereupon, if possible, deliver or send by post to the offender notice in writing.

(4) Where under a transfer of fine order a sum adjudged to be paid by a Scottish court or by a Northern Irish court is enforceable by a magistrates' court—

- (a) if the sum is paid, the court officer shall send it to the clerk of the Scottish court or to the clerk of the Northern Irish court, as the case may be; or
- (b) if the sum is not paid, the court officer shall inform the clerk of the Scottish court or the clerk of the Northern Irish court, as the case may be, of the manner in which the adjudication has been satisfied or that the sum, or any balance thereof, appears to be irrecoverable.

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<sup>(1)</sup> 1980 c. 43; section 89 was amended by section 47 of the Criminal Justice and Public Order Act 1994 (c. 33), paragraphs 95 and 107 of Schedule 13 to the Access to Justice Act 1999 (c. 22), paragraph 225 of Schedule 8 to the Courts Act 2003 (c. 39) and articles 46 and 49 of S.I. 2006/1737. Section 90 was amended by section 47(2) of the Criminal Justice and Public Order Act 1994 (c. 33), paragraph 226 of Schedule 8 to the Courts Act 2003 (c. 39) and articles 46 and 50 of S.I. 2006/1737. Section 91 was amended by paragraphs 95 and 109 of Schedule 13 to the Access to Justice Act 1999, and paragraph 69 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), paragraph 227(1), (2) and (3) of Schedule 8 to the Courts Act 2003 (c. 39) and articles 46 and 50 of S.I. 2006/1737. (There are other amendments not relevant to this rule).