
STATUTORY INSTRUMENTS

2020 No. 747

The Civil Procedure (Amendment No. 3) Rules 2020

Amendment of Part 89

17.—(1) In rule 89.16, for paragraph (2) substitute—

“(2) If a person has failed to comply with an order under section 14(1) of the 1971 Act but can demonstrate any reason why they should not be (or should not have been) fined for failure to comply with the order, the court may direct that any information required by the order be provided by witness statement, affidavit or otherwise.”.

(2) In rule 89.17, for paragraph (4) substitute—

“(4) In paragraphs (5) to (8), reference to a fine is to a fine imposed as the result of an offence under section 23(2) of the 1971 Act.

(5) If a fine is not paid in accordance with the order imposing it, the court officer shall, as soon as reasonably possible, report the matter to a judge.

(6) Where a fine is directed to be paid by instalments, default in the payment of any instalment may be taken as if default had been made in payment of the whole of the fine.

(7) If an order is made for payment of a fine to be enforced by warrant of control, the order shall be treated as an application to the court for the issue of the warrant at the time when the order was made.

(8) If a person pays a fine and later gives evidence to satisfy the court that, if the evidence had been given earlier, no fine or a smaller fine would have been imposed, the court may order the whole or part of the fine to be repaid.”.

Commencement Information

II [Rule 17](#) in force at 1.10.2020, see [rule 1\(1\)](#)

Status:

Point in time view as at 01/10/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure (Amendment No. 3) Rules 2020, Section 17.