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## EXPLANATORY NOTE

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

This Order brings Part 1 (sections 1 to 32) of the Justice Act (Northern Ireland) 2016 (“the Act”) into operation, except section 17(6), together with Schedules 1 and 2, in so far as they are not already in operation, on 1st June 2018.

Part 1 of the Act makes new provision in relation to the enforcement of fines and other penalties. It creates a system whereby a court may make a collection order in conjunction with a fine or other financial penalty, and, where default in payment occurs, collection officers may attempt to recover the outstanding amount using the powers provided under Part 1. If this is not successful they may refer the matter back to court for further collection or enforcement action, where an arrest warrant can be issued if the debtor fails to attend. New collection and enforcement powers include deductions from benefits, attachment of earnings, bank account orders and vehicle seizure orders.

Part 1 also makes a number of supplementary provisions as well as adjustments to existing arrangements for supervised activity orders and distress in default of payment, and removing remission for committal in default. Provision is also made to prevent children from being committed to custody solely in respect of defaulting on payment of a fine or other financial penalty.

Schedule 1 makes further provision in relation to attachment of earnings orders.

Schedule 2 makes minor and consequential amendments in consequence of Part 1.