



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART III

SATISFACTION AND ENFORCEMENT

Sums adjudged to be paid by a conviction

87 Enforcement of payment of fines by High Court and county court.

(1) Subject to the provisions of subsection (2) below, payment of a sum adjudged to be paid by a conviction of a magistrates' court may be enforced by the High Court or a county court (otherwise than by issue of a writ of fieri facias or other process against goods or by imprisonment or attachment of earnings) as if the sum were due to the [F1]justices' chief executive for] the magistrates' court in pursuance of a judgment or order of the High Court or county court, as the case may be.

F2(2)

F3(2A)

(3) The [F4]justices' chief executive] shall not take proceedings by virtue of subsection (1) above to recover any sum adjudged to be paid by a conviction of the court from any person unless [F5]there has been an inquiry under section 82 above into that person's means and he appeared to the court to have sufficient means to pay the sum forthwith.]

(4) Any expenses incurred by the [F6]a justices' chief executive] in recovering any such sum shall be treated for the purposes of Part VI of [F7]the Justices of the MIPeace Act 1997] as expenses of the magistrates' courts committee.

Textual Amendments

- F1** Words in s. 87(1) substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, **105(2)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)** (with Sch. 2 para. 2)
- F2** S. 87(2) omitted (1.7.1991) by virtue of S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)
- F3** S. 87(2A) omitted (1.7.1991) by virtue of S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)

Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.

Changes to legislation: Magistrates' Courts Act 1980, Section 87 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F4** Words in s. 87(3) substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, **105(3)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)** (with Sch. 2 para. 2)
- F5** Words in s. 87(3) substituted (4.7.1996, with effect (1.10.1996) as mentioned in s. 50(2)(3) of the substituting Act) by 1996 c. 25, s. **50(1)** (with s. 78(1)); S.I. 1996/2343, **art. 2**
- F6** Words in s. 87(4) substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, **105(4)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)** (with Sch. 2 para. 2)
- F7** Words in s. 87(4) substituted (19.6.1997) by 1997 c. 25, ss. 73(2), 74(1), **Sch. 5 para. 19(2)(3)(c)** (with Sch. 4 para. 27)

Modifications etc. (not altering text)

- C1** S. 87 extended (1.7.1991) by S.I. 1991/724, **art. 2(1)(j)** (with art. 12)
S. 87 modified (3.2.1995) by 1994 c. 37, **ss. 9(4)(b)(6)**, 69(2) (with s. 66(2))
S. 87 applied (with modifications) (temp.) (23.2.2004 and 29.3.2004 for certain purposes, otherwise 5.4.2004 until 31.3.2006) by **The Fines Collection Regulations 2004** (S.I. 2004/176), regs. 1(3), **9** (with **reg. 3**) (as amended (30.3.2005) by S.I. 2005/484, regs. 1(1)(a)(2), 2, 4, 9)

Marginal Citations

- M1** 1997 c. 25

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