



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 [^{F1}writ of control] or other process against goods or by imprisonment or attachment of earnings) as if the sum were due to the [^{F2}designated officer for] the magistrates' court in pursuance of a judgment or order of the High Court or county court, as the case may be.

[^{F3}(1A) For the purposes of taking the step mentioned in paragraph 38(1)(e) of Schedule 5 to the Courts Act 2003, the reference in subsection (1) above to "the designated officer for the magistrates' court" shall be construed as a reference to the fines officer.]

^{F4}(2)

^{F5}(2A)

(3) The [^{F6}designated officer for the magistrates' court] 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 [^{F7}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.]

[^{F8}(3A) The fines officer shall not, for the purposes of taking the step mentioned in paragraph 38(1)(e) of Schedule 5 to the Courts Act 2003, take proceedings by virtue of subsection (1) above to recover from any person a sum mentioned in paragraph 1 of that Schedule, unless the fines officer has made an inquiry into that person's means and he appeared to the fines officer to have sufficient means to pay the sum forthwith.]

Status: Point in time view as at 06/04/2014. This version of this provision has been superseded.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 07 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)

(4) ^{F9}

Textual Amendments

- F1** Words in s. 87(1) substituted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 52** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F2** Words in s. 87(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 223(2)**; S.I. 2005/910, **art. 3(y)**
- F3** S. 87(1A) inserted (3.7.2006) by The Collection of Fines (Final Scheme) Order 2006 (S.I. 2006/1737), **art. 48(a)**
- F4** S. 87(2) omitted (1.7.1991) by virtue of S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)
- F5** S. 87(2A) omitted (1.7.1991) by virtue of S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)
- F6** Words in s. 87(3) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 223(3)**; S.I. 2005/910, **art. 3(y)**
- F7** 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**
- F8** S. 87(3A) inserted (3.7.2006) by The Collection of Fines (Final Scheme) Order 2006 (S.I. 2006/1737), **art. 48(b)**
- F9** S. 87(4) repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 223(4), **Sch. 10**; S.I. 2005/910, **art. 3(y)(aa)**

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**)

Status:

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