



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART III

SATISFACTION AND ENFORCEMENT

Sums adjudged to be paid by a conviction

89 Transfer of fine order.

- (1) Where a magistrates' court has, or is treated by any enactment as having, adjudged a person by a conviction to pay a sum and it appears to the court that the person is residing in any petty sessions area other than that for which the court acted, the court may make a transfer of fine order, that is to say, an order making payments enforceable in the petty sessions area in which it appears to the court that he is residing; and that area shall be specified in the order.
- (2) As from the date on which a transfer of fine order is made with respect to any sum, all functions under this Part of this Act relating to that sum which, if no such order had been made, would have been exercisable by the court which made the order, or the [^{F1}justices' chief executive for] that court, shall be exercisable by a court acting for the petty sessions area specified in the order, or the [^{F1}justices' chief executive for] that court, as the case may be, and not otherwise.

[^{F2}(2A) The functions of the court to which subsection (2) above relates shall be deemed to include the court's power to apply to the Secretary of State under any regulations made by him under section 24(1)(a) of the ^{M1}Criminal Justice Act 1991 (power to deduct fines etc. from income support).]

- (3) Where it appears to a court by which functions in relation to any sum are for the time being exercisable by virtue of a transfer of fine order that the person liable to pay the sum is residing in a petty sessions area other than that for which the court is acting, the court may make a further transfer of fine order with respect to that sum.
- (4) In this section and sections 90 and 91 below, references to this Part of this Act do not include references to section 81(1) above.

Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.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 89 is up to date with all changes known to be in force on or before 07 June 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)

Textual Amendments

- F1** Words in s. 89(2) substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, **107** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)** (with Sch. 2 para. 2)
- F2** S. 89(2A) inserted (3.2.1995) by 1994 c. 33, s. 47(1); S.I. 1995/127, art. 2(1), **Sch. 1**

Modifications etc. (not altering text)

- C1** S. 89 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), **6(a)** (with **reg. 3**) (as amended (30.3.2005) by S.I. 2005/484, regs. 1(1)(a)(2), 2, 4, 6)

Marginal Citations

- M1** 1991 c. 53.

Status:

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