

Status: Point in time view as at 07/11/2023.

Changes to legislation: Courts Act 2003, Cross Heading: Cases where work order may be made is up to date with all changes known to be in force on or before 10 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)

SCHEDULES

SCHEDULE 6

DISCHARGE OF FINES BY UNPAID WORK

Modifications etc. (not altering text)

- C1 Sch. 6 applied (1.10.2009) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 85(7)(b), 153; S.I. 2009/2606, art. 2(f)
- C1 Sch. 6 restricted (prosp.) by Education and Skills Act 2008 (c. 25), ss. 56-58, 173(4)

Cases where work order may be made

- 2 (1) The relevant court may, on the application of a fines officer or of its own motion, make an order under this Schedule (a “work order”) where—
- (a) it appears to the court that in view of P’s financial circumstances all the following methods of enforcing payment of the relevant sum are likely to be impracticable or inappropriate—
- (i) a [^{F1}warrant of control] under section 76 of the 1980 Act,
- (ii) an application to the High Court or county court for enforcement under section 87 of the 1980 Act,
- (iii) an order under section 88 of the 1980 Act,
- (iv) an attachment of earnings order,
- (v) an application for deductions to be made by virtue of section 24 of the Criminal Justice Act 1991 (recovery of fines etc. by deductions from [^{F2}universal credit and] income support etc.), and
- (vi) a collection order under Schedule 5 [^{F3}(including a notice of conviction and penalty (within the meaning of section 16L of the Magistrates’ Courts Act 1980) in a case where, by virtue of paragraph 21(3) of Schedule 5, that notice is treated as a collection order)],
- (b) it appears to the court that P is a suitable person to perform unpaid work under this Schedule, and
- (c) P consents to the making of the order.
- (2) A court which is considering the making of a work order may issue a summons requiring P to appear before the court.
- (3) A magistrates’ court which is considering the making of a work order may order P to give to the court, within a specified period, such a statement of his [^{F4}assets and other financial circumstances] as the court may require.
- (4) Subsections (2) to (4) of section 84 of the 1980 Act (offences in respect of statement of [^{F5}assets and other financial circumstances]) apply to an order made under sub-paragraph (3) as they apply to an order made under subsection (1) of that section.

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Textual Amendments

- F1** Words in Sch. 6 para. 2(1)(a)(i) substituted (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 13 para. 150** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F2** Words in Sch. 6 para. 2(1)(a)(v) inserted (29.4.2013) by [The Universal Credit \(Consequential, Supplementary, Incidental and Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/630\)](#), regs. 1(2), **17(3)**
- F3** Words in Sch. 6 para. 2(1)(a)(vi) inserted (7.11.2023) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(4), **Sch. 2 para. 3(11)**; S.I. 2023/1194, reg. 2(e)
- F4** Words in Sch. 6 para. 2(3) substituted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 16 para. 28(3)(a)**; S.I. 2013/2981, art. 2(d)
- F5** Words in Sch. 6 para. 2(4) substituted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 16 para. 28(3)(b)**; S.I. 2013/2981, art. 2(d)

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