

Status: Point in time view as at 07/11/2023.

Changes to legislation: Courts Act 2003, Paragraph 2 is up to date with all changes known to be in force on or before 21 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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