



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 1

#### DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

### CHAPTER 5

#### ATTENDANCE NOTICES

##### *Failure to comply with attendance notice*

#### **59 Application of sums recovered by virtue of section 56 or 57**

- (1) The Lord Chancellor may by regulations make provision as to the application of amounts recovered by local education authorities by virtue of sections 56 and 57.
- (2) Any such regulations must make provision for securing that any such amount recovered, so far as not—
  - (a) attributable to county court enforcement costs, or
  - (b) paid to a magistrates' court, or to an officer of such a court,is repaid to the person on whom the non-participation fine to which it relates was imposed (or other person who paid the amount).
- (3) Regulations under this section may make provision, in particular, as to—
  - (a) the extent to which amounts recovered by virtue of section 56 or 57 are attributable to county court enforcement costs;
  - (b) further payments, or repayments, to be made in consequence of any appeal, or of any remission or variation of a non-participation fine or any other amount required to be paid.
- (4) In this section, “county court enforcement costs” in relation to a non-participation fine means costs incurred by a local education authority in connection with the recovery of the relevant sum in a county court.