



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 3

#### COURTS AND TRIBUNALS

##### *Collection of fines etc*

#### **56 Variation of collection orders etc**

- (1) Schedule 5 to the Courts Act 2003 (collection of fines and other sums imposed on conviction) is amended as follows.
- (2) For paragraph 21 (application of Part 6: variation of collection orders containing payment terms) substitute—

“21

This Part applies if—

- (a) the court has made a collection order, and
- (b) the order contains payment terms but does not contain reserve terms.”

- (3) In paragraph 22 (variation of collection order)—

- (a) omit sub-paragraph (1),
- (b) in sub-paragraph (2), for “P may apply for” substitute “ P may at any time apply to the fines officer under this paragraph for ”,
- (c) in sub-paragraph (4)(a), omit “in P’s favour”,
- (d) after sub-paragraph (4) insert—

“(4A) The fines officer may not vary the payment terms under sub-paragraph (4)(a) so that they are less favourable to P without P’s consent.”, and

- (e) for sub-paragraph (7) substitute—

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*Status: Point in time view as at 13/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Cross Heading: Collection of fines etc. (See end of Document for details)*

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- “(7) The fines officer may not vary the order so that it states reserve terms which are less favourable to P than the payment terms without P’s consent.”
- (4) In paragraph 25 (application of Part 7: effect of first default on collection order containing payment terms), for paragraphs (a) and (b) substitute—
- “(a) an application to a fines officer under paragraph 22 (application for variation of order or for attachment of earnings order etc) that was made at a time when P was not in default on the collection order;
- (b) an appeal under paragraph 23 against a decision of a fines officer on an application described in paragraph (a);”
- (5) In paragraph 31 (variation of reserve terms)—
- (a) for sub-paragraph (1) substitute—
- “(1) P may, at any time after the date of a payment notice under paragraph 30, apply to the fines officer for the reserve terms to be varied.”;
- (b) in sub-paragraph (3)(a), omit “in P’s favour”, and
- (c) after sub-paragraph (3) insert—
- “(3A) The fines officer may not vary the reserve terms under sub-paragraph (3)(a) so that they are less favourable to P without P’s consent.”
- (6) In paragraph 37 (functions of fines officer in relation to defaulters: referral or further steps notice), in sub-paragraph (1)(c), for sub-paragraphs (i) and (ii) substitute—
- “(i) an application to a fines officer under paragraph 31 (application for variation of reserve terms) that was made at a time when P was not in default on the collection order;
- (ii) an appeal under paragraph 32 against a decision of a fines officer on an application described in sub-paragraph (i);”

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**Commencement Information**

**II** S. 56 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 46

**Status:**

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