

EXPLANATORY NOTE

[(This note is not part of the Regulations)

These regulations provide for deductions to be made from income support where a fine or compensation order has been imposed upon a person (the offender) by a court to meet the sums due in respect of such fines and compensation orders.

The Regulations further provide that where an application to make such deductions is received by the Secretary of State the application shall be referred to an adjudication officer. The adjudication officer shall determine whether there is sufficient income support to allow such deductions to be made and where other deductions are being made from income support, the priority of deductions for fines and compensation orders in relation to those deductions. Provision is also made (in regulation 7) for deductions to be made in respect of one application at a time and that the Secretary of State should not make deductions unless the offender is 18 or more when the application is made. Provisions also establish circumstances in which deductions should cease and what order of priority should be given to multiple applications in respect of one offender. Payment of deductions is to be made at intervals of 13 weeks by the Secretary of State to the court.

Provision is also made for appeals by the offender from the decision of the adjudication officer to the Social Security Appeal Tribunal and for further appeal by the offender and the adjudication officer to the Social Security Commissioners and from there by the debtor, adjudication officer and Secretary of State to the Court of Appeal.

Incidental provision is made for setting aside decisions, correcting decisions, the withdrawal of applications, time limits for making appeals and applications and service of notices.]

Changes to legislation:

There are currently no known outstanding effects for the Fines (Deductions from Income Support) Regulations 1992.