

2005 No. 485

MAGISTRATES' COURTS, ENGLAND AND WALES

The Register of Fines (Amendment) Regulations 2005

Made - - - - *6th March 2005*

Laid before Parliament *8th March 2005*

Coming into force in accordance with regulation 1(1)

The Lord Chancellor, in exercise of the powers conferred upon him by sections 98 and 108(6) of the Courts Act 2003(a) hereby makes the following Regulations:

Citation, commencement, duration and transitional provision

1.—(1) These Regulations may be cited as the Register of Fines (Amendment) Regulations 2005 and shall come into force—

- (a) for the purposes of regulation 2 and this regulation on 30th March 2005; and
- (b) for all other purposes on 1st April 2005.

(2) These Regulations shall cease to have effect on the 31st March 2006.

Amendments to the Register of Fines Regulations 2003

2. In paragraph (2) of regulation 1 of the Register of Fines Regulations 2003(b) for “31st March 2005” substitute “31st March 2006”.

3. Amend regulation 7 of those regulations as follows—

- (a) in paragraphs (1)(a) and (2)(a) for “28 days” substitute “one calendar month”;
- (b) in paragraph (3) for “entry of a fine in the Register” substitute “date of conviction for the offence for which the fine entered in the Register relates”.

On the authority of the Lord Chancellor

6th March 2005

Christopher Leslie
Parliamentary Under Secretary of State
Department of Constitutional Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Register of Fines Regulations 2003, which establishes a register of fines imposed on conviction by the Crown Court and magistrates' courts.

Fines are currently only being registered as part of a pilot scheme of fine collection under Schedule 5 to the Courts Act 2003. That pilot scheme has been extended to run until 31st March 2006. Therefore, the amendment in regulation 2 extends the use of the 2003 Regulation to allow the fines collection scheme to carry on using registration of a fine as one of the methods of enforcement for the duration of the extended pilots.

The amendments in regulation 3(a) to change the temporary registration from 28 days to 1 month is to bring the registration of fines in line with the registration of civil judgments, which, when section 98 of the Courts Act 2003 is fully brought into force, will be kept on the same register.

The amendment in regulation 3(b) is to ensure the removal from the register of details of a fine after five years from the date of conviction.

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