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STATUTORY INSTRUMENTS

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**2006 No. 501**

**The Fines Collection Regulations 2006**

**PART 5**

**Application of enactments with modifications**

**Application with modifications of the Fines (Deductions from Income Support) Regulations 1992**

**31.** In the case of a person aged 18 or over liable to pay a sum to which Schedule 5 applies, the Fines (Deductions from Income Support) Regulations 1992<sup>(1)</sup> apply to applications for benefit deductions made under that Schedule, as they apply to such applications made under those Regulations but with the following modifications—

- (a) in regulation 1 (citation, commencement and interpretation), in paragraph (2)—
  - (i) in the definition of “application”, for “made under regulation 2” substitute “for benefit deductions made under Schedule 5 to the Courts Act 2003”;
  - (ii) after the definition of “court” insert—
    - ““in default on a collection order” has the same meaning as it has under paragraph 24A of Schedule 5 to the Courts Act 2003;
    - “existing defaulter” has the same meaning as it has under paragraph 3 of Schedule 5 to the Courts Act 2003;
    - “the fines officer”, in relation to a person subject to a collection order made under Schedule 5 to the Courts Act 2003, means any fines officer working at the fines office specified in that order;”;
  - (iii) after the definition of “state pension credit” insert—
    - ““sum due” has the same meaning as it has in paragraph 2 of Schedule 5 to the Courts Act 2003“;”.
- (b) in regulation 2 (application for deductions from income support, state pension credit or jobseeker’s allowance)—
  - (i) omit paragraph (1); and
  - (ii) in paragraph (2), after “court” insert “or the fines officer, as the case may be,”;
- (c) in regulation 2A (information that the court may require) in paragraph (1)—
  - (i) after “court” insert “or the fines officer, as the case may be,”; and
  - (ii) in the heading to the regulation, after “court” insert “or fines officer”;
- (d) In regulation 3 (contents of application)—
  - (i) in paragraph (1)—

- (aa) in sub-paragraphs (b) and (c) for “compensation order” substitute “order requiring payment of the sum due”;
- (bb) in sub-paragraph (d) for the words from “fine” to the end of that sub-paragraph substitute “sum due”; and
- (cc) for sub-paragraph (g) substitute—
  - “(g) whether the offender—
    - (i) is an existing defaulter and his existing default cannot be disregarded;
    - (ii) has consented to the making of the application; or
    - (iii) is in default on a collection order”;
  - (ii) in paragraph (2) after “court” insert “or a fines officer, as the case may be,”; and
  - (iii) in paragraph (3)—
    - (aa) after “a court” insert “or a fines officer, as the case may be,”; and
    - (bb) after “the court” insert “or the fines officer, as the case may be,”;
- (e) in regulation 4 (deductions from offender’s income support, state pension credit or jobseeker’s allowance), in paragraphs (1) and (2)—
  - (i) after “a court” insert “or a fines officer, as the case may be,”;
  - (ii) after “the court” insert “by or for which the application was made”; and
  - (iii) for “fine or the sum required to be paid by compensation order” substitute “sum due”;
- (f) in regulation 7 (circumstances, time of making and termination of deductions)—
  - (i) omit paragraph (2)(c);
  - (ii) in paragraph (4)(c)—
    - (aa) after “a court” insert “or a fines officer, as the case may be,”; and
    - (bb) after “its” insert “or his”;
  - (iii) in paragraph (4)(d) for “fine or under the compensation order as the case may be” substitute “sum due”; and
  - (iv) in paragraph (7) after “the court” insert “or the fines officer, as the case may be,”; and
- (g) in regulation 8 (withdrawal of application), after “court” insert “or a fines officer, as the case may be,”.