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STATUTORY INSTRUMENTS

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**2014 No. 1610**

**The Criminal Procedure Rules 2014**

**PART 52**

**ENFORCEMENT OF FINES AND OTHER ORDERS FOR PAYMENT**

**Appeal against decision of fines officer**

**52.4.**—(1) This rule applies where—

- (a) a collection order is in force;
- (b) a fines officer makes a decision under one of these paragraphs of Schedule 5 to the Courts Act 2003<sup>(1)</sup>—
  - (i) paragraph 22 (Application to fines officer for variation of order or attachment of earnings order, etc.),
  - (ii) paragraph 31<sup>(2)</sup> (Application to fines officer for variation of reserve terms), or
  - (iii) paragraph 37<sup>(3)</sup> (Functions of fines officer in relation to defaulters: referral or further steps notice); and
- (c) the defendant wants to appeal against that decision.

(2) Unless the court otherwise directs, the defendant must—

- (a) appeal in writing not more than 10 business days after the decision;
- (b) serve the appeal on the court officer; and
- (c) in the appeal—
  - (i) explain why a different decision should be made, and
  - (ii) specify the decision that the defendant proposes.

(3) Where the court determines an appeal, the general rule is that it must do so at a hearing.

*[Note. Under paragraph 12 of Schedule 5 to the Courts Act 2003, where a collection order is in force the court's powers to deal with the defendant's liability to pay the sum for which that order was made are subject to the provisions of that Schedule and to fines collection regulations.]*

*For the circumstances in which a defendant may appeal against a decision to which this rule applies, see paragraphs 23, 32 and 37(9) of Schedule 5 to the 2003 Act<sup>(4)</sup>. The time limit for appeal is prescribed by those paragraphs. It may be neither extended nor shortened.]*

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(1) 2003 c. 39; Schedule 5 was amended by articles 2, 4, 6, 7 and 8 of S.I. 2006/1737. It is further amended by section 88 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), with effect from a date to be appointed.

(2) 2003 c. 39; paragraph 31 was amended by articles 2, 4 and 20 of S.I. 2006/1737.

(3) 2003 c. 39; paragraph 37 was amended by articles 2, 4 and 25(a) and (b) of S.I. 2006/1737.

(4) 2003 c. 39; paragraph 32 was amended by articles 2, 4 and 24(b) of S.I. 2006/1737.