
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 30

ENFORCEMENT OF FINES AND OTHER ORDERS FOR PAYMENT

Claim to avoid fine after penalty notice

30.6.—(1) This rule applies where—

- (a) a chief officer of police serves on the magistrates' court officer a certificate registering, for enforcement as a fine, a sum payable by a defendant after failure to comply with a penalty notice; and
- (b) the court or a fines officer enforces the fine.

(2) A defendant who claims not to be the person to whom the penalty notice was issued must, unless the court otherwise directs—

- (a) make that claim in writing; and
- (b) serve it on the court officer.

(3) The court officer must—

- (a) notify the chief officer of police by whom the certificate was registered; and
- (b) refer the case to the court.

(4) Where such a claim is made—

- (a) the general rule is that the court must adjourn the enforcement for 28 days and fix a hearing; but
- (b) the court may make a different order.

(5) At any such hearing, the chief officer of police must introduce any evidence to contradict the defendant's claim.

[Note. See section 10 of the Criminal Justice and Police Act 2001(1).

For the circumstances in which a sum may be registered for enforcement as a fine after failure to comply with a penalty notice, see sections 8 and 9 of the 2001 Act(2).]

Commencement Information

II Rule 30.6 in force at 5.10.2020, see Preamble

(1) 2001 c. 16; section 10 was amended by paragraphs 1 and 10 of Schedule 23 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).

(2) 2001 c. 16; section 8 was amended by section 109(1) of, and paragraph 399 of Schedule 8 to, the Courts Act 2003 (c. 39). Section 9 was amended by section 109(1) of, and paragraph 400(1) (2) (3) and (4) of Schedule 8 to, the Courts Act 2003 (c. 39).

Changes to legislation: There are currently no known outstanding effects for the
The Criminal Procedure Rules 2020, Section 30.6. (See end of Document for details)

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