
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 99 (C. 9)

JUSTICE

**The Justice (2016 Act) (Commencement
No.2) Order (Northern Ireland) 2018**

Made - - - - 23rd April 2018

The Department of Justice makes the following Order in exercise of the power conferred by section 61(2) of the Justice Act (Northern Ireland) 2016⁽¹⁾.

Citation

1. This Order may be cited as the Justice (2016 Act) (Commencement No.2) Order (Northern Ireland) 2018.

Appointed day

2. The day appointed for the coming into operation of the following provisions of the Justice Act (Northern Ireland) 2016 is 1st June 2018—

- (a) Part 1 (fines and other penalties: enforcement) in so far as it is not already in operation, except section 17(6);
- (b) Schedule 1 (attachment of earnings orders) in so far as it is not already in operation; and
- (c) Schedule 2 (collection orders: minor and consequential amendments).

Sealed with the Official Seal of the Department of Justice on 23rd April 2018.



Nick Perry
A senior officer of the
Department of Justice

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings Part 1 (sections 1 to 32) of the Justice Act (Northern Ireland) 2016 (“the Act”) into operation, except section 17(6), together with Schedules 1 and 2, in so far as they are not already in operation, on 1st June 2018.

Part 1 of the Act makes new provision in relation to the enforcement of fines and other penalties. It creates a system whereby a court may make a collection order in conjunction with a fine or other financial penalty, and, where default in payment occurs, collection officers may attempt to recover the outstanding amount using the powers provided under Part 1. If this is not successful they may refer the matter back to court for further collection or enforcement action, where an arrest warrant can be issued if the debtor fails to attend. New collection and enforcement powers include deductions from benefits, attachment of earnings, bank account orders and vehicle seizure orders.

Part 1 also makes a number of supplementary provisions as well as adjustments to existing arrangements for supervised activity orders and distress in default of payment, and removing remission for committal in default. Provision is also made to prevent children from being committed to custody solely in respect of defaulting on payment of a fine or other financial penalty.

Schedule 1 makes further provision in relation to attachment of earnings orders.

Schedule 2 makes minor and consequential amendments in consequence of Part 1.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Justice Act (Northern Ireland) 2016 have been brought into operation by a commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 2	3rd October 2016	2016 No.248 (C.20)
Section 6 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 14 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 15	3rd October 2016	2016 No.248 (C.20)
Section 18 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 19 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 20 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 21 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 22 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 23 (partially)	3rd October 2016	2016 No.248 (C.20)
Section 26	3rd October 2016	2016 No.248 (C.20)
Section 35 (partially)	1st September 2016	2016 No.248 (C.20)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 36 (partially)	1st September 2016	2016 No.248 (C.20)
Section 38 (partially)	1st September 2016	2016 No.248 (C.20)
Section 39 (partially)	1st September 2016	2016 No.248 (C.20)
Section 40 (partially)	1st September 2016	2016 No.248 (C.20)
Section 42 (partially)	1st September 2016	2016 No.248 (C.20)
Section 48	1st August 2016	2016 No.248 (C.20)
Schedule 1 (partially)	3rd October 2016	2016 No.248 (C.20)