STATUTORY INSTRUMENTS

2017 No. 570

NORTHERN IRELAND

The Collection of Fines etc. (Northern Ireland Consequential Amendments) Order 2017

Made - - - - 12th April 2017

Coming into force in accordance with article 1(2)

At the Court at Windsor Castle, the 12th day of April 2017

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 84(4) of the Northern Ireland Act 1998(**1**), a draft of this Order has been approved by resolution of each House of Parliament.

Her Majesty, in exercise of the power conferred by section 84(2) of the Northern Ireland Act 1998, is pleased, by and with the advice of Her Privy Council, to order as follows:

Title, commencement and extent

1.—(1) This Order may be cited as the Collection of Fines etc. (Northern Ireland Consequential Amendments) Order 2017.

(2) This Order comes into force —

(a) on the day after the day on which it is made, or

(b) if section 18 of the Justice Act (Northern Ireland) 2016(**2**) has not come into force by then, at the same time as it does.

(3) This Order extends to Northern Ireland only.

Information sharing by HMRC

2.—(1) In Schedule 5 to the Courts Act 2003(**3**) (collection of fines etc.), in paragraph 1 (introductory), the existing text of which becomes sub-paragraph (1)—

(**1**) 1998 c.47.
(**2**) 2016 c.21 (N.I.).
(**3**) 2003 c.39. Relevant amendments to Schedule 5 have been made by S.I. 2006/1737, the Criminal Justice and Immigration Act 2008 (c. 4) s.41 and the Crime and Courts Act 2013 (c. 22) s.27.

(a) after "This Schedule" insert ", apart from Part 3B,", and

(b) after that sub-paragraph insert—

"(2) Part 3B applies in a case where Chapter 1 of Part 1 of the Justice Act (Northern Ireland) 2016(**4**) (collection of fines etc.) applies."

(2) After Part 3A of that Schedule insert—

"PART 3B

JUSTICE ACT (NORTHERN IRELAND) 2016: INFORMATION SHARING

Attachment of earnings orders: disclosure of information

10A.—(1) Her Majesty's Revenue and Customs, or a person providing services to the Commissioners for Her Majesty's Revenue and Customs, may disclose finances information to a court in Northern Ireland or a collection officer for the purpose of—

(a) facilitating a decision by the court or officer whether or not to make an attachment of earnings order, or

(b) facilitating the making of an attachment of earnings order by the court or officer.

(2) In sub-paragraph (1), "finances information" means information—

(a) which is about a person's income, gains or capital and is held by—

(i) Her Majesty's Revenue and Customs, or

(ii) a person providing services to the Commissioners for Her Majesty's Revenue and Customs in connection with the provision of those services, or

(b) which is held with information of the description given in paragraph (a).

(3) A person to whom information is disclosed under this paragraph commits an offence if the person—

(a) discloses the information to another person, or

(b) uses the information for a purpose other than a purpose referred to in sub-paragraph (1).

(4) It is not an offence under sub-paragraph (3)—

(a) to disclose any information in accordance with a statutory provision or an order of a court or of a tribunal established by or under a statutory provision or for the purposes of any proceedings before a court,

(b) to disclose or use any information which is in the form of a summary or collection of information so framed as not to enable information relating to any particular person to be ascertained from it, or

(c) to disclose or use any information which has previously been lawfully disclosed to the public.

(5) It is a defence for a person charged with an offence under sub-paragraph (3) to prove that the person reasonably believed that the disclosure or use was lawful.

(6) A person guilty of an offence under sub-paragraph (3) is liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(**4**) 2016 c.21 (N.I.).