1976 No. 47

PAYMENTS FOR DEBT

Payments for Debt (Costs of Collection) Order (Northern Ireland) 1976

Made . . . . . *12th February* 1976

Coming into operation . . . . . *5th April* 1976

The Department of Housing, Local Government and Planning(a) (in this Order referred to as "the Department") with the approval of the Department of Finance(b), in exercise of the powers conferred on it by Section 2 of the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971(c) (hereinafter referred to as "the Act") as amended by Schedule 17, paragraph 17 of the Rates (Northern Ireland) Order 1972(d) and of every other power enabling it in that behalf, hereby makes the following Order:

1. This Order may be cited as the Payments for Debt (Costs of Collection) Order (Northern Ireland) 1976 and shall come into operation on 5th April 1976.

2. Where any monies due to a person or his spouse are recoverable under Section 1 of the Act by a government department or local or public authority in or towards the settlement of any sum appearing to be due by that person or his spouse in respect of any outstanding local or public rates (including water rates, regional rate and district rate) or any outstanding rent due in respect of housing accommodation, that person or his spouse shall be required to pay to the Department or authority making the recovery the costs of collection of the sum so recoverable.

3. The basis on which the costs of collection shall be calculated shall be as follows:

(*a*) Where the collection is made out of monies which are due in respect of any period, the costs of collection shall be 50p in respect of each week or part of a week in that period to which the monies out of which the collection is made relate. Where however more than one collection is made from any person or his spouse in respect of any week or part of a week the total cost of collection for that week or part of a week shall be limited to 50p.

(*b*) When the collection is made out of monies which are due to be paid otherwise than in respect of a period the costs of collection shall be 10% of the amount collected or £26 whichever is the less.

4. The costs of collection shall be payable in respect of any collection made on or after the 5th day of April 1976.

(a) Formerly the Ministry of Development: *see* S.R. & O. (N.I.) 1973 No. 504 Article 7 (II, p. 2992) and 1973 c. 36 Sch. 5 para. 8(1)
(b) Formerly Ministry of Finance: *see* 1973 c. 36 Sch. 5 para. 8(1)
(c) 1971 c. 30 (N.I.)
(d) S.I. 1972/1633 (N.I. 16)