

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 57 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 5

ATTENDANCE NOTICES

Failure to comply with attendance notice

PROSPECTIVE

57 Enforcement of non-participation fine etc: fine imposed on person aged 18 or over

- (1) This section applies where a non-participation fine is imposed on a person who has reached the age of 18.
- (2) Payment of the relevant sum may be enforced as if it were a sum due to the relevant [^{F1}local authority] in pursuance of a judgment or order of [^{F2}the county court].
- (3) The relevant sum is not enforceable as a sum adjudged to be paid by a conviction of a magistrates' court.
- (4) Accordingly—
 - (a) the normal enforcement provisions do not apply in relation to the relevant sum, and
 - (b) the normal enforcement powers are not exercisable in relation to the relevant sum.
- (5) But subsections (3) and (4) do not prevent a magistrates' court, on imposing the fine, from—

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- (a) making an order under section 75 of the Magistrates' Courts Act 1980 (c. 43) (power to dispense with immediate payment), or
- (b) making an order under section 80 of that Act (application of money found on defaulter to satisfy sum adjudged) for the person to be searched before leaving the precincts of the court-house; and subsections (2) and (3) of that section apply in relation to a search in pursuance of any such order.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 15(2)**
- F2** Words in s. 57(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 52**; [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)