

STATUTORY INSTRUMENTS

2018 No. 506

The Network and Information Systems Regulations 2018

PART 5

Enforcement and penalties

Enforcement of penalty notices

20.—(1) This paragraph applies where a sum is payable to an enforcement authority as a penalty under regulation 18.

(2) In England and Wales the penalty is recoverable as if it were payable under an order of the county court or of the High Court.

(3) In Scotland the penalty may be enforced in the same manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom.

(4) In Northern Ireland the penalty is recoverable as if it were payable under an order of a county court or of the High Court.

(5) Where action is taken under this paragraph for the recovery of a sum payable as a penalty under regulation 18, the penalty is —

- (a) in relation to England and Wales, to be treated for the purposes of section 98 of the Courts Act 2003 ^{M1} (register of judgments and order etc.) as if it were a judgment entered in the county court;
- (b) in relation to Northern Ireland, to be treated for the purposes of Article 116 of the Judgments Enforcement (Northern Ireland) Order 1981 ^{M2} (register of judgments) as if it were a judgment in respect of which an application has been accepted under Article 22 or 23(1) of that Order.

(6) No action may be taken under this paragraph for the recovery of a sum payable as a penalty under regulation 18 if [^{F1}an appeal has been brought under regulation 19A and the appeal] has not been determined or withdrawn.

Textual Amendments

- F1** Words in reg. 20(6) substituted (31.12.2020) by [The Network and Information Systems \(Amendment and Transitional Provision etc.\) Regulations 2020 \(S.I. 2020/1245\)](#), regs. 1(1), 17 (with reg. 21)

Marginal Citations

- M1** [2003 c. 39](#). Section 98 was amended by sections 48(1) and 106(2) of, and paragraph 55(1), (2), (3)(a) and (b) of Schedule 8 and paragraph 15 of Schedule 16 to, the [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), and section 17(5) of, and paragraph 40(a) and (c) of Part 2 of Schedule 9 to, the [Crime and Courts Act 2013 \(c. 22\)](#). Further amendments made by the Tribunals, Courts and Enforcement Act 2007 have yet to be brought into force.
- M2** [S.I. 1981/226 \(N.I. 6\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Network and Information Systems Regulations 2018, Section 20.