



# Criminal Justice Act 1991

## 1991 CHAPTER 53

### PART I

#### POWERS OF COURTS TO DEAL WITH OFFENDERS

##### *Financial penalties*

#### 17 Increase of certain maxima.

- (1) [<sup>F1</sup>In section 37 (standard scale of fines) of the <sup>M1</sup>Criminal Justice Act 1982 (“the 1982 Act”) and section 289G of the <sup>M2</sup>Criminal Procedure (Scotland) Act 1975 (corresponding Scottish provision), for subsection (2) there shall be substituted the following subsection—

“(2) The standard scale is shown below—

<i>Level on the scale</i>	<i>Amount of fine</i>
1	£200
2	£500
3	£1,000
4	£2,500
5	£5,000”.]

- (2) Part I of the <sup>M3</sup>Magistrates’ Courts Act 1980 (“the 1980 Act”) shall be amended as follows—
- in section 24(3) and (4) (maximum fine on summary conviction of young person for indictable offence) <sup>F2</sup>. . . , for “£400” there shall be substituted “£1,000”;
  - in section 24(4) (maximum fine on summary conviction of child for indictable offence) <sup>F2</sup>. . . , for “£100” there shall be substituted “£250”; and

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(c) in section 32(9) (maximum fine on summary conviction of offence triable either way), for “£2,000” there shall be substituted “£5,000”;  
and in section 289B(6) of the Criminal Procedure (Scotland) Act 1975 (interpretation), in the definition of “prescribed sum”, for “£2,000” there shall be substituted “£5,000”.

(3) Schedule 4 to this Act shall have effect as follows—

- (a) in each of the provisions mentioned in column 1 of Part I (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted the amount specified in column 4;
- (b) in each of the provisions mentioned in column 1 of Part II (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted the level on the standard scale specified in column 4;
- (c) in each of the provisions mentioned in column 1 of Part III (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted a reference to the statutory maximum;
- (d) the provisions set out in Part IV shall be substituted for Schedule 6A to the 1980 Act (fines that may be altered under section 143); and
- (e) <sup>F3</sup> .....

<b>Extent Information</b>	
<b>E1</b>	S. 17 extends to England and Wales; s. 17(1)(2) also extend to Scotland see s. 102(4)(5)
<b>Textual Amendments</b>	
<b>F1</b>	S. 17(1) repealed (E.W.) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), <b>Sch. 29</b> (with ss. 413(4), 416(7), <b>Sch. 27</b> ); S.I. 2020/1236, reg. 2
<b>F2</b>	S. 17(2)(a)(b) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), <b>Sch. 12 Pt. I</b> (with <b>Sch. 11</b> paras. 1, 2)
<b>F3</b>	S. 17(3)(e) repealed (20.9.1993) by 1993 c. 36, ss. 65(3), 79(14), <b>Sch. 3</b> para. 1(1), <b>Sch. 6 Pt. I</b> ; S.I. 1993/1968, art. 2(2), <b>Sch. 2</b> , Appendix.
<b>Modifications etc. (not altering text)</b>	
<b>C1</b>	S. 17(1)(2) restricted (S.) (1.9.1992) by S.I. 1992/333, <b>art. 4A</b> (as inserted by S.I. 1992/2118, <b>art. 4</b> )
<b>C2</b>	S. 17(1) modified (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), <b>ss. 1, 5(2)(3)</b> ; S.I. 2012/1236, reg. 2
<b>Commencement Information</b>	
<b>I1</b>	S. 17 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, <b>art. 2(2)</b>
<b>Marginal Citations</b>	
<b>M1</b>	1982 c. 48.
<b>M2</b>	1975 c. 21.
<b>M3</b>	1980 c. 43.

<sup>F4</sup>18 .....

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**Textual Amendments**

**F4** S. 18 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F5** **19** .....

**Textual Amendments**

**F5** S. 19 repealed (20.9.1993) by 1993 c. 36, ss. 65(2)(4), 79(14), **Sch. 6 Pt.1**; S.I. 1993/1968, art. 2(2), **Sch.2**, Appendix.

**F6** **20** .....

**Textual Amendments**

**F6** S. 20 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**[F7]20A False statements as to financial circumstances.**

(1) A person who is charged with an offence who, in furnishing a statement of [<sup>F8</sup>financial circumstances (whether a statement of assets, of other financial circumstances or of both)] in response to an official request—

- (a) makes a statement which he knows to be false in a material particular;
- (b) recklessly furnishes a statement which is false in a material particular; or
- (c) knowingly fails to disclose any material fact,

shall be liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.

[ A person who is charged with an offence who fails to furnish a statement <sup>F9</sup>(1A) of [<sup>F10</sup>financial circumstances (whether a statement of assets, of other financial circumstances or of both) requested by] an official request shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

(2) For the purposes of this section an official request is a request which—

- (a) is made by the [<sup>F11</sup>designated officer for] the magistrates' court or the appropriate officer of the Crown Court, as the case may be; and
- (b) is expressed to be made for informing the court, in the event of his being convicted, of his financial circumstances for the purpose of determining the amount of any fine the court may impose [<sup>F12</sup>and how it should be paid].

(3) Proceedings in respect of an offence under this section may, notwithstanding anything in section 127(1) of the 1980 Act (limitation of time), be commenced at any time within two years from the date of the commission of the offence or within six months from its first discovery by the prosecutor, whichever period expires the earlier.]

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#### **Textual Amendments**

- F7** S. 20A inserted (3.2.1995) by 1994 c. 33, s. 168(1), **Sch. 9 para. 43**; S.I. 1995/127, art. 2(1), **Sch. 1**  
Appendix A
- F8** Words in s. 20A(1) substituted (11.12.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 16**  
**para. 26(a)**; S.I. 2013/2981, art. 2(d)
- F9** S. 20A(1A) inserted (5.4.2004) by Courts Act 2003 (c. 39), **ss. 95(2)**, 110; S.I. 2004/174, **art. 3**
- F10** Words in s. 20A(1A) substituted (11.12.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 16**  
**para. 26(b)**; S.I. 2013/2981, art. 2(d)
- F11** Words in s. 20A(2)(a) substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 109(1), **Sch. 8 para. 350**;  
S.I. 2005/910, **art. 3**
- F12** Words in s. 20A(2)(b) inserted (5.4.2004) by Courts Act 2003 (c. 39), **ss. 95(3)**, 110; S.I. 2004/174,  
**art. 3**

**Changes to legislation:**

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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. 24(2)(ba) inserted by [2013 c. 22 s. 26\(7\)](#)
- s. 46(3)(aa) substituted for word by [2008 c. 4 s. 33\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46ZA inserted by [2008 c. 4 s. 33\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))