



2011 CHAPTER 24

PART 1

VICTIMS AND WITNESSES

CHAPTER 1

THE OFFENDER LEVY

Offender levy imposed by court

Offender levy imposed by court: other supplementary provisions

4.—(1) A court shall not, at the time of sentencing an offender, exercise any power to issue a warrant committing the offender to prison in respect of the non-payment of an offender levy imposed by the court.

(2) Where an offender is liable to pay both a fine and an offender levy imposed by a court, any amount paid by an offender in respect of that liability shall be treated as first discharging the liability to pay the offender levy.

(3) A court may remit all or part of an offender levy imposed by it on an offender if—

- (a) the court in dealing with the offender imposed both a fine and an offender levy;
- (b) the offender has defaulted in paying the fine; and
- (c) in consequence of that default the court either—
 - (i) commits that person to prison; or
 - (ii) makes a supervised activity order under Article 45 of the [Criminal Justice \(Northern Ireland\) Order 2008 \(NI 1\)](#).

- (4) If—
- (a) the court in dealing with the offender imposed both a determinate sentence of imprisonment or detention (other than a suspended sentence) and an offender levy; and
 - (b) the liability of the offender to pay the offender levy was reduced, but not discharged, by deductions made under section 3,
- the levy is, by virtue of this subsection, discharged on the expiry of the sentence.