

*These notes refer to the Justice Act (Northern Ireland)
2015 (c.9) which received Royal Assent on 24 July 2015*

Justice Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Prosecutorial Fines

Non-payment of prosecutorial fine

Section 22: Failure to pay prosecutorial fine

This section details the process to be undertaken if a prosecutorial fine is unpaid when the 28 day period allowed for payment has elapsed. In this case the fine is increased by 50% and the total amount is pursued as a court fine. Only the fine and offender levy elements are increased, the compensation element (if any) is not.

Section 23: Registration certificates

This section requires a prosecutor to raise a certificate of registration to allow a defaulted fine to be pursued by a fines clerk.

Section 24: Registration of sum payable in default

This section allows enforcement of the defaulted fine through existing court mechanisms.

Section 25: Challenge to notice of registration

This section allows an alleged offender to challenge the issue of a prosecutorial fine on the basis of mistaken identity.

Section 26: Setting aside of sum enforceable under section 24

This section allows a court to set aside the sum imposed by a prosecutorial fine and declare the disposal void.