
STATUTORY INSTRUMENTS

1994 No. 2795

The Criminal Justice (Northern Ireland) Order 1994

PART II

FINES AND PENALTIES

Miscellaneous

Alteration of certain penalties

10.—(1) In section 41 of the Foyle Fisheries Act (Northern Ireland) 1952⁽¹⁾ (penalty for pollution)—

(a) in subsection (1) for the words from “on summary conviction” onwards there shall be substituted—

“(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or to both.”;

(b) after subsection (1) there shall be inserted—

“(1A) If in the case of a continuing offence under subsection (1), the offender continues to contravene that subsection, he shall be guilty of a further offence and shall be liable on summary conviction to an additional fine not exceeding one-twentieth of level 5 on the standard scale for each day on which the offence is continued.”.

(2) In section 47 of the Fisheries Act (Northern Ireland) 1966⁽²⁾ (penalty for pollution)—

(a) in subsection (1) for the words from “on summary conviction” onwards there shall be substituted—

“(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or to both.”;

(b) after subsection (1) there shall be inserted—

“(1A) If in the case of a continuing offence under subsection (1), the offender continues to contravene that subsection, he shall be guilty of a further offence and shall be liable on summary conviction to an additional fine not exceeding one-twentieth of level 5 on the standard scale for each day on which the offence is continued.”.

(3) In Article 3(4) of the Criminal Law (Amendment) (Northern Ireland) Order 1977 (penalties for bomb hoaxes)—

(a) in sub-paragraph (a) for the words from “three months” onwards there shall be substituted “6 months or to a fine not exceeding the statutory maximum or to both”;

(1) 1952 c. 5 (N.I.)

(2) 1966 c. 17 (N.I.)

- (b) in sub-paragraph (b) for “five years” there shall be substituted “7 years or to a fine or to both”.