
STATUTORY INSTRUMENTS

1994 No. 2795

The Criminal Justice (Northern Ireland) Order 1994

PART II

FINES AND PENALTIES

Financial and other penalties

Increase of certain maxima

3.—(1) In Article 4(8) of the Fines and Penalties (Northern Ireland) Order 1984 (maximum fine on summary conviction of an offence punishable on conviction on indictment or on summary conviction), in the definition of “prescribed sum” for “£2,000” there shall be substituted “£5,000”.

(2) For Article 5(2) of the Fines and Penalties (Northern Ireland) Order 1984 (standard scale of fines) there shall be substituted—

“(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”.

(3) In section 72(1) of the Children and Young Persons Act (Northern Ireland) 1968⁽¹⁾ (restriction on punishment of a child and young person)—

- (a) in paragraph (a) (maximum fine on summary conviction of a child) for “£100” there shall be substituted “£250”;
- (b) in paragraph (b) (maximum fine on summary conviction of a young person) for “£400” there shall be substituted “£1,000”.

(4) In the Magistrates' Courts (Northern Ireland) Order 1981⁽²⁾—

- (a) in Article 54(1)(b)(i) (fine in lieu of imprisonment), for “£400” there shall be substituted “level 3 on the standard scale”;
- (b) in Article 119(1) (penalty for failure to appear or failure to comply), for “£50” there shall be substituted “level 4 on the standard scale”.

(1) 1968 c. 34 (N.I.)

(2) 1981 NI 26

(5) In the statutory provisions specified in column 1 of Schedule I (the general description of which is given in column 2 of that Schedule), for the amount specified in column 3 of that Schedule there shall be substituted the amount specified in column 4 of that Schedule.

Period of imprisonment for default

4.—(1) In section 35 of the Criminal Justice Act (Northern Ireland) 1945⁽³⁾ (powers of Crown Court or county courts in relation to fines and forfeited recognizances) for subsection (2) there shall be substituted—

“(2) The periods set out in the second column of the following Table shall be the maximum periods of imprisonment or detention which may be fixed under subsection (1) (c) applicable respectively to the amounts set out opposite thereto—

TABLE

An amount not exceeding £200	7 days
An amount exceeding £200 but not exceeding £500	14 days
An amount exceeding £500 but not exceeding £1,000	28 days
An amount exceeding £1,000 but not exceeding £2,500	45 days
An amount exceeding £2,500 but not exceeding £5,000	3 months
An amount exceeding £5,000 but not exceeding £10,000	6 months
An amount exceeding £10,000 but not exceeding £20,000	12 months
An amount exceeding £20,000 but not exceeding £50,000	18 months
An amount exceeding £50,000 but not exceeding £100,000	2 years
An amount exceeding £100,000 but not exceeding £250,000	3 years
An amount exceeding £250,000 but not exceeding £1 million	5 years
An amount exceeding £1 million	10 years ² .

(2) For the Table in paragraph 1 of Schedule 3 to the Magistrates' Courts (Northern Ireland) Order 1981⁽⁴⁾ (maximum periods of imprisonment for default in paying sums adjudged to be paid by a conviction), there shall be substituted the following Table—

⁽³⁾ 1945 c. 15 (N.I.)

⁽⁴⁾ 1981 NI 26

“TABLE

An amount not exceeding £200	7 days
An amount exceeding £200 but not exceeding £500	14 days
An amount exceeding £500 but not exceeding £1,000	28 days
An amount exceeding £1,000 but not exceeding £2,500	45 days
An amount exceeding £2,500 but not exceeding £5,000	3 months
An amount exceeding £5,000 but not exceeding £10,000	6 months
An amount exceeding £10,000	12 months”.

Fines on companies

5.—(1) After section 35(4) of the Criminal Justice Act (Northern Ireland) 1945⁽⁵⁾ (powers of Crown Court or county courts in relation to fines and forfeited recognizances) there shall be inserted—

“(4A) Where—

- (a) the Crown Court has imposed a fine on a company; and
- (b) the court has issued a warrant of distress under section 3 of the Fines Act (Ireland) 1851 for the purpose of levying the amount of the fine; and
- (c) it appears on the return to the warrant that the money and goods of the company are insufficient to satisfy the amount of the fine with the costs and charges of levying the same,

the chief clerk may make an application in relation to the company under Article 22 or 104 of the Insolvency (Northern Ireland) Order 1989 (administration or winding up).”.

(2) After Article 92 of the Magistrates' Courts (Northern Ireland) Order 1981⁽⁶⁾ there shall be inserted—

“Fines imposed on companies

92A.—(1) Where—

- (a) a magistrates' court has, or is treated by any statutory provision as having, adjudged a company by a conviction to pay a sum; and
- (b) the court has issued a warrant of distress under Article 92(1)(a) for the purpose of levying the sum; and
- (c) it appears on the return to the warrant that the money and goods of the company are insufficient to satisfy the sum with the costs and charges of levying the same,

the clerk of petty sessions may make an application in relation to the company under Article 22 or 104 of the Insolvency (Northern Ireland) Order 1989 (administration or winding up).”.

⁽⁵⁾ 1945 c. 15 (N.I.)

⁽⁶⁾ 1981 NI 26